

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
MARCH 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:

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| | A. Bruce Sattazahn | Vice-Chairman |
| | Edward A. Brensinger | Treasurer |
| | Cheri Grumbine | Township Manager |
| | Harold L. Easter | Chief of Police |
| | Amy Leonard | Henry & Beaver LLP |
| Absent | Richard E. Miller | Chairman |

Also, in attendance were Mike O'Donnell of SESI, James Hubbard of NCCS and several other individuals from the public. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) James Hubbard – New Covenant Christian School; Portable Classrooms

Mr. Hubbard, representing NCCS, spoke to the Supervisors about the existing portable classrooms. Previously the Board had entered into an agreement about the length of time that these classrooms could be on the school property. Mr. Hubbard referred to the previous Land Dev Plan that had been processed and approved. However, the Land Development Plan was recorded at the time. Unfortunately, all the financing was not able to be accomplished to do the original scope of work. The revised Land Dev Plan that is being processed currently is a downsized version of the original project. The current project will be for the new Gym, the lobby area, some office space and restrooms with no classrooms being constructed.

The current Agreement with the Supervisors expires the beginning of the 2019/2020 school season. Because the work project has been downsized, the school would like to keep the portable classrooms in place for at least another year. Mr. Hubbard told the Board his intention is to get the new gym, lobby and bathrooms built then move forward through Phase 2 which would involve the new classrooms. However, his concern tonight is to ask the Board to agree to extend the agreement for the portable classrooms.

Suv Sattazahn told Mr. Hubbard he can understand the reason for extending this agreement for 1 more year. However, he wanted to mention that should this same request be made to him next year at this time he will not be quite so understanding. What time limit is NCCS looking for to complete this Phase 1? Suv Sattazahn's concern is about setting future precedents. Mr. Hubbard said he understands that concern. Suv Sattazahn asked what the expected date for ground breaking will be. Hubbard replied if all goes well with the Land Dev Plan approval it is anticipated that April 30th will be the dig date. For the classroom modulars he is thinking one year extension will work.

Suv Brensinger stated NCCS has been a good neighbor for the Twp and has proven to be good stewards for this property. He is in favor of granting a year extension on the classroom agreement.

NCCS Portable Classrooms (con't)

Atty Leonard spoke to the Supervisors asking for specific times that should be in the addendum to the existing agreement. The Supervisors indicated they would like the date to be 1 year to the existing date mentioned in the original agreement, which would be August of the 2020/2021 school session. Atty Leonard also noted the costs for the current agreement were covered by NCCS. Is that what the Board wants to see for the revised agreement or addendum? The Supervisors and Mr. Hubbard agreed the costs should go to NCCS. She spoke to Mr. Hubbard saying the new addendum will be drafted and he will be contacted about signatures. Mr. Hubbard thanked the Board for their time.

MOTION was made and seconded to approve an addendum to the current agreement between the Twp and NCCS regarding portable classroom placements. The extension would be a 1-year extension and will expire August of 2020/2021 school session and NCCS will assume the costs for the legal agreement to be drafted. Motion carried unanimously.

B.) NCCS Land Dev Plan – Gym Only (no new classrooms @ this time)

Mike O'Donnell of SESI spoke to the Board on the Land Dev Plan submitted for New Covenant Christian School. He reminded the Supervisors that NCCS had received approval for Land Dev in 2017 but was not able to move forward with their intentions due to financial issues. The Plan has been resubmitted for approval with a downsized footprint for construction. The idea is to build the gym only and move forward with classroom expansion later. The stormwater improvements will remain the same as had been previously submitted to allow for the gym and any future expansion. The BMP O&M agreement has been submitted. NLT Planning Commission and LCPD have both recommended approval for this plan.

Mr. Hubbard remarked that the school had experienced some funding problems and could not complete what they had originally planned. At this point it is his intention to get the gym built, get the lobby area completed and then move forward with classroom expansion, as funding becomes available. The school is in definite need of more space and he feels it is on his shoulders to get the funding in place to complete this expansion renovation.

MOTION was made and seconded to approve the NCCS Land Dev Plan and the O&M agreement. Motion unanimously carried.

C.) Jason Hess – 1736 S McKinley Ave Stormwater Plan

Mgr Grumbine explained this plan has been on the agenda for a while now. The Twp has a signed agreement with Mr. Hess for completion of a single-family dwelling. A BMP O&M agreement is also to be approved along with this plan. NLT Planning Commission and LCPD have recommended approval of this plan.

MOTION was made and seconded to approve the Stormwater Plan and BMP O&M agreement for Jason Hess at 1736 S McKinley Ave. Motion unanimously carried.

