

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
November 15 , 2021**

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

In person:	Richard Miller	Chairman
	Ed Brensinger	Vice-Chairman
	Amy B. Leonard	Henry & Beaver LLP
	Cheri Grumbine	Township Manager
	Lori Books	Assistant Township Manager
Absent:	Arden Snook Sr	Treasurer

Also, present was Jacob Shaffer with SESI Engineering, Attorney Megan Ryland Tanner representing Reilly Wolfson, Makara Mam representing Country Garden 6-Pack Restaurant, Erika Sheibley, Recording Secretary, Chief Brian Vragovich with Glenn Lebanon Fire Company, Doug Stump, *Lebanon Daily News* reporter, and a few members of the public.

The meeting was called to order and the pledge to the flag was made.

COMMENTS FROM THE PUBLIC

A.) MS-4 Annual Education Review- Jacob Shaffer

Part of the MS-4 program requirement is public education. Steckbeck Engineering provided an annual presentation for the public to inform them about projects completed throughout the year by the Lebanon County Stormwater Consortium and requirements under the MS-4 permit.

Jacob Shaffer provided an educational slide show explaining the stream bank restoration along the South 22nd St bridge.

Supv. Brensinger asked Jake how many years has this sediment been there? Mr. Shaffer informed Supv. Brensinger that the sediment started to deposit in the mid-1600s according to carbon dating.

B.) Kreider Poultry Barn Expansion Land Development Plan

This plan is for the construction of an approximately 34,200 SF poultry barn with a gravel access and stormwater management. Located at 2717 Tunnel Hill Rd. No sewage generation is proposed, and water will be provided by an on-site well. This will be the third poultry barn on this site, as 2 chicken houses were previously approved in 2009.

Supv. Brensinger had some concerns as there was some issues with the 2009 plan for the original two poultry barn. There were issues with lane access, odor from the chickens and an issue with their compost facility.

Manager Grumbine informed him there is an existing access easement that was previously recorded and referenced on this current plan. Manager Grumbine also confirmed she has not

received any recent complaints of odor and the township is unaware of any issues with their compost facility.

MOTION was made and seconded to approve the Kreider Poultry Barn Expansion Land Development Plan. Motion unanimously carried.

MOTION was made and seconded to approve the BMP O&M Agreement for Kreider Poultry Barn Expansion Land Development Plan. Motion unanimously carried.

C.) 917 N 8th Avenue Land Development Plan - Stormwater

This plan proposes the construction of a single-family dwelling on an existing lot of record, with an access driveway onto N 8th Avenue and stormwater management structures and features. The property will be serviced by public water and sewer.

MOTION was made and seconded to approve the 917 N 8th Avenue Land Development Plan and the Stormwater BMP O&M Agreement. Motion unanimously carried.

D.) Project Oak Land Development Plan - Revised Stormwater

Stormwater from this property was originally designed to run west towards Cleona Borough. Cleona Borough requested the redirection of the stormwater flow to be redesigned to flow east after the original plan was approved with the stormwater flowing west towards Cleona Borough.

North Lebanon Township received a letter from Rick Bolt, County Engineer recommending approval of the revised off-site stormwater expansion dated November 20, 2020. Scott Rights, representing Cleona Borough Authority has reviewed the plan and the Cleona Borough Authority has passed the plan on to Cleona Borough for their approval. This plan will be forwarded to the Borough of Cleona for their approval following tonight's Board meeting.

MOTION was made and seconded to approve the Project Oak Land Development Plan for the revised off-site stormwater extension. Motion unanimously carried.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements

NONE

APPROVAL OF MINUTES

The meeting minutes from the 10/18/2021 Supervisor's meeting, 10/14/2021 Joint meeting with North Lebanon Township Municipal Authority, and the 10/13/2021, 10/18/2021, 10/21/2021, 10/25/2021, and 11/03/2021 Budget meetings are ready for action.

MOTION was made and seconded to approve the meeting minutes from the 10/18/2021 Supervisor's meeting, 10/14/2021 Joint meeting with North Lebanon Township Municipal Authority, and the 10/13/2021, 10/18/2021, 10/21/2021, 10/25/2021, and 11/03/2021 Budget meetings. 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 unanimously carried.

FIRE CHIEF'S REPORT – Brian Vragovich, Chief Glenn Lebanon Fire Co**A.) Monthly Summary – October 2021 Summary**

The number of calls, responses, trainings, and aid for the month of October for all 4 volunteer fire companies in the Township was reviewed by Chief Vragovich.

B.) Knox Box Update

Chief Vragovich informed the Board that new keys have been added to the Knox Box at the Lady of the Cross on Grace Avenue. This was previously the Youth for Christ building.

CHIEF OF POLICE REPORT**A.) Calls for Service.**

Chairmen Miller reviewed the report on various calls for service for the month of October.

B.) Monthly Code Enforcement Report (Brenner)

The Board received a written report on Code Enforcement from John Brenner for the month of October.

