

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
FEBRUARY 18, 2019**

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
A. Bruce Sattazahn	Vice-Chairman
Edward A. Brensinger	Treasurer
Cheri Grumbine	Township Manager
Harold L. Easter	Chief of Police
Frederick Wolf	Henry & Beaver LLP

Also, in attendance were Josh Weaber of Chrisland Engineering, Charles Rush of Community Homes and several members of the public. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) IONA Investment Group, PC (Horst); Old Ebenezer Road Stormwater Plan (Josh Weaber)

This stormwater plan is for the property located in Ebenezer on the west side of State Route 72 North. Stormwater structures had been installed at this property prior to receiving any approvals. Josh Weaber of Chrisland Engineering offered to answer any questions or comments regarding this property. He explained the history of the existing inlet structure located near State Route 72. A HEC-RAS study was completed to review how much water from the property flowed to the existing stormwater pipe under State Rte 72. The next study shows the culvert feeding to stormwater piping installed on the property. The culvert piping is sized between a 16” and 18” piping which leads to the recently installed piping which was sized 24” wide. Due to future expectations (nothing definite planned at this time) for development of the property, a 10’ swale was designed and installed to avoid any future overflow possibilities. A letter from Rick Bolt, County Engineer, indicated he is satisfied with the stormwater installation that was completed for this property. Josh repeated he does not have any details on possible future development for this area. Mgr Grumbine questioned the BMP and O&M agreement. Josh replied he does not have any information on an O&M agreement.

MOTION was made and seconded to approve the Stormwater Plan for 101 Old Ebenezer Road. Motion unanimously carried.

B.) David/ Eneida Dianderas – N 11th Ave; Fence Placement in Stormwater Easement Request

David and Eneida Dianderas are requesting placement of a fence along the front of their property located on 624 11th Ave. This property is located on the southeast portion of N 11th Ave just along the City line where Lebanon Village is located. LCPD has directed this request to North Lebanon because the placement of the proposed fencing would be installed across an easement containing a stormwater basin. Part of the plan is to install a gate at the basin area to allow the Twp access to the basin. The Dianderas have indicated they are having trespassing issues.

N 11th Ave; Fence Placement in Stormwater Easement Request (con't)

Normally a fence would not be permitted for placement within the easement. However, the offer of placing a gate for access, especially when considering the location and circumstances, seemed a good reason to bring this to the Supervisors. Sol Wolf and Mgr Grumbine have drafted an agreement, which will be required to be recorded. Any fencing to the side and rear would be prohibited as it is an open swale area. Mrs. Dianderas offered to answer any questions they might have. She told the Board they are having a problem with trespassers on their property.

Suv Sattazahn voiced his concern about a key for the proposed gate. Also, what will deter individuals from jumping the fence. Mrs. Dianderas replied the gate will not be locked. Also, she feels if there is a fence, people will not be tempted to simply walk through their property. Suv Brensinger stated that a key will not be needed by the Twp as the area to the driveway is open. If the Twp needs immediate access they can get through to the retention basin. Suv Sattazahn asked if the fence will be a deterrent to the plowing or any utilities. Suv Brensinger replied no, the fence will not be in the right-of-way. Mgr Grumbine told Mrs. Dianderas that she and her husband should review the drafted agreement. If they have no questions or comments, they should take the agreement to a Notary for signing of the agreement and then return the agreement to the Twp. The agreement will then be recorded and become part of the property file for perpetuity. Mgr Grumbine told the Board a copy has not been provided to the Dianderas. Suv Miller provided a copy to Mrs. Dianderas. Mrs. Dianderas thanked the Board for their time.

MOTION was made and seconded to approve the agreement with Mr. & Mrs. Dianderas for the installation of fencing with a gate, per the provided diagram, across the front of their property at 624 N 11th Ave, contingent on the Dianderas returning their notarized copy of the agreement to the Twp. Motion carried unanimously.

Public Hearing – Ord 1-2019; Amendment to the Pension Plan

Sol Wolf explained the Public hearing had been advertised according to requirements. This Amendment refers to new employees for the Twp. The Amendment states that any new employee must complete their probationary period prior to participating in the Pension Plan (457b). He asked if there are any questions. Suv Miller questioned what a 457b plan is. Mgr Grumbine replied it is a voluntary pension like the 401K in private industry. Suv Miller questioned if it is an amount the Twp matches. He was told no. There were no questions from the public.

