

Minutes for Regular Meeting of East Union Township Supervisors

Held on Monday, October 7th, 2024, at 5:30 pm located at 10 E Elm St. Sheppton PA 18248

- **Time Meeting Called to Order: 5:33 pm**
- **Supervisors/Officers Present at the Meeting:** Chairperson – K. Mummey, Vice-Chairperson – W. Danchision, Supervisor – J. Careyva, Engineer – D. Yannuzzi, Solicitor N. Favreau, Treasurer – M. Gaizick, Secretary – S. Van Gieson.

Public participation on agenda items only (Chairperson reserves the right to limit each person to five minutes). *Note: Attendees may make public comments; your name and address may be recorded in meeting minutes. Comments/questions not serving legitimate Township purpose may not be addressed or answered by the Supervisors.*

R. Gabardi – had questions about Code of Ordinances (New Business) – K. Mummey advised that questions can be asked when a topic is discussed.

A. Austra-Gerner – asking about the land development application, waivers, and the SALDO review and if this will be granted or denied. N. Favreau advised that these are two separate actions, which will be reviewed and discussed at that time on the agenda.

- Motion to approve September’s Regular Meeting Minutes: Motion was made by W. Danchision, seconded by J. Careyva.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Motion to approve September’s Special Meeting Minutes: Motion was made by W. Danchision, seconded by K. Mummey.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Motion to approve September 2024 Treasurer’s Report / Motion to approve all bills for payment: Motion to approve Treasurer's Report was made by J. Careyva, seconded by W. Danchision. Motion to approve bills for payment was made by J. Careyva, seconded by W. Danchision.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

Treasurer’s Report: P. Sosna will need to be sent an invoice, as he was not required to pay an escrow. It was also advised that the Valley Waste pill will be held off to pay to investigate charges. There was a question about August payroll and there was an additional pay period. M. Gaizick advised that there was an extra pay period that caused that pay rate schedules to look higher than usual.

- **Township Officers’ Reports:**
 - Solicitor’s Report: topics will be addressed as they come up via the agenda schedule.
 - Engineer’s Report:
 - ✓ Adopt by Resolution & Ordinance the Elm St. right-of-way as prepared by Engineer – Motion was made by W. Danchision, seconded by K. Mummey (2024-016).

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

- ✓ Motion to approve/deny the minor-subdivision of Deborah M. & Paul D. Sosna (09-10-0061.000) –
- ✓ Motion to approve/deny waiver requests of Phineyville Rd. Solar 1, LLC –
- ✓ Motion to approve/deny land development plan of Phineyville Rd. Solar 1, LLC –
- ✓ Motion to approve Lehigh Asphalt quote for the paving of Shepton playground basketball court –
- ✓ Motion to approve Change Order #1 for Lehigh Asphalt –
- ✓ Motion to approve Change Order #2 for Lehigh Asphalt –
- ✓ Motion to approve COSTAR'S quote for basketball hoops –
- Police Report:
- Road Report:
- Code Report:
- Zoning Report:
- Pump Project Report:
- Other Officer Reports:

Engineer's Report: Elm St. will be repaired (cul-de-sac). The necessary documents will be prepared to get this street added to the Liquid Fuels list. J. Careyva asked if the parking lot was on the initial quote, D. Yannuzzi, yes. Resolution (2024-016) passed.

Sosna minor sub-division – have not yet received the revisions that EUT Engineer recommended.

Motion to approve on the contingency of Bensch's approval with the Supervisors and Planning Commission recommendations and outstanding invoice(s) are paid – Motion made by J. Careyva, seconded by K. Mummey.

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

Phineyville Rd. Solar Farm – there are still some unresolved Engineering concerns (100 ft. setbacks). D. Yannuzzi advised that the setbacks qualifications would need to be satisfied with what the Ordinance states or go for a variance. The SALDO advises that if there is a project on a Township right of way, financial security needs to be received, fees associated with this, NPDES approvals, etc. The property advised that this is one deed with two parcels. Solicitor Favreau advised that the setback requirements are for each individual parcel. It was advised that there would be paving on the EUT township road, survey control points, specific entrances and closures, as well as waivers due to the zoning concerns. Attorney Favreau reiterated that the supervisors agreed on conditional use, but this was not for the (35 ft.) 100 ft. required setback. Spencer with ARM Group/New Leaf stated that the Ordinance does not specify, as well as it has been a significant amount of time that has passed. If the 100 ft. back was required, this would cause there to be a whole new redesign. He also stated that it was his impression that this requirement was from the property line and not the Township Road/right of way. This road was right in the middle of the owned property, which has been divided into two parcels due to the road. He also stated that this was approved by the last Zoning officer, J. Biro. Due to this occurring, it has been a restriction, as this is very last minute because it is under one deed. N. Favreau advised that a waiver request can be completed; because the Ordinance stated that the setback

requirements are for all sides of the parcel(s). He also stated the Township can require financial securities and waivers from the slope concerns, angle of driveway(s) and the type of vehicles that will be utilizing these driveways. ARM Group representative advised that they can with in compliance with the Township two times a month.

Motion to accept preliminary plan as fine – Motion made by J. Careyva, seconded by W. Danchision.

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

This submission will be both the preliminary as well as the final submission to alleviate two applications. Storm water needs to be addressed, erosion and sediment plan, slope requirements, NPDES permits, Schuylkill County Conservation District recommendation letter.

Motion to accept this conditional for by the second and third parties as referenced above – Motion made J. Careyva, seconded by W. Danchision.

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

Waiver for the proposed driveway being larger than set requirements, if it meets the PA Code for driveways and the stipulations that the Township may review. Also, monuments need to be marked.

Motion to approve on the contingency necessary permits are submitted, SALDO requirements for safety, etc. – Motion made J. Careyva, seconded by W. Danchision.

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

Attorney N. Favreau advised the Board of Supervisors does not have the authority to waive and officially comply with not having the 100 ft. setback. The rectification would be going to the court of common pleas or get a variance. All setbacks need to be on all three sides, apart from the front of the property. It was stated that J. Biros (the previous Zoning officer) okayed this and recommended it be moved forward. If this needs to be complied with, the whole plan(s) would need to be redone and there was a lot of testing and samples that were completed. The recommendations are to apply for a variance, have a hearing for approval/denial. It was asked if the previous administration held any precedence? It was advised that survey(s) were completed; D. Yannuzzi advised locating the correspondence. There was a public hearing that was held November 17th, 2022, Attorney Wallbillich was the solicitor at the time,

▪ **Old Business:**

- Motion to accept and update Right to Know Law policy – Motion made by W. Danchision, seconded by J. Careyva (Resolution 2024-017).

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___

▪ **New Business:**

- Public Hearing on Code of Ordinances amendments. Motion to adopt Code of Ordinances amendments as advertised. Motion was made by W. Danchision seconded by K. Mummey (Ordinance 2024-003).

Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___NAY___

- Motion to adopt Resolution 2024-018 for the proposed Verizon tower lease – Motion was made by W. Danchision, seconded by J. Careyva.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Motion to approve advertisement of the 2025 proposed budget for public inspection – Motion to TABLE was made by W. Danchision, seconded by K. Mummey.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Motion to approve a medical plan for East Union Township full-time employees – Motion to TABLE was made by J. Careyva, seconded by K. Mummey.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Motion to adopt Resolution for Mericle Land Development 57B Oak Ridge Rd. conditionally for approvals of the waiver and variance – was made by J. Careyva, seconded by K. Mummey.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Motion to approve the purchase of community Christmas decoration displays for street poles – Motion to not exceed the amount of \$15,000.00 for decorations/displays was made by W. Danchision, seconded by K. Mummey.
Roll Call: Mummey ___X___; Danchision ___X___; Careyva ___X___
- Halloween Announcement: Trick or Treating will be held in Sheppton with SOVFC on Thursday, October 31st, 2024, at 6:00pm – 8:00pm.

Public participation on non-agenda items only (Chairperson reserves the right to limit each person to five minutes). *Note: Attendees may make public comments; your name and address may be recorded in meeting minutes. Comments/questions not serving legitimate Township purpose may not be addressed or answered by the Supervisors.*

- **Motion to Adjourn:** 8:03 pm
- **Time Meeting Adjourned:** Motion was made by W. Danchision, seconded by K. Mummey.
- **Members of Public in Attendance (please see attached sign-in sheet):**