

December 14, 2022
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday December 14, 2022. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 6:43 p.m.

Present:

Dennis Firestone, Chairman
Kerry McCrary, Vice Chairman
Gary Longenecker, Secretary
Brent McFeaters, Township Manager
Elizabeth Krause, Zoning Officer
Bryan Michael, Road Crew Supervisor
Paul Bametzreider, Township Solicitor
Steve Sherk, Township Engineer
Chief Farneski – Cleona Police Department
Twelve (12) Residents

PUBLIC COMMENTS

Dave Krissinger of 60 Bordnersville Road asked if there was any way a sign could be installed on Bordnersville Road that would forbid trucks from using their jake brakes. Mr. Krissinger said that since the speed limit is 35 miles per hour and the road is not sloped, there is no reason for the trucks to be using them, and yet they are being used day and night and it is very annoying to the residents in the neighborhood. Atty. Bametzreider said that prior to adopting a brake retarder ordinance, a traffic study will have to be done. After a discussion about the requirements for the installation of a sign forbidding the use of brake retarders on Bordnersville Road, Kerry McCrary made a motion seconded by Dennis Firestone to authorize Steve Sherk, Township Engineer to perform a traffic study and do the engineering to make sure the Township is in compliance with the regulations of an Engine Retarder Ordinance to install the brake retarder signs on Bordnersville Road. All approved.

APPROVE REZONING HEARING MEETING MINUTES – November 9, 2022

Dennis Firestone made a motion seconded by Kerry McCrary to approve the November 9th minutes from the Rezoning Hearing. All approved.

APPROVE BOS MINUTES – November 9, 2022

Kerry McCrary made a motion seconded by Gary Longenecker to approve the minutes from the November 9, 2022, meeting. All approved.

APPROVE JULY FINANCIAL REPORT

Gary Longenecker made a motion seconded by Dennis Firestone to approve the Financial Report. All approved.

CLEONA BOROUGH POLICE SERVICES – CHIEF JEFF FARNESKI

Chief Farneski reported that the Cleona Borough Police handled 108 incidents in Union Township and addressed some of the issues that were discussed at last month's meeting pertaining to King's Plantation. Chief Farneski said their officers have not seen anyone speeding in the development nor have they seen anyone running stop signs but there is a resident who can't park in front of their house and therefore park their vehicle too close to the stop sign at the intersection of Mayflower Drive which creates a traffic issue. He asked the Board to designate that area as a "no parking" area. The process for the installation of "no parking" signs was discussed and Atty. Bametzreider said the Township's Traffic Commission could designate the "no parking" area

Chief Farneski said even though his officers have not seen anyone speeding in the development nor running stop signs he recommends the Board look into the electronic signs that flash the speeds of the traveling vehicles in order to slow down the traffic and said that All Traffic Solutions carries those signs. He also pointed out that the older section of the development has speed limit signs of 20 mph but the posted speed limit must be 25 mph.

Lastly, Chief Farneski reported that they get calls from the local hotels and other businesses about abandoned vehicles that are left on their parking lots due to break downs and become eye sores but after tagging the vehicles and going through the necessary process, the vehicles are removed and go to the salvage yard.

NORTHERN LEBANON FIRE AND EMERGENCY SERVICES – ROB TAYLOR

The report is available with handouts (only when provided by the NLFES)

LIFE LION AMBULANCE SERVICES – JOHN SHOOK

Monthly report is available with handouts (only when provided by Life Lion)

PLANNING COMMISSION – LIZ KRAUSE

Old Business

- 1. The Planning Commission recommends the Board adopt Ordinance # 187 which is a text amendment to the Zoning Ordinance to permit truck parking facilities by right in the Commercial District subject to certain regulations.**

- 2. Home 2 Suites Land Development Plan**

No action was taken, and the plan was tabled until January meeting.

- 3. Miller Bed & Breakfast**

No action was taken, and the plan was tabled until the January meeting

- 4. 19 Silvertown Road Minor Subdivision Plan**

The Planning Commission recommends the Board accept the 90-day time extension as granted in Chrisland Engineering's letter dated November 30, 2022. No other action was taken, and the plan was tabled until the January meeting. Dennis Firestone made a motion seconded by Gary Longenecker to accept the 90-day time extension as granted in Chrisland Engineering's letter dated November 30, 2022. All approved.

5. Collins Self Storage, LLC Preliminary/Final Land Development Plan

The Planning Commission recommends the Board approve the 90-day time extension as granted in Chrisland Engineering's letter dated November 30, 2022. No other action was taken, and the plan was tabled until the January meeting. Dennis Firestone made a motion seconded by Kerry McCrary to accept the 90-day time extension as granted in Chrisland Engineering's letter dated November 30, 2022. All approved.