C.) Contract with Lebanon County Humane Society 10/1/2021-9/30/2022

Manager Grumbine provided a copy of the new contract with the Lebanon County Humane Society for October 1, 2021 to September 30, 2022.

MOTION was made and seconded to renew the contract with the Lebanon County Humane Society for 10/1/2021- 9/30/2022. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager**A.) Resolution #17-2021- Intent to Appoint a CPA Firm to Replace the Elected Auditors and Advertise Appointment in January**

Resolution #17-2021 states that the Board intends to appoint a CPA firm to replace the Elected Auditors. An advertisement will be placed in the *Lebanon Daily News* announcing that this appointment is expected to take place at the Organization Meeting scheduled for January 3, 2022, at 3:00pm.

MOTION was made and seconded to adopt Resolution #17-2021 stating the intent to appoint the CPA firm of Brown, Schultz, Sheridan & Fritz (BSSF) to replace the elected auditors of North Lebanon Township, Lebanon County, for the purpose of examining all the accounts of the Township for the calendar year 2022. Motion unanimously carried.

B.) Retirement – Harold Easter

The Board received a retirement request from Harold Easter, Chief of Police, which was effective November 1, 2021.

MOTION was made and seconded to approve the Agreement regarding the terms of the retirement of Harold Easter effective November 1, 2021. Motion unanimously carried.

PUBLIC HEARING – LIQUOR LICENSE TRANSFER - COUNTRY GARDEN 6-PACK RESTAURANT

At 7:30 the regularly scheduled Board Meeting was paused, and the Public Hearing for the Intermunicipal Liquor License Transfer was opened. This Public Hearing was advertised in the *Lebanon Daily News* on October 26th and November 2nd, 2021.

Solicitor Leonard stated the Township received a request on October 19th, 2021, from Country Garden 6-Pack Restaurant to approve the transfer of the Restaurant Liquor License #15063 from North Cornwall Township to North Lebanon Township to the location of 2631 West Cumberland Street. This is the first step of the process and the approval at township level only allows the liquor license transfer process to precede to the Liquor Control Board.

Atty. Megan Ryland Tanner representing Country Garden 6-Pack Restaurant provided the Board with a sample layout plan for the new Restaurant. She then explained that the restaurant is a family owned and operated business that opened its doors in 2012. The current restaurant has seating for 30 people and the new location would allow seating for 40 people. The township currently has four liquor licenses two of which are currently inactive. The transfer of Liquor License #15063 also includes the transfer of a Sunday sale permit and an extended wine permit.

There were a few questions from the Board and the public.

Supv. Brensinger had questions pertaining to the display shelves and the amount of liquor allowed to be sold. Mr. Mam informed Supv. Brensinger that the shelves would hold wine and beer and that only 92oz. of liquor is allowed to be sold per person per transaction.

Resident Mr. Cikovic questioned if the location of a beer store next to a doctor's office was ideal.

Solicitor Leonard had questions pertaining to the amount of seating, inventory, the percentage of take-out vs dine in, and employee training/certification.

Mr. Mam informed Sol. Leonard that the new building would allow for approximately an additional 10 people seating compacity. There would be an increase in inventory by two or three times. The approximate percentage of people who take out vs dine is 70% take out vs. 30% dine in. All employees are RAMP and ServSafe certified.

Sol. Leonard informed Atty. Megan Ryland Tanner to look into a zoning/use change for the property located at 2631 West Cumberland St.

Assistant Township Manager Lori Books informed Mr. Mam that additional sewer capacity may need to be purchased, as the property was previous used a grocery store.

The public hearing was closed, and the regularly scheduled Board Meeting resumed at 7:48pm.

MOTION was made and seconded to adopt Resolution #16-2021 regarding the transfer of Restaurant Liquor License #15063 Country Garden 6-Pack Restaurant from North Cornwall Township to North Lebanon Township . Motion unanimously carried.

C.) 2022 All Funds Budget Presentation

The Board and those present received a paper copy of the presentation of the 2022 All Funds Preliminary Budget.

Manager Grumbine went through the 26-page handout with a Power Point presentation. No tax increase is proposed for 2022. A history of the township's millage rate, assessment value, and

EIT revenue was reviewed. All Funds of the township along with their projected revenues and expenditures, with specific highlights on capital purchases was reviewed. A copy of the presentation will be included with the minutes of the meeting.

At this time Chairman Miller made a motion to approve the 2022 Preliminary All Funds Budget and the advertisement regarding the availability for inspection. At this time, Supv. Brensinger presented Township Manager Grumbine with a “Conflict of Interest” abstention memorandum.

Sol. Leonard explained that the CPA Firm replaces the elected auditors only to the extent that a financial audit is preformed but the elected auditors set the compensation of the Supervisor/Employees and approving of their benefits. Supv. Brensinger completed a Conflict of Interest form because the budget contains wages and benefits that pertain to him as a Supervisor/Employee. However, he does not set his own wages and benefits, they are determined by the elected auditors. The State Ethics Commission which indicates that a Supervisor/Employee identifies a conflict of interest and produces the required abstention form and submits it to the Township secretary then that Supervisor/Employee may vote on the issue at hand. In this case the issue would be the 2022 Township Budget.