MOTION was made and seconded to adopt Ord 1-2019 amending the Pension Plan for Twp employees. Motion unanimously carried.

C.) Community Homes Project – Charlie Rush

Mr. Charles Rush of Community Homes told the Supervisors he would like to explain a proposal for an area located between 6th Avenue and 7th Avenue. The area consists of 2.38 acres and borders the Lebanon City line. Several months ago, he had been contacted by some of the local agencies such as, Lebanon Rescue Mission, Lebanon County Christian Ministries and Calvary Church. These agencies work with certain people who need affordable specialized living arrangements. Most of the current facilities meeting these needs are at capacity and many have long waiting lists. Community Homes has taken on the task of trying to provide affordable living for these types of situations. Within the last 10 years it has become a challenge, especially with all the Stormwater programs and regulations that are in existence now.

Community Homes Project (con't)

Mr. Rush told the Board the County Commissioners are in full support of this location for the idea of a “Pocket Neighborhood”. A Pocket Neighborhood is an area of 1- and 2-bedroom apartments or townhouses usually about 500 to 800 sq ft of living space. What is being proposed is single-story apartments for 1 to 2-3 individuals. The design is a small cluster of units facing a common green space creating a “pocket” to promote shared community living. The proposal is to have all the units be handicap accessible. Mr. Rush told the Supervisors there is so much support for this project he is hopeful all requirements will be worked out. The County Commissioners have committed to a portion of their Act 137 funding on their behalf for financial assistance; Fulton Bank is offering their assistance by working with the mortgage arrangements and in August the option of applying to the Federal Home Loan Bank (Pittsburgh) is available. The only problem is Community Homes must be a position to apply to the Federal Loan Bank by early August. The deadline for application is August 8, 2019. Mr. Rush said that means he must have “all the ducks in a row” for this project by August.

The 4 components that Community Homes must demonstrate to Federal Home Loan Bank for this project are:

- Site control – owned by Habitat for Humanity
- Zoning – they must demonstrate that the zoning is applicable
- The construction schedule – 18 months to completion after the funding is secured
- Financially feasible – prove the project is feasible

Mr. Rush said the Board is being presented with a proposed Text Amendment to the existing Twp zoning Ordinances. The Board will be asked to consider this Amendment to allow for the pocket community to become an option for the proposed location between 6th and 7th Avenues. He asked the Supervisors for their questions/comments.

Suv Sattazahn questioned the parking that is shown on the design. Are there enough allocated parking spaces? Mr. Rush replied that a percentage of the intended residents for this complex will be non-driving individuals. He questioned if the 20’ cartway will be posted NO PARKING in order to guarantee that emergency response vehicles will be able to get through if needed. The response was yes. Suv Sattazahn next questioned a notation he noticed that shows stormwater and parking for the same area. Rush replied the retention area will be underneath the parking lot. Suv Brensinger added that is a common practice for smaller parking areas.

Suv Miller questioned the funding for the project. Is the construction of this community dependent on approval to receive 100% funding? Mr. Rush replied yes. The Federal Home Loan Bank amounts to \$750,000 and the County Commissioners have pledged \$500,000 for this project. Approval notifications, if received, would be received late in 2019. Does Community Homes also apply for Grant money? Rush replied the answer is yes, they would pursue any Grant options through the County. However, they are locked into an 18-month completion after approval is received from the Federal Home Loan Bank. Community Homes will not receive an answer concerning the application to Federal Home Loan Bank until the end of 2019. They will then be locked into the 18-month deadline.

Suv Brensinger questioned the properties being rentals. Does that mean these are not taxable properties and are all units to be ADA compliant? Mr. Rush replied yes, the property is taxable and yes, all units will be ADA compliant.

Community Homes Project (con't)

Suv Brensinger said he has a concern about the area becoming a “through” street between 6th and 7th Avenue. He would like to see an alternative solution that eliminate that possibility.

Mgr Grumbine questioned Community Homes owning the community for perpetuity. It will not be changing ownership? Rush answered Community Homes is not in the flipping business. Community Homes will own the land. He reiterated that he is up against an August 8, 2019 deadline for application to the Federal Home Loan for financing. The need for this type of housing for the elderly is apparent. The waiting list for the other housing facilities speaks to the need for this type of housing for the elderly. It is not subsidized, Section 8 housing. However, it important that the date of August 8, 2019 remain a number factor for this project to be a possibility. He thanked the Board for their time and attention this evening.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements

The following Stormwater O&M Agreement has been reviewed by Mgr Grumbine. Her recommendation is for the Board to approve the agreement.