6. Derr/Prokop Minor Subdivision Plan

The Planning Commission recommends the Board accept the 90-day time extension letter as granted in Matthew & Hockley's letter dated December 5, 2022. No other action was taken, and the plan was tabled until the January meeting. Dennis Firestone made a motion seconded by Gary Longenecker to accept the time extension as granted in Matthew & Hockley's letter dated December 5, 2022. All approved.

The Planning Commission also discussed the matter of time extensions and would like the developers to provide a letter stating the reason that the time extensions are needed.

ZONING OFFICER REPORT – LIZ KRAUSE

Liz Krause, Zoning Officer reported that two permits were issued totaling \$326.00 and \$652.75 was received in reimbursement of fees.

ZHB Case 22-05

On Monday, November 28th, the Zoning Hearing Board granted a variance to the setback requirements (Article 5, Section F) to David & Jill Beamesderfer to allow an attached garage on their Agricultural-Zoned property located at 85 Lincoln School Road.

Enforcement Issues

Last month I reported that a formal complaint was filed against the property at 16 Lion Lane regarding an open fire pit located in the back yard of the property. A certified letter and the Burning Ordinance was sent to the property owner informing them that no burning is allowed in the Medium Density Residential Zoning District. Upon receipt of the letter, I was contacted by the property owner who said they never burn anything on their property and only use the fire pit for cooking purposes and always use a grate while cooking.

I also sent a certified letter along with the burning regulations to the owners of 3 Mayflower Drive and 401 Shepherd Street because it was stated that burning occasionally takes place on those properties, but no formal complaint was filed. I have not received any response to my letters.

The volunteers of the Serve Team of Lebanon Area Evangelical Free Church have cleaned up the property at 651 Jonestown Road, specifically mowing, weeding, trimming, and refuse clean-up/removal during the Labor-for-You-Neighbor event on 11/19 and have tentatively

discussed plans to return to her property in the Spring during their "J*Rock" event (early May) to continue to assist with the outdoor work as needed.

ROAD FOREMAN REPORT – Bryan Michael

Bryan Michael reported put the delineators on Bordnersville Road and Sansiding Road took the hitch off the tractors for the sweepers and hauled the remaining dirt out of the laydown area.

ENGINEERS REPORT – STEVE SHERK, TOWNSHIP ENGINEER LETTER OF CREDIT REDUCTION FOR TILLET, INC. FINAL LAND DEVELOPMENT PLAN

Steve Sherk said Tillett has requested to have their letter of credit reduced for their project which is located at 10669 Allentown Blvd., and after an inspection of the site improvement associated with the plan, he recommends the Board make a partial reduction of their Letter of Credit in the amount of \$69,500.00 leaving a balance of \$8,000.00 as security for the remaining work. Dennis Firestone made a motion seconded by Kerry McCrary to reduce Tillett's letter of credit in the amount of \$69,500.00 leaving a balance of \$8,000.00. All approved.

1. Ridge Road Culvert Replacement. Work is substantially completed except for guiderail installation. The guiderail is expected to be completed soon. See attached letter dated November 29th recommending approval of Application for Payment No. 2 in the amount of \$51,415.05. Dennis Firestone made a motion seconded by Gary Longenecker to authorize payment # 2 to A. H. Moyer in the amount of \$51,415.05. All approved.
2. Sand Siding Road (Dirt, Gravel and Low Volume Road (DGLVR) Grant – Phase 2. Work is substantially completed. CPA Pavement Services is working to address the punch list items. See attached letter recommending approval of Application for Payment No. 1 in the amount of \$156,843.10. Dennis Firestone made a motion seconded by Kerry McCrary to approve Payment No. 1 in the amount of \$156,843.10 to CPA Pavement Services in the amount of \$156,843.10. Also see attached letter recommending *conditional* approval of Application for Payment No. 2 in the amount of \$8,254.90 pending completion of the items listed on the punch list. Dennis Firestone made a motion seconded by Gary Longenecker to conditionally approve Payment No. 2 to CPA Pavement Services in the amount of \$8,254.90 contingent upon approval from the Township Engineer that all the work is completed as required. All approved.

APPROVE THE CONTRACT EXTENSION TO JULY 31, 2023, FOR SAND SIDING ROAD REIMBURSEMENT PAYMENT FROM THE LEBANON COUNTY CONSERVATION DISTRICT.

Dennis Firestone made a motion seconded by Gary Longenecker to approve the time extension of the contract to July 31, 2023, for the reimbursement payment from the Lebanon County Conservation District if needed for Sand Siding Road. All approved.

