

Minutes for East Union Township Board of Supervisors Meeting
Held on Monday, February 3rd, 2025 | 5:30 pm
East Union Township Municipal Building | 10 East Elm Street Shepppton, PA 18248

MEETING CALLED TO ORDER: 17:33

PLEDGE OF ALLEGIANCE

In Attendance: Chairperson K. Mummey, Vice Chairperson W. Danchision, Supervisor J. Careyva, Solicitor D. Karpowich, Treasurer M. Gazick, Secretary S. Van Gieson, Police OIC Litwhiler, Dominic Yannuzzi, Engineer
Absent: Rich Verbonitz, Code Officer.

PUBLIC PARTICIPATION ON AGENDA ITEMS

T. **Houser** spoke in support of Ordinance 2025-04 which would amend the 2021 Zoning Ordinance and 2020 map for the 33.8 acres of land located on Center St. & Schoolhouse Rd. which is currently zoned C2 to CR. He expressed two concerns that support change to zoning. First, his fear of drain on water system. He stated that water tests from his well indicate that water has been changing color as the development has proceeded and that there are other homes and wells within 40' of this property's boundaries and a putting a truck wash there would deplete water supply for nearby house. Second, he stated that the access point to property is dangerous citing truck traffic when children are getting on school bus and road conditions in winter and truck drivers not knowing how to drive on them.

Jo Anna Shovlin provided an update on joint comprehensive study project being done with North Union Township (East Union is lead municipality). Urban Development (UD) is the company that had originally been awarded the contract to but is no longer able to do the work due to recent changes in the owner's health. She introduced Pennoni as new consultants on the project. They have agreed to the scope of work and dollar amount that UD had planned to do. This change has already been approved by the DCED. There is one \$2K payment to be made to UD for maps that had been done before health changes. Pennoni will be able to use those maps for the project. Asking supervisors to approve the change of consultants from UD to Pennoni. Additionally, Shovlin requested permission to explore grants for 2026 coal mine memorial with support from Christine at Senator Argall's office. Mummey granted permission and identified a potential location for the park on property owned by East Union Township at the intersection of 924 and West Pine Street, and Atty Karpowich shared that East Union Township already has a preliminary design for park and agreed to send those docs to Jo Anna.

S. **Gerneth** questioned the use of the word "restrictive" in reference to amend the zoning ordinance to make supplemental regulations more restrictive. Atty Karpowich that the supervisors put it on agenda to explore the zoning districts within East Union Township that could permit solar farms and that it had no bearing on Gurna's current application. Gurna replied he understood that and commented that the current 100' setback already decreases the value of that land.

R. **Trojan** spoke in support of Ordinance 2025-04 which would amend the 2021 Zoning Ordinance and 2020 map for the 33.8 acres of land located on Center St. & Schoolhouse Rd. which is currently zoned C2 to CR. He opposes the truck washing station because it will cause too much traffic

A. **Gerneth** followed by saying that there has been no objection to the solar farm for the past two years. Further she stated that zoning ordinances more restrictive to prohibit solar farms.

SUPERVISOR MEETING MINUTES APPROVALS

Motion to approve 2025 Reorganization Meeting Minutes made by Mummey, seconded by Danchision.

Roll Call: Mummey ; Danchision ; Careyva

Motion to approve January 2025 Regular Meeting Minutes made by Danchision, seconded by Mummey.

Roll Call: Mummey ; Danchision ; Careyva

TREASURER REPORT

M. Gaizick reviewed the treasurer report. He pointed out that the fire escrow has had recent activity due to a deposit that was made. The funds are being held there and are to be distributed to a property owner for demolition. A review of unpaid bills included an unexpected repair bill of \$6096 for a pump at the township building, the \$1800 invoice from Urban Development and a bill he had just received from Advanced Code Consultants for \$1362.95 for January UCC invoices. Careyva questioned which vehicle the annual payment of \$14,230 listed on the report was for and Gaizick replied it's for the vehicle purchased in 2021 and that it will be paid off next year.

Gaizick also reviewed a provided list of tax penalties EUT has paid for 2023 violations. The total amount was \$3395.67 in penalties that could have been avoided. Auditors looked through all penalties and payments for 2023 violations and gave their report and approved East Union Township is back in good standing for 2024. There will be one more audit from the IRS for the 4th quarter of 2023 but it takes two years for the notices to come out.

Motion to approve January 2025 Treasurer's Report made by Danchision, seconded by Mummey.

Roll Call: Mummey __x__ ; Danchision __x__ ; Careyva __x__

Motion to approve January 2025 presented bills for payment made by Danchision, seconded by Mummey.

Roll Call: Mummey __x__ ; Danchision __x__ ; Careyva __x__

TOWNSHIP OFFICERS' REPORTS

SOLICITOR'S REPORT

- LIQUOR LICENSE TRANSFER (M. Hall) – Karpowich stated that this item was already done.

- LERTA Request 620 Oak Ridge Rd | Resolution 2025-01 and Ordinance 2025-03 – Karpowich shared that the land development plan submitted shows that the majority of the property is in Eagle Township and that normally, the municipality in which the majority of buildings are located would receive tax payments. However, the property owners are asking for the portion that is within East Union Township to be placed in LERTA. Karpowich would like a motion to advertise the ordinance for next month's meeting.

Karpowich stated that they Mericle gave him information about Lend a Hand, a program that recently contributed \$500,000 to Hazelton Area School Districts and \$500,000 to the YMCA in Hazleton. Mericle's philanthropy includes both monetary contributions as well as gifts-in-kind including site construction and development work. Karpowich suggests Roadmaster Danchision meet with them. They are aware of the park being built and have offered to help during their slow periods.

Motion to advertise Ordinance 2025-003 and adopt Resolution 2025-001 made by Danchision, Careyva seconded.

Roll Call: Mummey __x__ ; Danchision __x__ ; Careyva __x__

- **Motion to amend zoning ordinance for principal solar energy facilities and make supplemental regulations more restrictive.**

Karpowich suggested bundling the amendment to this ordinance with larger comprehensive zoning study currently being done and explained the process for making changes to zoning ordinances in general. Stated that even if bundled, same process would apply. Careyva stated that it's own subject and solar energy should be kept separate.

Motion to amend zoning ordinance 2025-003 for Principal Solar 1, LLC made by Danchision, Careyva seconded.

Roll Call: Mummey __x__ ; Danchision __x__ ; Careyva __x__

- **Motion to approve land development plan for Phineyville Road Solar 1, LLC (Owned by Coast Energy)**

Karpowich stated he thought this had been worked out because the land development plan had been drafted by the applicant, developers and attorneys, but questions on what the landowner should be responsible for and what the landowner should be signing have delayed signing off on the development plan.

Therefore, Karpowich recommends approving the plan upon the following conditions being met:

1. Obtain construction/building permits from the Township
2. Post an approved dismantling/decommissioning bond
3. Execute development agreement and stormwater agreement upon conditions and terms acceptable to the township by both landowner and developers.
4. Obtain 3rd party NPDES permit approval

Karpowich stated that when the development plan had been sent to him, it had already been negotiated between property owners and the developer. That assumption was incorrect because they came to him not willing to sign it. He explained that the conditions to the approval are in place to protect township from loss and there are roles that landowner plays in the process. If the solar farm would ever be decommissioned and the developer or bonding company is no longer in existence, the landowner would be the one to give East Union Township permission to address these issues.

Developer Shawn Brandt of New Leaf Energy asked if a lessee can sign as landowner. Karpowich asked if there is a lessee. Developer shares that Phineyville Road Solar 1, LLC is now owned by Coast Energy, who will construct the solar farm. Mummey stated that East Union Township had no prior knowledge of this new owner. Developer continued by stating Coast Energy has already signed the plans as the developer and asks if they can sign the plans as the lessee as well. Shawn Brandt, New Leaf Energy, was asked if he agreed to the conditions and answered in the affirmative.

Motion for approval of land development plan, development agreement, storm water operation and maintenance agreement for Phineyville Solar 1, LLC if the following conditions are met: Phineyville Road Solar 1, LLC has to obtain construction permits, post an approved dismantling bond, obtain 3rd party NPDES permit approval, and execute a development agreement and a stormwater agreement with East Union Township made by Careyva, seconded by Danchision.
Roll Call: Mummey x ; Danchision x ; Careyva x

- **Ordinance 2025-003** amending the 2021 Zoning Ordinance and 2020 map for the property 33.8 acres of land located on Center St. & Schoolhouse Rd. which is currently zoned C2 to CR.

Karpowich suggested tabling this motion until March meeting because the notice of the rezone was not done properly and he also made a recommendation that township officials attend workshop to learn roles and responsibilities.

Motion to table made by Danchision, seconded by Careyva.

Roll Call: Mummey X ; Danchision X ; Careyva X

ENGINEER REPORT

Mr. Yanuzzi reviewed engineering report and provided a progress update on PIB Loan. He's working on final approval from PENNDot to move forward with road program. Senator Argall's and State Representative Watro's office are in communication with PENNDot secretaries. Yanuzzi then provided an update on the American Legion Park project. The equipment was ordered and should arrive in Mid-April. He said that site preparation will be necessary for installation and he will be onsite to facilitate it.

POLICE REPORT – Read and attached.

ROADMASTER REPORT

Roadmaster Danchision reported they have been focusing on winter road maintenance by staying on top of plowing and salting and doing equipment maintenance as well. Danchision shared that **Ralph Bly** has been instrumental in helping by salting and plowing the entrance to the industrial park and Phineyville Hills to assure safety for school busses and to make sure that the trucks coming out of Green Mountain Road don't get stuck on the hill. He will be turning in a bill to township when he reaches a certain number of hours.

CODE ENFORCEMENT OFFICER REPORT

Code Enforcer was not present; the report was reviewed by Secretary S. Van Gieson and included 1 inspection, 1 reinspection, 3 complaints completed, 3 garbage/debris, 1 notice of violation, 1 notice of violation completed and 2 tire/debris complaints.

ZONING OFFICER REPORT

Zoning officer was not present so the report was reviewed by Secretary S. Van Gieson. Recent zoning activity includes approval of 4 permits, one permit request came in for property that is not actually in East Union Township, 1 was denied, 1 is under review. UCC activity includes 1 denial because they needed information, 2 approvals, one is under review, and one also came in that is in a different township. Mummey mentioned that the zoning office is open every Friday morning 9:00 – 11:00-00.

PUMPY PROJECT COMMITTEE REPORT BY MR. GRABOWSKI: No report.

NEW BUSINESS

Motion to accept proposal by Pennoni to perform comprehensive plan, replacing Urban Development, at the same terms specified under the previous agreement also approved by DCED. Careyva questioned the finances stating that the project is \$40K to get started and the grant was for \$20K. Will the remaining \$20K for the project be split between the two townships? Mummey replied they would.

Motion to accept proposal by Pennoni to perform comprehensive plan, replacing Urban Development, at the same terms specified under the previous agreement made by Danchision and seconded by Mummey.

Roll Call: Mummey X ; Danchision X ; Careyva ABSTAIN

EXECUTIVE SESSION: skipped

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

1. Ray Trojan (Route 924) questions/comments

- Questioned Roadmaster about the purpose of the yellow caution tape at the intersection at the bottom of the hill by the industrial park. Roadmaster Danchision did not know.
- What is name of new police officer and is he full or part time? The office replied part time and gave his name. Trojan wanted new officer to know that there is a dangerous turn at Joey Recklers house where two cars have passed him on the double line at the turn. He also brought up that OIC Doug caught a car passing a tractor trailer while the road had a double line in front of his house. Someone from Twp mentioned the grant for new police car.

2. **T Houser** asked about the device(s??) bought to measure speed in Sheppton and Brandonville. It was reported that it's broken twice and the repairs are insurance claims because it was intentionally damaged both times
3. A resident thanked the road crew for always being on top of road conditions.
4. **A Lockless** spoke in support of Item #10. She moved out here to raise a family and have the space and does not want to see more industry.
5. R Mummey asked if there will be a spring cleanup again. K Mummey stated yes, dates will be chosen soon.

ADJOURNMENT

Roll Call: Mummey X ; Danchision X ; Careyva X