1. 1677 Grace Ave – The BMP O&M agreement has been received for 1677 Grace Ave. The Stormwater Credit for this property had been approved at a prior meeting and now the BMP O&M Agreement has been received.

MOTION was made and seconded to approve the BMP O&M agreement for 1677 Grace Ave. Motion unanimously carried.

APPROVAL OF MINUTES

The meeting minutes from the 1/21/19 Supervisors meeting minutes are ready for action.

MOTION was made and seconded to approve the 1/21/19 Supervisors 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 – January 2019**

Chf Firestine reported there were 52 responses from the 4 Fire Companies in the month of January, a total of 8 trainings, and a total of 70.5 man-hours reported.

B.) Box Alarm Changes; GLFC – Brian Vragovich

Chf Vragovich told the Board he wanted to explain to them some of the changes that are being implemented with the new CAD system at EMA (estimated May of 2019). Once the new CAD system is up and running EMA will be entering information from the box alarm cards into the system exactly as the card information exists at that time. All alarm cards that are approved as of the time the system is activated is what will be the call procedure for the equipment pieces. Glenn-Lebanon wanted to be a step ahead and that is why the box alarm cards are going before the Board for approval.

Chf Vragovich explained he listed equipment pieces from North Lebanon Fire Companies by selecting various pieces to complement what Glenn-Lebanon has to offer. His next consideration is which neighboring companies are nearest in proximity.

Box Alarm Changes; GLFC (con't)

His main concern is fighting the fire and damages caused by the fire, not selecting companies because they are located within North Lebanon. The box cards that are approved tonight, will not be in effect until the new CAD system is operable. For that reason, Glenn-Lebanon wanted to get approval for the revisions they felt were necessary prior to the new CAD system becoming “live”. The Board has the information for box cards 42-01 and 42-02. Chf Vragovich described the area covered by the 2 box alarms.

MOTION was made and seconded to approve box alarm cards 42-01 and 42-02 for Glenn-Lebanon Fire Company. Motion unanimously carried.

C.) Non-Emergency Activity List – Rural Security

The list of 2019 Non-Emergency Activities for the Rural Security Fire Company has been provided. The Board indicated they had no questions regarding any information provided on the list.

MOTION was made and seconded to approve the 2019 Non-Emergency Activity list, as presented, for Rural Security Fire Company. Motion unanimously carried.

D.) Box Alarm Changes - Rural Security

Chf Firestine told the Board he will not go into detail as Brian has already explained to them what will be happening with the new system at EMA.

MOTION was made and seconded to approve box alarm cards, 43-97 (specific to Sunset); 43-11 (specific to Lebanon Camp Meeting); 43-04; 43-03; 43-02; 43-01 for Rural Security Fire Company. Motion carried unanimously.

CHIEF OF POLICE REPORT – Chief Harold Easter**A.) Calls for Service – January 2019**

Chf Easter reported on the calls for service for the month of January. There was a total of 686 Police/Citizen calls in January. A total of 9,631 miles were driven on the patrol vehicles.

B.) Monthly Code Enforcement Activity Report (Brenner/ Hasse)

Chf Easter confirmed the Supervisors had received the monthly Code Enforcement Report involving both John Brenner and Off Hasse.

C.) Marine Toys-for-Tots Program; Bike Donation

Chf Easter told the Board there is an abundance of bikes in the Police garage that have not been claimed. He is asking the Board to approve the bikes being donated to the Toys-for-Tots Program.

MOTION was made and seconded to approve the donation of bikes that have accumulated in the Police garage to the Marine Corps Toys-for-Tots Program in accordance with Ord 8-2000. Motion unanimously carried.

D.) Officer Recognition – Off Greg Behney

Chf Easter told the Board Officer Greg Behney had been recognized by the Center for Traffic Safety for his aggressive enforcing of Title 75 which is for aggressive driving and the Buckle Up Campaign.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Twp Manager**A.) Cooperation Agreement (RACL) Paving Project**

The Twp has received the standard Cooperation Agreement from the Redevelopment Authority (RACL) regarding the paving project for E Old Cumberland St.

MOTION was made and seconded to approve the RACL agreement for the paving project on E Old Cumberland Street. Motion unanimously carried.

