

April 12, 2023  
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday April 12, 2023. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 6:30 p.m.

Present:

Dennis Firestone, Chairman  
Kerry McCrary, Vice Chairman  
Gary Longenecker, Secretary  
Brent McFeaters, Township Manager  
Elizabeth Krause, Zoning Officer  
Paul Bametzreider, Township Solicitor  
Steve Sherk, Township Engineer  
Chief Farneski – Cleona Police Department  
Seven (7) Residents

#### PUBLIC COMMENTS

Jim Darkes said that no improvement has been made on the trash/packaging material from Wabash (Supreme) that has blown onto the neighboring properties including the Rail Trail. Mr. Darkes noted that he knows the Township has been in contact with them, but nothing has changed. After a lengthy discussion the Board authorized Atty. Bametzreider to send Wabash (Supreme) an official violation notice.

Mr. Darkes said there was also an incident at the treatment plant on April 6<sup>th</sup> and he left a message for the Cleona Borough Police, but he never received a call back and wondered if those voicemails were monitored by the police. Chief Farneski said one of the officers who monitored those voicemails had submitted his resignation, but he will make sure the phone messages are monitored.

#### APPROVE BOS MINUTES – March 8, 2023

Dennis Firestone made a motion seconded by Gary Longenecker to approve the minutes from the March 8, 2023 meeting. All approved.

#### APPROVE FINANCIAL REPORT

Kerry McCrary made a motion seconded by Gary Longenecker to approve the Financial Report. All approved.

#### CLEONA BOROUGH POLICE SERVICES – CHIEF JEFF FARNESKI

Chief Farneski said that in the last month the Cleona Borough Police wrote 63 citations and noted a few other incidents in the Township, but the biggest thing is they are asking for the Township's permission or assistance regarding the investigation relating to the fatal accident in February 2023 on State Route 72. He explained that Eleanor Krall, a Township resident was killed in the accident and their investigation showed that the driver who ran into Mrs. Krall was driving at a high rate of speed and ran two stop signs. In order to charge the driver with vehicular manslaughter they need the data that is available in the

black box which can be downloaded from Nissan but will cost \$822.00 and asked the Board for permission to obtain the video. After a lengthy discussion regarding the situation, Dennis Firestone made a motion seconded by Kerry McCrary to authorize Chief Farneski to move forward with obtaining the video at the cost of \$822.00. All approved.

**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**

**1. Home 2 Suites Land Development Plan**

No new information was received, and the plan was tabled until the May meeting.

**2. Miller Bed & Breakfast Preliminary/Final Land Development Plan**

James Skipper of Chrisland Engineering submitted the signed agreements and a revised plan with signatures and asked the Planning Commission to recommend approval of the requested waivers and conditional approval of the plan. Since there are still outstanding items that must be addressed, the Planning Commission tabled any action on the Miller Bed & Breakfast Preliminary Final Land Development Plan until the May meeting.

**3. 19 Silvertown Road Minor Subdivision Plan**

No action was taken on any of the waivers requested, but the Planning Commission indicated that they would not recommend the waiver to Section 5.11.B regarding the standards for new streets since the existing cartway is only 19 feet wide and the Plan was tabled until the May meeting.

**4. Collins Self Storage, LLC Preliminary Land Development Plan**

This Plan has now been changed to a Preliminary Plan and the Planning Commission recommends the Board approve the waiver to Section 5.13.B. regarding sidewalks. The Planning Commission also recommends the Board approve the waiver to Section 5.22 which requires an Environmental Impact Assessment Report. No other action was taken, and the plan was tabled until the May meeting.

Gary Longenecker mentioned a deferral agreement regarding the sidewalk at that location, but after a lengthy discussion regarding the waivers, Dennis Firestone made a motion seconded by Kerry McCrary to approve the waiver to Section 5.13.B regarding sidewalks and the waiver to Section 5.22 regarding an Environmental Impact Assessment Report as recommended by the Planning Commission. All approved.

**ZONING OFFICER REPORT – LIZ KRAUSE**

Liz Krause, Zoning Officer reported that six permits were issued totaling \$374.00 and \$4,075.75 was received in reimbursement of fees.

Enforcement Issues:

As previously reported, we received numerous complaints regarding trash from Supreme blowing onto the neighboring properties in Jonestown and also on the Rail Trails. Earlier this month it was again reported that Supreme's trash was blowing around neighboring properties. I contacted the manager who said they have been working to keep the areas clean especially following some of the recent winds we have experienced. and will keep the team working to keep the areas clear of trash.

I again spoke with Supreme's General Manager who said he would send a cleanup crew to work on picking up the trash. I contacted him yesterday for an update and as stated in Mr. Yagel's email, his crew will make more frequent yard patrols to pick up debris that escaped the trash receptacles as well as making sure the lids on all trash bins and dumpsters stay closed. We will continue to monitor the situation and stay in touch with the general manager. (This was discussed at the beginning of the meeting under public comments)

It was reported that someone was living in a camper along Penny Lane. Brent and Chief Farneski said they spoke to the violator and ordered him to remove the camper immediately.

The Manger of KOA Campground on Lickdale Road would like to hold a flea market at the campground two Saturdays a month renting out about 20 tables, (but could possibly turn into more in the future.) I spoke to Steve about this, and he said since this is not addressed as a permitted use for the campground, Steve feels it merits some review and possibly consider looking at a special events ordinance. Atty. Bametzreider noted that there could be traffic issues as well as sanitation issues with this type of event and said a site plan should be required so the Township can do a basic review and suggested the Manager come to the May meeting to provide more information.

**ROAD FOREMAN REPORT – Brent McFeaters for Bryan Michael**

Brent McFeaters reported that Green Waste Pick Up was today and the road crew has been washing the trucks, put the plows away and brought the mowers over to get ready for mowing. They were also working on Maple Lane and Jonestown Road getting ready for that work, and will be leaf blowing tomorrow and Friday and street sweeping at the end of the month.

**ENGINEERS REPORT – STEVE SHERK, TOWNSHIP ENGINEER**

1. Ridge Road Culvert Replacement. Work is substantially completed. We issued a Certificate of Substantial Completion on January 3<sup>rd</sup> along with a punch list of items to be completed or corrected prior to final payment. All punch list items are still pending, including repairs to roadway surface and contract closeout documents. A.H. Moyer has indicated that Martin's Paving will repair the road's oil & chip surface in June when working on another project that is close by in Bethel Township.
2. Statewide Local Share Account (LSA) Grant. Union Township was officially awarded an LSA grant in the amount of \$73,001 to improve the intersection of Fisher Avenue, Old Forge Road, and the I-81 NB ramp. The Township will soon be receiving a grant commitment letter and contract. This grant funding only covers work within the

intersection proper (traffic signal work, restriping, etc.) and does not include any work needed to widen the I-81 on-ramp, as the grant program manager stated that work within the federal ROW is not eligible for reimbursement under this program. However, we confirmed that the Township will still be able to complete necessary improvements within the federal right-of-way as part of the project. We simply need to include a breakdown of the “LSA eligible costs” on the invoices submitted to DCED for reimbursement. Any other project-related costs, which will be covered by the Green-Light-Go funding or other Township funding sources, would be listed separately.

Last week I had a meeting with Brent McFeaters and Mark Henise of ELA Group (our traffic subconsultant) to review the project scope and discuss the next steps with regard to necessary surveying, PennDOT permitting (e.g. HOP and Traffic Signal Plan), and bid document preparation. As previously discussed, the LSA and Green-Light-Go project improvements will be combined and bid on the same contract. Mark from ELA Group expects the project will be ready to bid by fall of this year.

3. PennDOT Green Light-Go Agreement – Fisher Avenue - Signal Improvements. See item 2 above as the LSA and Green-Light-Go project improvements will be combined and bid on the same contract. 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. Due to the delay with announcement of the LSA grant and potential supply chain issues, the Township will likely need to request up to a 12-month time extension from PennDOT for construction completion.
4. Quartermaster Road Culvert Replacement. Work is substantially completed, and the road is reopened to traffic. We issued a Certificate of Substantial Completion on March 3<sup>rd</sup> along with a punch list of items to be completed or corrected prior to final payment. Eric Ankiewicz of Ankiewicz Enterprises is targeting early to mid-May for milling and paving of the wearing course following a 60-day settlement period.
5. 2023 Paving Projects. The 2023 paving contract was awarded to H&K Group. The contract has been signed by H&K and the Township. We have requested a pre-construction meeting with H&K Group to discuss the project schedule, scope of work, traffic control, inspections, etc. The contract requires work to be completed by June 30, 2023.
6. Lickdale Associates, L.P., Truck Parking Lot. On April 4<sup>th</sup>, we issued a review letter for the latest Stormwater Management Site Plan submission. A few outstanding comments remain, including E&S/NPDES permit approval, execution of the Stormwater Management BMP O&M Agreement, financial security in the amount of \$331,619.20, and execution of a Developer’s Agreement. We also recently learned from the Township’s Sewage Enforcement Officer that portable toilets are not permitted for permanent commercial uses and that permanent restroom facilities with a public sewer connection will be required. These outstanding issues must be addressed before a Zoning Permit is issued. Atty. Bametzredier noted that they are looking into some sort of easement agreement with Love’s where the truckers that park there could use the Love’s facilities. Brent McFeaters commented that he can’t imagine that the truckers will walk to Love’s to use their bathrooms. A discussion was held regarding the other options available.
7. Culvert Replacements at 10/15 Campmeeting Road and 112/129 Campmeeting Road. We are preparing DEP GP-11 permits to authorize the replacement of these two culverts.

There are wetlands located at the 10/15 Campmeeting Road culvert which are potential bog turtle habitat. Therefore, we are proceeding with a Phase 1 bog turtle habitat survey. If no bog turtles are found, we expect USFWS will provide the necessary project clearance with time of year restrictions, which means the culvert replacement and associated work would need to occur between November 1<sup>st</sup> and March 31<sup>st</sup>.

**APPROVE QUOTE FROM SESI TO COMPLETE AND SUBMIT TWO DEP PERMITS FOR CULVERT CROSSINGS ON CAMPMEETING ROAD**

Brent McFeaters stated that the existing culverts need to be replaced as soon as possible and the quote from SESI for both permits and the PNDI study is \$12,350. (\$11,700 permit fee and PNDI Study \$650.00). Dennis Firestone made a motion seconded by Gary Longenecker to approve the quote from SESI of \$12,350 to move forward with the DEP permits for the culvert crossings on Campmeeting Road. All approved.

**SOLICITOR'S REPORT – PAUL BAMETZREIDER**

**INDEMNIFICATION AGREEMENT FOR LICKDALE HOTEL ON 72**

Atty. Bametzreider explained that the M-950 that is for the Lickdale Hotel's HOP permit can't be signed until the Indemnification Agreement is updated and executed by the developer, noting that it is the Developer's responsibility, and the Township is not on the hook for anything.

**APPROVE THE TODD PROPST REPLACEMENT LETTER OF CREDIT**

Atty. Bametzreider reported that since he has received a replacement Letter of Credit in the amount of \$17,347.00 issued by Ephrata National Bank, the Board can release Todd's Propst's previous letter of credit issued by Jonestown Bank. Dennis Firestone made a motion seconded by Gary Longenecker to release Todd Propst's Letter of Credit from Jonestown Bank which is now replaced by Ephrata National Bank. All approved.

**JOHN LIGHT PROPERTY**

Atty. Bametzreider noted that Judge Charles has established a Discovery Schedule on the John Light Property for proceeding with the matter. He noted that the Township has until July to complete the discovery and then a pre-trial conference to decide how to proceed from there.

**OLD BUSINESS – None**

**NEW BUSINESS**

Dennis Firestone expressed the Board's condolences to the Via family. Frank Via has passed and has been a long-time member of the Township's Planning Commission.

**BILLS PAYABLE –**

Dennis Firestone made a motion seconded by Kerry McCrary to pay the bills in the amount of \$269,891.45 from the General, Recycling, Liquid Fuels, Street Light, Payroll and ARP Funds. All approved.

Union Township BOS Minutes

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**DATE OF NEXT PLANNING COMMISSION MEETING:**

Wednesday, May 3, 2023 - 7:00 PM

**DATE OF NEXT LICKDALE SEWER TREATMENT PLANT MEETING:**

Wednesday, May 10, 2023 - 6:30 PM

**DATE OF NEXT BOARD OF SUPERVISORS MEETING:**

Wednesday, May 10, 2023 – Commencing right after the Lickdale Sewer meeting.

**ADJOURNMENT**

With no further business or comments, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Elizabeth Krause  
Recording Secretary