3. PennDOT Green Light-Go Agreement – Fisher Avenue - Signal Improvements. ELA Group (our traffic subconsultant) is ready to proceed with traffic signal permit applications pending decisions on the Statewide Local Share Assessment (LSA) and the Automated Red Light Enforcement Transportation Enhancements (ARLE) grant

applications (see items 4 and 5 below). The Township can bid the project after the traffic signal permits are approved. The Township has until May 15, 2024 to complete construction of the project and the final invoice must be submitted to PennDOT by May 31, 2024.

4. Statewide Local Share Account (LSA) Grant. As previously reported, we submitted a Local Share Assessment (LSA) grant application on behalf of the Township in March proposing to improve the intersection of Fisher Avenue, Old Forge Road, and the I-81 NB ramp. This grant would only cover work within the intersection proper (traffic signal work, restriping, etc.) and not include any work needed to widen the I-81 on-ramp, as the grant program manager has concluded that work within the federal ROW is not applicable to this program. Our DCED contact said the earliest the LSA-Statewide applications will go before the CFA Board is at the November 2022 meeting; however, that was not guaranteed, and we have not received any updates on the status of the grant.
5. Automated Red Light Enforcement Transportation Enhancements (ARLE) Grant Program. This is another statewide grant program that is available and could provide potential funding for improvements at the intersection of Fisher Avenue, Old Forge Road, and the I-81 NB ramp. The ARLE Funding Program is a reimbursement grant program and there is no match requirement. The total amount of statewide grant funding available in FY 2022-2023 is anticipated to be approximately \$14 million. It is our understanding this grant program would cover the full cost of the intersection project, including the cost to widen the I-81 on-ramp, which the LSA grant will not cover. We submitted this grant application on June 23rd. ARLE Selection Committee is expected to announce the grant awards sometime this month, but we have not received an update on the status of the grant.
6. Quartermaster Road Culvert Replacement. The Notice of Intent to Award letter was sent to Ankiewicz Enterprises, Inc. on November 11th. We received the performance bond, payment bond, Certificate of Insurance, and signed Agreement from Ankiewicz. We will issue a Notice to Proceed letter upon receipt of the signed Agreements from the Township.

SOLICITOR'S REPORT – PAUL BAMETZREIDER

ORDINANCE # 185 – EUGENE MEASE REZONING FOR PROPERTY LOCATED AT 3219 STATE ROUTE 72

Atty. Bametzreider said the Ordinance # 185 has been advertised for possible adoption at this meeting and it is still within the 60-day time period so the Board could consider rezoning 3219 State Route 72 to Industrial or the matter could be tabled. Kerry McCrary said there was also concern about the access drive to the warehouse being directly across from the Finlan's property at 3204 State Route 72, and he remembers the developer saying something about being able to shift the driveway location. Dennis Firestone noted that at the Hearing there was also a discussion with the developer concerning the Shuey property and the access coming out at Bohn's Lane instead of where it was originally shown on the plan, and before he is able to make a decision, he would like to know if the developer is going to purchase their property and feels more information should be provided. originally shown on the proposed plan. Steve Sherk commented that he recalls from the Hearing for R & L Carriers that the site distance was an issue at Bohn's Lane and SR 72, but said that if the developer would have his driveway access at Bohn's Lane & SR 72 he would not need anything from Penn Dot because it's an existing access. Tim Shuey said they were contacted by the developer, but they have not made any deals at this point. Deb Shuey

commented that she would not want to remain living on her property if a warehouse would be on the neighboring property.

Kerry said his other concern is how much traffic will be coming through Lickdale to get to the proposed warehouse. Steve said the Board could request a traffic study, pointing out that even though they do not have a tenant they may be able to do something projecting the traffic based on the size of the warehouse.

A discussion was held about pulling out on Bohn's Lane and what would have to be done to correct the site distance issue but that won't solve the issue of the truck traffic. Marty Final said he already had an incident of a truck turning around in his newly paved driveway. Kerry McCrary asked Mr. Finlan what his thoughts are of the warehouse and Mr. Finlan said if 3219 SR 72 is not rezoned, it would limit the size of the warehouse that could be put in at the neighboring parcel that is already zoned Industrial. He said that if they purchased the Shuey property and it got moved down further, then at least wouldn't be across the street from him, but the truck traffic would still be an issue as well as the trucks that will be idling during the cold weather. A discussion was held about the truck traffic that will be generated from the warehouse and the trucks that will be idling during cold weather.

Nelson Ebersole, Realtor asked the Board to table action on the Rezoning so the developer can provide more information at the January meeting and Marty Finlan said he would like to hear exactly what the developer is willing to do. Atty. Bametzreider said, the Ordinance will have to be readvertised if it is not adopted at this meeting because the sixty days will be up. After a lengthy discussion regarding rezoning the property, the Board agreed to table action on Ordinance #185 until the January meeting.