B.) MHP License Renewal; Lakeside Delinquent

Per a MEMO dated 1/17/19, the Twp has received 6 of the 7 Mobile Home Park renewal applications and approved 6 of the renewals during the January meeting. The renewal for Lakeside Mobile Home Park has not been received. The Board is being asked to authorize Sol Wolf to pursue necessary action for collection.

MOTION was made and seconded to authorize Sol Wolf pursuing Lakeside Mobile Home Park's 2019 renewal licensing. Motion unanimously carried.

C.) County Aid LFF Application

The Board is being asked to approve the 2019 Application for County Aid in the amount of \$11,429 (population based). Per the application the project description is listed as road salt. The Board is being asked to approve the application before forwarding to the County Commissioners. Suv Brensinger asked if the amount of \$11,429 will ever increase. Mgr Grumbine replied the amount is population based so the new Census might show an increase.

MOTION was made and seconded to approve the application for County Liquid Fuel in the amount of \$11,429. Motion unanimously carried.

D.) Williams Atlantic Sunrise Grant - \$10K Lenni Lenape Walking Path Extension

The Board is being asked to approve application for a Williams Atlantic Sunrise Grant in the amount of \$10,000. The Grant will be used for an extension of the walking path at Lenni Lenape. There is no match requirement for this grant.

MOTION was made and seconded to approve the application for the Williams Atlantic Sunrise Grant in the amount of \$10,000 for the extension of the walking path at the Lenni Lenape Park. Motion unanimously carried.

E.) 2019 Benecon Wellness Grant Application

Benecon is receiving applications for a Wellness Grant. In the past we have received this \$1,000 grant which was used for educational items to promote healthy eating and physical habits for the Twp employees.

MOTION was made and seconded to approve the application for the 2019 Benecon Wellness Grant in the amount of \$1,000. Motion unanimously carried.

F.) Approval to Bid Annual Paving & Fuel

The 2019 paving and fuel bids are ready to be advertised.

Paving Projects:

- Water Street (Cloverfield Drive to Route 72)
- Narrows Drive (S of Hess Drive to Route 422)

- Walking path extension (Lenni Lenape)

Split with SLT and included with SLT bid:

- S 15 Ave (Route 422 to E Old Cumberland St)
- E Old Cumberland St (S15th Ave to Route 422 – behind DQ)

Fuel Bids are for diesel at the Twp.

The Board is being asked for authorization to advertise for bids.

MOTION was made and seconded to authorize advertisement for bids on the annual paving and fuel. Motion unanimously carried.

G.) Narrows Glen Maintenance Bond Extension

As a result of the final inspection completed by Roadmaster Brensinger, there are several curb cut repairs that need to be completed. Sol Wolf has recommended an extension to the existing 18-month integrity bond be required. As the expiration date is fast approaching, a decision on the direction to go should be decided. Mgr Grumbine stated that Bonnie has been in contact with Landmark, but she has not received a recent update on this issue from Bonnie. Some discussion was held, and it was decided to ask that a new letter of credit be issued, or an escrow be established for these repairs prior to the expiration of the current Bond. Suv Brensinger expressed his concern that the work that needs to be completed and the weather right now not being conducive to allow the work to be completed.

MOTION was made and seconded to contact Landmark about repairs that need to be completed, contact the Bonding Company about the repairs and request a 6-month extension to the current Bond to ensure the repairs get completed. Motion unanimously carried.

H.) Pertinent Matters

1. SW Consortium Update; The next Consortium meeting is scheduled for 2/19/19 at 10:00am. During the 1/15 meeting a letter to DEP regarding the parsing issue was reviewed. A final letter is to be reviewed by the Consortium at the meeting tomorrow. The Engineer has been asked to review the projects to discuss contacting the property owners before proceeding with several projects. Suv Miller added that the officers for 2019 are remaining the same as last year's officers.

2. RACL Projects-

- Paving of E Old Cumberland St (King St to RR dead end)
- Demolition -1405 E Old Cumberland St structure

Both of these projects are out for bid by Redevelopment Authority. The following is the schedule of events:

- March 7 – bid opening at 2pm at RACL
- March 14 – award to be made, contractor has 10 days to submit paperwork
- March 28 – 9am preconstruction conference (demolition) at NLT
- March 28 – 10am for preconstruction conference (paving) at NLT
- June 30 – date for final completion; both projects

3. FASP – Mgr Grumbine stated she received no updates regarding the FASP audit.

4. **2018 Annual Reports**; The following year-end summary reports have been prepared and provided for the Board to review.