MOTION was repeated by Chairman Miller and now seconded by Supv. Brensinger, to approve the preliminary budget for 2022, and the advertisement for inspection. Motion unanimously carried.

D.) Adoption of Personnel Manual

In June, the Board was given a Personnel Manual containing red-lined suggestions for updates within various sections. Some of the proposed changes are a direct result of updates required by law (CDL clearinghouse, etc.) and other are suggestions by employees.

MOTION: was made by Chairman Miller to approve the revised Personnel Manual. There was no second to the Motion, so no vote was taken.

At this time, Supervisor Brensinger stated that in reading Solicitor Leonard’s opinion on this subject, he would prefer that the revised Personnel Manual be discussed at the December meeting when all 3 Supervisors are present. He is not in agreement with a few of the changes.

E.) Marcellus Shale Grant Reimbursement Request

On October 27, 2020, the Board signed an agreement with the Lebanon County Commissioners for a Marcellus Shale Grant for the construction of an open-air pavilion at Lenni Lenape. The pavilion is now complete, and Township Manager Grumbine has signed the Reimbursement Request form prepared by Lori Books, Assistant Township Manager.

MOTION was made and seconded to approve the signing for the Reimbursement Request for the Marcellus Shale Grant of 2020 for the open-air pavilion at Lenni Lenape. Motion unanimously carried

F.) Non-Emergency Request from Ebenezer Fire Company

The Township received a request from Ebenezer Fire Company for a transport of Santa on December 21 and 22 from 6:00-8:30 pm, in the Ebenezer area.

MOTION was made and seconded to approve the Ebenezer Fire Company non-emergency activity to transport Santa in the Ebenezer area on December 21 and 22 from 6:00 – 8:30 pm. Motion unanimously carried.

PERTINENT MATTERS:

1.) SW Consortium Update

The Consortium continues to move forward with several projects. The next meeting is November 16th at 10:00 a.m. at the Township Building.

2.) ZHB Hearing Case #7-2021 - November 16 at 6:30pm

Caliber Car Wash (Motus Equities 1, LLC) has submitted a petition for a variance before the ZHB. Motus Equities intends to develop the property with an automatic car washing facility with 19 vacuum stations, which is a permitted use by right within the C-2A District. Location to be the previously closed Fulton Bank office in front of Walmart off E. Lehman Street.

A dimensional variance from the required 20-foot building to parking lot separation requirement is being requested. They are proposing a 14-foot distance from the parking lot with the vacuums to the car wash building.

The hearing is scheduled for November 16th at 6:30pm at the municipal building.

SOLICITOR’S REPORT; Solicitor Amy B. Leonard -- Henry & Beaver

A.) Intermunicipal Agreement with West Lebanon Township for Police Services

This agreement is for North Lebanon Township to provide police services to West Lebanon Township.

MOTION was made and seconded to approve the Intermunicipal Agreement with West Lebanon Township for Police Services for the next 5 years . The agreement provides police services from North Lebanon Township to West Lebanon Township from 2022 through the end of 2026. Motion unanimously carried.

B.) Proposed Ordinance Updates to Chapter 6 – Part 801 and Chapter 21 – Section 6 – Access Management Updates

Chapter 6 Part 801 was brought to attention last meeting by a concerned resident and the Board requested that Sol. Leonard investigate revising this ordinance. The updated ordinance would add additional restrictions to the use of off-road vehicles in the RR District.

Chapter 21 Section 6 relating to driveway permits. The requirement to charge a resident who has a driveway installed or repaved without first obtaining the required permit to do so will be addressed in our annual Fee Schedule Resolution. We anticipate a Resolution will be presented to the Board at the January 2022 meeting.

COMMENTS FROM BOARD MEMBERS

A.) Fall Clean up– Supv. Brensinger

Supv. Brensinger would like to thank Jackson Township for their help with the fall clean-up. Their help is greatly appreciated by the roadcrew! Supv. Brensinger provided a written report to the Supervisors. The total amount of brush and miscellaneous yard waste picked up on October 18th and 19th, 2021 was 1755 cubic yards.

ADD-ON ITEMS IN THE LAST 24 HOURS**A.) Police Training**

MOTION was made and seconded to add police training to the agenda as an action item. Motion unanimously carried.

Chairman Miller explained that there are requests to attend training classes by 3 of our police officers.

- 1.) Handcuffing – Ptlm Gross to attend on March 30, 2022
- 2.) Baton – Ptlm Gallese to attend on March 31, 2022
- 3.) Pepper Spray – Ptlm Innocent to attend on April 1, 2022.

MOTION was made and seconded to approve the police training stated above. Motion unanimously carried.

With no further business to discuss, meeting adjourned at 8:52 pm.

Respectfully Submitted,

Erika Sheibley
Recording Secretary