ORDINANCE # 187 – TEXT AMENDMENT FOR A TRUCK PARKING LOT ALONG OLD FORGE ROAD (PARCEL # 33-2312100-407821-0000)

Dennis Firestone made a motion seconded by Gary Longenecker to adopt Ordinance # 187. All approved. Atty. Bametzreider added that Jeff Camp will make a contribution of \$150,000 for traffic enhancements which will be discussed at the time of Land Development.

TITLE 53 P.S. SECTION 66504, REGARDING BIDDING AND ADVERTISING REQUIREMENTS FOR PERSONAL PROEPRTY BEING TRADED

Atty. Bametzreider said that last month there was a discussion about the Township purchasing a front wheel loader and a skid loader and a concern was raised by a resident that the equipment being traded should have sold by auction. Atty. Bametzreider said that Title 53 P.S. Section 66504 regarding bidding and advertise requirements, C and C1 says, (C) The bidding and advertising requirements of this section do not apply to the following transactions: (C1) If personal property of the Township is being traded in or exchanged for other personal property so in those circumstances it did not have to be bid or public noticed.

RESOLUTIONS

1. RESOLUTION #10 – 2022, ADOPT THE 2023 BUDGET

Dennis Firestone made a motion seconded by Kerry McCrary to adopt Resolution # 10-2022. All approved.

2. RESOLUTION #11 – 2022, TAX LEVY – FIRE HYDRANT TAX FOR 2023

Dennis Firestone made a motion seconded by Gary Longenecker to adopt Resolution # 11-2022. All approved.

3. RESOLUTION #12 – 2022, TAX LEVY – GENERAL PURPOSES AND STREET TAX FOR 2023

Dennis Firestone made a motion seconded by Kerry McCrary to adopt Resolution # 12-2022. All approved.

4. RESOLUTION #13 – 2022, DEP EFA REGISTRATION, PERMISSION FORM TO FILE PERMITS ONLINE TO DEP

Dennis Firestone made a motion seconded by Gary Longenecker to adopt Resolution # 13-2022. All approved.

NEW BUSINESS –

1. MOTION TO APPROVE 2023 C.M. HIGH PREVENTATIVE MAINTENANCE AGREEMENT

Dennis Firestone made a motion seconded by Gary Longenecker to approve 2023 C.M. High's Preventive Maintenance Agreement contract amount of \$2,045.00 which is the same as the previous year. All approved.

2. MOTION TO APPROVE THE MEETING SCHEDULE FOR 2023

Dennis Firestone made a motion seconded by Kerry McCrary to approve the Meeting Schedule for 2023, (Organization, Supervisors, Planning Commission, and Lickdale Sewer Plant Meetings).All approved.

The following meeting will be held at the Municipal Building on the first Wednesday of each month:

Planning Commission Meetings – starting at 7:00 PM

The following meetings will be held at the Municipal Building on the second Wednesday of each month:

Lickdale Sewer Meetings – starting at 6:30 PM

Board of Supervisors Meetings – meeting will begin immediately after the Lickdale Sewer Meeting.

3. APPROVE THE NEW RATE FOR OUR CLEANING SERVICES FROM \$100 TO \$150 PER MONTH STARTING JANUARY 2023

Dennis Firestone made a motion seconded by Kerry McCrary to approve the rate of \$150.00 per month for Cleaning Services. All approved.

4. A TOWNSHIP EMPLOYEE HAD AN ACCIDENT WITH ONE OF THE TOWNSHIP VEHICLES ON 11/22/2022

Brent McFeaters explained that a Township employee had an accident with one of the Township vehicles on 11/22/2022 and no one was injured in the accident. He said the total damage is \$8,400 with a \$500 a deductible and the repairs will be done by mid-February. Helen Light asked who pays for the deductible and Atty. Bametzreider said the Township pays for the repair because the person driving the truck was acting in the scope of his employment.

OLD BUSINESS – None

BILLS PAYABLE -

Dennis Firestone made a motion seconded by Gary Longenecker to pay the bills in the amount of \$160,345.73 from the General, Recycling, Liquid Fuels, Street Light, Payroll and ARP Funds

DATE OF THE ORGANIZATION MEETING:

Tuesday January 3, 2023 – 1:00 PM

DATE OF NEXT PLANNING COMMISSION MEETING:

Wednesday, January 4, 2023 - 7:00 PM

DATE OF NEXT LICKDALE SEWER TREATMENT PLANT MEETING:

Wednesday, January 11, 2023 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETING:

Wednesday, January 11, 2023 – Commencing right after the Lickdale Sewer meeting.

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Elizabeth Krause
Recording Secretary