LCPD – Zoning Administration Report was received from LCPD which summarizes all the building permit activities for the year of 2018.

SOLICITOR’S REPORT; Atty Fred Wolf -- Henry & Beaver

A.) Memorial Garden Agreement with Ebenezer Beautification Committee

Sol Wolf reported the agreement between the Twp and the Ebenezer Beautification Committee was finalized and was presented to the Committee for their review and signatures. Nothing has been returned and no new communication has been made.

B.) Agreement with Gerald Musser – Cul-de-Sac on previously owned Cikovic Property

Sol Wolf reminded the Board that Gerald Musser now owns both developments that will be connected, Homestead Acres and the former Cikovic property. The Supervisors and Sol Wolf have been working to establish an agreement regarding the removal of a cul-de-sac area located between the 2 developments when the developing activities are completed. The road will be a connecting street between the 2 developments.

C.) Zoning Amendment Petition – 430 N 11th Ave; Public Hearing -advertise for 4/22/19

A Zoning Amendment request had been received for the properties located at 430 N 11th Ave, ES N 11th Ave and the WS of N 15th Ave. A public hearing has been scheduled for 4/22/19 for this amendment request. Notices will be forwarded to neighbors and the requesting properties will be posted. Advertising will be completed by Sol Wolf’s office.

D.) Jason Hess Agreement – 1737 S McKinley Ave

Sol Wolf told the Board an agreement was drafted between the Twp and Jason Hess, owner of 1737 S McKinley Ave. A garage had been constructed prior to the primary dwelling being constructed which is in violation of Twp ordinances. An agreement was drafted regarding penalties for the violation and the construction of a home within a year. The agreement outlines a timeframe for completion of the house.

MOTION was made and seconded to approve the agreement with Jason Hess regarding his property at 1737 S McKinley Ave. Motion unanimously carried.

E.) Text Amendment – R2 “Pocket Neighborhood”

Sol Wolf and Mgr Grumbine have been working with Steve Sherk of Steckbeck Eng on the draft of a Text Amendment for the R2 Zoning Ordinance. LCPD and the NLT Planning Commission have been asked to review and offer their comments. All comments will be forwarded to Steve Sherk. The Text Amendment will be finalized, and the final draft will be provided to the Board. A Public hearing will be required.

F.) Norfolk Southern Appeal-Decision

Norfolk Southern had filed an appeal regarding their Stormwater ERU’s. A recommendation of the appeal was completed by Dan Cannistraci of Steckbeck. Dan reviewed the areas of appeal and submitted a report and recommendation for the Board of Supervisors. Suv Brensinger questioned if Norfolk Southern is aware of the suggested revision for their properties. Sol Wolf stated yes Norfolk was provided with the information and are satisfied.

MOTION was made and seconded to approve the Stormwater Appeal recommendation for Norfolk Southern. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS

A.) Truck #4 Replacement; Update – Ed Brensinger

Suv Brensinger told the Board he had confirmed some figures on the purchase of a new truck #4. During the last conversation the Board had asked that Ed finalize some costs and quotes and provide the information to them prior to ordering the vehicle. Ed stated he now has figures to provide to his fellow Supervisors. The price he received from Freightliner came in lower than was expected. He said he feels this would be the route to go when ordering the new chassis. The Mack quote came in, even after trade-in value, \$20,000 higher.

MOTION was made and seconded to approve an order with Freightliner for the new truck #4 replacement. Motion unanimously carried.

B.) Resignation – David Leid

Roadmaster Brensinger said a resignation letter was submitted to him from David Leid of the Highway Dept. It is effective 3/02/2019. He said he accepted the resignation with reluctance but wished David well in his new ventures.

MOTION was made and seconded to accept the resignation from David Leid and authorizes Roadmaster Brensinger to pursue the search for filling the vacancy. Motion unanimously carried.

Chm Miller announced the Supervisors will be recessing for a brief time to go into executive session.

The Board returned from their executive session and Chm Miller re-opened the meeting.

C.) Decision on PD Grievance

Chm Miller stated the Board had recessed to discuss a grievance issue received from the Police Department. Chairman Miller announced that the grievance is denied, and Supervisors Brensinger and Sattazahn did not comment.

D.) Snow Removal/plowing

Suv Miller commended the highway department on a good job with plowing and snow removal during the last snow event.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary