

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 17, 2018**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the Municipal Building located at 725 Kimmerlings Road, Lebanon, PA with the following people present:

Richard E. Miller	Chairman
Edward A. Brensinger	Vice – Chairman
A. Bruce Sattazahn	Treasurer
Cheri Grumbine	Township Manager
Fred Wolf	Henry & Beaver LLP

Absent	Harold L. Easter	Chief of Police
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Also, in attendance were many other individuals. The meeting was called to order and the pledge to the flag was done.

Ordinance 10-2018 - A Public Hearing was announced which has been scheduled for 7:15pm.

COMMENTS FROM THE PUBLIC

A.) Gwen Yordy – Memorial Garden

Mrs. Yordy introduced herself to the Board and explained she is a member of the Ebenezer Beautification Committee. She has attended a Park & Rec Board meeting as well as visited the Lebanon County Planning office to get information on an idea of creating a Memorial Park. The proposal is for a “Welcome to Ebenezer” sign, a lighted flag area with some flowers and maybe a bench or 2 for sitting. Part of the proposal is to offer the purchase of memorial bricks or stones that people can dedicate. The bricks would be placed around the flag pole area.

Mrs. Yordy said she would like to see this happen in the area fronting Route 72 where the Ebenezer Dam is located. She said she is aware of the tent rentals for fireworks and does not wish to interfere with that area. Perhaps 100 feet in front of the breast area. Also discussed was that this is deemed an Inundation area for the floodplain. The fact that there is only to be a flag area and maybe a few benches is not anything she considers to be a permanent structure. The Park & Rec Board suggested she put her request before the Board of Supervisors. Mrs. Yordy visited the County Planning office first to see if this would be permitted. She was told to get advice from the Twp on this topic due to the floodplain area designation. When asked about measurements and more exact details, Mrs. Yordy told the Board she is not interested in spending a lot of time gathering specific information until the Committee is told whether it will be permitted in this area.

She is expecting they will need to hire a surveyor to get an exact measurement for the area. The flag pole area, the flowers and the benches will all be provided by the Committee, as well as any future maintenance. Mrs. Yordy stated she is fully aware of the amount of maintenance work the Twp already deals with. The Supervisors all expressed interest in the proposal for this type of area. However, they were not sure about the location. The former Old Ebenezer Rd property was mentioned but it was decided it would not be visible to passing motorists. Some discussion took place about the site of the former pumping station located between Route 72 and Old Ebenezer Rd.

Gwen Yordy – Memorial Garden (con't)

That area did not seem to be appropriate because if a motorist wanted to stop and sit on one of the benches, there would be no place to park. The conversation turned back to the area of the dam breast. The Supervisors told Mrs. Yordy they would have to review and see if this suggestion would be permitted in the floodplain area. She questioned if she might have an answer from them at next months meeting. She was told that should be enough time for a review to be completed.

PUBLIC HEARING STARTED @ 7:15 – Ord 10-2018; Chapter 18; Section 1109 Penalty Clause Change

Sol Wolf explained the advertisement for the Public Hearing. Once the Ordinance regarding the Stormwater had been adopted, a question was raised about the penalty clause. As written, the Police Department was tasked with enforcement of violations. However, the Ord spelled out the violation as civil penalties. The Police Dept could not file violation charges with the District Judge as the Ord was written. Ord 10-2018 amends the penalty section of the previous Stormwater Ord. to provide for the Police Dept to file the charges with the District Judge. Sol Wolf asked if there were any comments or questions from the public. None were offered. He asked for comments from the Board and none were offered from the Board.

MOTION was made and seconded to adopt Ord 10-2018 amending the language for the Stormwater Ordinance penalty clause. Motion unanimously carried.

REVIEW OF STORMWATER APPEAL FORMS & CREDIT APPLICATIONS –

The following Stormwater Appeals and Credit Applications have been reviewed by Dan Cannistraci and Mgr Grumbine. Dan's recommendations for the application submissions were reviewed for the Board's consideration:

1. 8 Hawk Ln & 12 Hawk Ln, Brittany/Melissa Thomas - recommend approval of the appeal for a vacant lot (12 Hawk Ln) as an auxiliary parcel. Reduction in ERUs from 2 to 1.

MOTION was made and seconded to approve the appeal for a vacant lot (12 Hawk Ln) as an auxiliary parcel and the reduction of ERUs from 2 to 1. Motion unanimously carried.

2. 2453 E Cumberland St, JRG Futures LLC– recommend an immediate Credit of 48.75% as an O&M agreement has already been recorded for this property.

MOTION was made and seconded to approve immediate 48.75% Credit for the property at 2453 E Cumberland St as a recorded O&M Agreement has already been recorded. Motion unanimously carried.

3. 1742 Garfield Ave, Gary/Rita Basehore – this Appeal application is for a vacant lot next door which contains their swimming pool. A denial is recommended as the total SF is 7,541 which is over the max of 5633 for auxiliary SFR parcel appeal.

MOTION was made and seconded to deny the deny this Appeal application for 1742 Garfield Ave and neighboring lot containing the swimming pool. Motion unanimously carried.

4. 1640 W Kercher Ave, Allen/Eileen Heagy – recommend reduction of ERUs from 13 to 12 (calf hutches removed from calculation). Also recommend approval of a Credit of 41.5% along with the existing O&M Agreement which is required to be recorded.

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MOTION was made and seconded to approve a reduction from 13 to 12 EDUs, a 41.5% Credit, approve the O&M Agreement which must be recorded, and a copy returned to the Twp office. Motion unanimously carried.

5. 917 Kochenderfer Rd. Allen/Eileen Heagy – recommend reduction in ERUs from 26 to 25 (as high tunnels are not exempted from SW fees), recommend approval of a Credit of 21.6% and approve the O&M Agreement with a recorded copy of the O&M agreement to be provided to the Twp office.

MOTION was made and seconded to approve the reduction in ERUs from 26 to 25 and approve a Credit of 21.6%, the O&M Agreement which will be recorded, and a copy provided to the Twp office. Motion unanimously carried.

Conversation followed about the High Tunnels and the lack of an exemption. Discussion was also held on the AG bags that the farmers use. Sol Wolf said he was quoting Act 15 and the items Mr. Heagy is bringing up is another issue. Steckbeck will need to be contacted to get an answer on the questions being raised. The Board agreed to further review this issue.

6. 2200 Weavertown Rd. Mike/Suzette Arnold (Arnold Acres) – recommend Credit of 25% along with approval of the signed O&M agreement, which is required to be recorded.

MOTION was made and seconded to approve a Credit of 25%, approve the O&M agreement that is required to be recorded and a copy provided to the Twp office. Motion unanimously carried.

7. 1900 Jay St. Living Waters Chapel – recommend approval for the signed O&M Agreement which is required to be recorded.

MOTION was made and seconded to approve the signed O&M agreement that will be required to be recorded and a copy provided to the Twp office. Motion unanimously carried.

8. 325 Ruth Dr the Credit Application and an O&M Agreement had been approved at a previous meeting. A letter was received from the owner stating they are no longer willing to record the O&M Agreement. The application is being withdrawn.

APPROVAL OF MINUTES

The minutes from the August 20th meeting minutes are ready for action.

MOTION was made and seconded to approve the August 20th meeting minutes. Motion unanimously carried.

APPROVAL OF PAYROLL, FUND BALANCES and PAYMENT OF INVOICES

MOTION was made and seconded to approve payroll, fund balances and invoices for payment subject to audit. Motion was unanimously carried.

FIRE CHIEF'S REPORT – Allen Firestine – Rural Security Fire Co

A.) Monthly Report –August 2018

Chf Firestine reported there were 65 responses in the month of August, a total of 14 trainings with a total of 192.52 man-hours for trainings, and a total of 421.04 combined man-hrs for responses and trainings sessions.

B.) Mt Lebanon & Route 343 - Accident

Chm Miller asked Allen if he knew any details about the accident at Mt Lebanon Drive and Route 343. He was told that the Police had ordered an accident reconstruction scene be done but that is all the details he knows about the accident.

CHIEF OF POLICE REPORT – Chief Harold Easter – absent**A.) Calls for Service –August 2018**

The Board noted they had received the Chief's report.

B.) 2018 Police Interceptor Purchase (In lieu of 2019 budget)

Mgr Grumbine explained the thoughts for purchasing a 2018 SUV currently available by the dealer as opposed to ordering a 2019 vehicle next year. Chf is requesting to purchase the available unit now and agreed to not put a request for a vehicle in the 2019 Budget.

MOTION was made and seconded to approve the purchase of a 2018 SUV now with the understanding that a new unit will not be requested in the 2019 Budget. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT –Cheri Grumbine, Twp Manager**A.) Stormwater Consortium Update; Next meeting September 18th**

The next Consortium Meeting is scheduled for September 18th. It was decided the meeting dates for 2019 will continue to be held on the 3rd Tuesday of the month at 10:00am at the Mifflin Street building. Although the Consortium approved the 2019 budget, it was noted that there may be changes required as the specific projects are being worked on, as well as potential Grants during the first year. The City had obtained Grants ahead of the formation of the Consortium which allowed every member of the Consortium to receive credits on this year's submission of the MS4 Report.

A copy of the approved 2019 Action Plan/ Progress Plan has been provided to the Supervisors. During the August meeting the Board had approved 3 projects to be submitted to the Consortium which were approved for submission of Grant applications. However, due to the Grant submission deadline only 2 applications have been submitted; the shoreline restoration at Lions Lake and the bioswale at the Municipal Building property on Rte 343/N 8th Ave. The joint effort with the Ebenezer Elementary School to retrofit their SW basin was placed on hold until further discussions are held with the school district representatives. Suv Brensinger questioned if there are currently any projects being worked on that had been approved by the Consortium. Mgr Grumbine replied the City had applied for Grants and completed some projects which has provided Credits for all Consortium members. South Lebanon has applied for Grant funds to improve the area in front of the Vo Tech school and are waiting for a response to their application.

B.) Resolution 14-2018 – HR 291 Opposition

The House of Representatives has endorsed House Resolution #291 to study and explore a proposal to consolidate EIT collection services on behalf of all counties in the Commonwealth of PA, specifically through an agency such as the PA Dept of Revenue. Mgr Grumbine reviewed the history of Lebanon County's EIT nightmare of the past. She reminded the Board of everything that has been put into place for the current process being used by the municipalities and the school districts. Everything has been operating smoothly and is proving to be efficient as is. We would like to keep things operating as it is currently. Resolution 14-2018 is to state the Twp's opposition to the House Resolution #291.

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Resolution 14-2018 – HR 291 Opposition (con't)

Upon adopting and signing Res 14-2018, a copy will be forwarded to Rep Diamond and Sen Folmer.

MOTION was made and seconded to adopt Resolution 14-2018 stating opposition to House Resolution #291. Motion unanimously carried.

C.) GP Harris SW Plan for 2006 Weavertown Rd Lot (Previously approved 4/16/2018)

During the April Board meeting the Supervisors had approved the stormwater plan for 2006 Weavertown Rd. Unfortunately, there were no signature blocks on the plan. We now have the plans back with signature blocks and today's date will be noted on the plans. Suv Sattazahn said he had a comment and request to make regarding this property. He drives this area daily and sees what a mess the construction is making on the street. He is requesting Roadmaster Brensinger continue to monitor the construction and the parking issues that seem to be going on at the construction site. If the need to require a stoned parking area becomes evident, he would like to see that completed. He feels strongly the developer should be required to clean the mud and debris off the streets also. Suv Brensinger agreed to monitor the area during the construction phase for evidence of debris on the road in consideration of Suv Sattazahn's comments/requests.

MOTION was made and seconded to approve signatures on the Stormwater Plans for 2006 Weavertown Rd. Motion unanimously carried.

D.) Resolution 15-2012 – AG Security Area for NLT (7-year renewal 2019)

In August of 2012, the Board adopted Resolution 15-2012 re-establishing the AG Security Area for North Lebanon Twp. A renewal process is due every 7 years. It is time to begin to review and renew the ASA for NLT. Anyone who is interested in including their property will have the opportunity to do so. The current members of the Committee are:

Scott Artz	Judy Atkins
Mike Arnold	Allen Heagy
Joseph Meily	

Part of the requirements is that one of the Supervisors serve on this Committee and attend any meetings that are held. The Committee should start their review in early 2019, so we are ready to adopt a new Resolution for the ASA program in August of 2019. Mgr Grumbine is suggesting a Supervisor volunteer and be appointed, if not tonight, in the immediate future. The 3 Supervisors discussed the program and Suv Brensinger offered to serve on the Committee. Suv Sattazahn agreed to be the back-up representative.

MOTION was made and seconded to appoint Suv Ed Brensinger as primary member on the AG Security Committee with Suv Sattazahn as a backup representative. Motion unanimously carried.

E.) Pertinent Matters**1. DEP Meeting -GLRA Permit Application – Sept 26 @ 10am**

DEP will conduct a meeting to discuss the permit application of the GLRA on Wednesday, 9/26/2018 @ 10am at North Lebanon Twp. DEP will explain the role of the parties involved with this process – local officials, GLRA and DEP. This meeting is scheduled as an opportunity for NLT to ask questions and to make comments about the application and encourages NLT's attendance. The meeting is not a public meeting, rather it is a meeting in addition to the public participation and opportunities normally offered by DEP.

SOLICITOR'S REPORT; Atty Fred Wolf -- Henry & Beaver**A.) Ord 6-2018 – Dam Breach Inundation Area Revised Ord;**

Sol Wolf spoke about the tabling of Ord 6-2018 during the August meeting due to 2 property owners having issues with the wording of the Ordinance. A meeting had taken place today with the Engineer and the Attorney representing the 2 property owners. Both individuals have indicated their agreement with the language revision that is being suggested. Sol Wolf told the Board the Public Hearing for the Ordinance will be scheduled for the October Board meeting. He will be making arrangements to have the advertising for the Hearing completed.

B.) LV Youth for Christ O&M Agreement

This agreement was prepared regarding the Stormwater O&M Agreement. An agreement has been drafted between the 2 property owners which will need to be processed for the YFC property.

C.) Fireworks (hours); IPMC 2018

Any amendments to the fireworks section of the ordinance will be placed on hold due to a court action instigated by a fireworks company at the State level. Until a decision is handed down the Twp fireworks amendments will be on hold. The IMPC review will continue, as well as stipulating hours for fireworks to be displayed under our Code of Conduct Ordinance.

COMMENTS FROM BOARD MEMBERS**A.) Suv Brensinger – Municibid Items**

Suv Brensinger told his fellow Board members he has some items he would like to advertise on Municibid. The 2 items are the John Deere WAM and a plate tamper which does not get used. He said he has placed a newer model plate tamper in the 2019 budget. Suv Sattazahn questioned a reserve on the WAM. He was told there is a reserve placed on the items by the Twp and it is determined the worth of the piece. The Supervisors were all in agreement to advertise the items on Municibid.

B.) Free Library

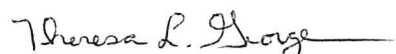
Suv Brensinger said he remembers approving a "Free Library" being erected at Lions Lake. His question is, where are we at with it? Is there something he and his department are supposed to moving on and he doesn't remember it? Mgr Grumbine replied the individual who suggested the idea was told there would be an agreement to sign. At this point the agreement still has not been completed and the project is on hold.

C.) Suv Miller – DEP Letter from Consortium

Suv Miller mentioned the letter that the Consortium has drafted and mailed to DEP pertaining to their dissatisfaction with some of the components of the Stormwater mandates. As of this date, no satisfactory response has been received from DEP at all. Suv Miller voiced his dissatisfaction with this fact. He also wanted to commend the Consortium on the good job they are doing on trying to stay on top of this demanding topic.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,



Theresa L. George
Recording Secretary

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