D.) Mike/Gwen Yordy – Ebenezer Beautification Committee; Exhibit B (Lease)

Mike and Gwen Yordy discussed a drafted lease agreement (exhibit B) between the Twp and the Ebenezer Beautification Committee who plans to develop a memorial garden on Twp property. Gwen stated there was 1 item in the agreement that she wanted to discuss. The person signing the agreement is listed as Committee Chair but lists a different name than Gwen and Mike Yordy. The Committee felt their name should be on the agreement because they are the Chairing this project.

Ebenezer Beautification Committee; Exhibit B (Lease) (con')

Atty Leonard questioned what status this group has. Is it a non-profit group? Gwen agreed yes, it is a non-profit, 501© (3). Atty Leonard asked if it is a Class 501© (3). Gwen replied she is not sure and that she would need to find out. Atty Leonard stated that the group probably registered with the state when originally forming. Gwen again stated she will check into it. Atty Leonard said it would be the name of the person who registered with the state for non-profit status and he/she will need to sign the agreement between the Twp and this Committee.

Conversation turned to the design for this proposed memorial park. Gwen described the flag pole area, the memorial bricks and paving stones as well as the floral garden designs. Suv Sattazahn questioned the parking arrangements for anyone who might visit this garden. Gwen stated parking would be provided across the street, in front of the Ebenezer Dam Breast. There are no options for parking right off Rte 72 because of Old Ebenezer Rd and the billboard area that exists. Suv Sattazahn said he has concerns about the continual maintenance of the area. Also, if the Committee terminates/defaults, everything would have to be removed from this area. Gwen stated the Committee is aware of this. Suv Brensinger mentioned there may be an area for parking just to the rear of the garden area. Currently there are trees located there but he thinks a few could be removed. The Twp recently had this property surveyed, so we now know our property lines. A review of the design continued. Mike O'Donnell told the Board and Gwen that their office would have the dimensions of the area that is being discussed. He is willing to review the information of the area with Gwen and discuss what options there might be for creating some parking. He told Gwen to contact him at Steckbeck Engineering.

Suv Brensinger told Gwen that until the construction begins the Twp will continue to provide mowing maintenance for this area. Gwen expressed the Committee's appreciation for his offer.

After some discussion Gwen stated that she would get back to the Twp with the information about the non-profit status and would be contacting Steckbeck's office to meet with Mike O'Donnell regarding the dimensions for this area.

E.) Mike O'Donnell – Narrows Dr; Former Brewster Property

Mike O'Donnell spoke to the Board regarding the property located just off Rte 422 and Narrows Dr. An interested client has approached him asking a few questions about the property. Also, there is a traffic light improvement agreement that was part of the Brewster agreement, as well as curbing for Narrows Dr. He questioned the Supervisors as to what they are expecting to see from the developer of this property. The size of this development would be on a smaller scale. He said he is aware of the Twp's plans for the road paving project of Narrows Dr this summer. O'Donnell questioned if the Twp would be open to the idea of this individual posting an escrow and the Twp completing the curbing as part of the paving project. This individual is interested in pursuing a smaller personal operated business with minimal parking needed. Due to a smaller business operation it would be assumed the traffic pattern would be considerably less. O'Donnell provided to Mgr Grumbine the sketch he had with him.

F.) George Heist – Old Ebenezer Rd

Mr. Heist told the Board he would like an update on the property at 101 Old Ebenezer Rd. He would like to know the future planning for this property. Mgr Grumbine explained the Stormwater Plan that was recently submitted and approved has provided information as to what had already been installed on the property. There have been rumors but no plan submission has been received as of now.

George Heist – Old Ebenezer Rd (con't)

Mr. Heist told the Board the trucks that are traveling in and out of the property are dragging large amounts of debris and stones onto the road. The large equipment is creating huge ruts in his driveway and he would like to know how to put a stop to it. Suv Brensinger agreed that the road debris and stones he has witnessed are a hazard to the motorists, especially motorcyclists.

Mgr Grumbine replied the driveway issue the Twp cannot help him with as it is private property. The debris on the roadway can be addressed by reporting it to the Police Dept. A call to the Police will allow for the Twp to pursue cleanup of the roads. Mgr Grumbine asked Mr. Heist to feel free to contact the office to follow up on questions about any land development for this property. That would be the first step the property owner will do prior to anything being constructed on this property.

Mr. Heist questioned the property, which he had owned at one time, and he had been told prior to any type of development an improved road would need to be constructed. Mgr Grumbine replied there is no development plan submitted at this time. When a submission is made the subject of a road will be reviewed, then.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements

The following has been reviewed by Dan Cannistraci, SESI. His recommendation is for the Board to approve the following Credits:

1. 17 Winchester Circle – Credit application for Stormwater features contained on the property. The recommendation is for a 100% Credit as the property contains a bio swale, wetland area and 10,000 SF, off site, other stormwater improvements for this area.

MOTION was made and seconded to approve the recommended 100% Credit for the property at 17 Winchester Circle along with an O&M Agreement. Motion unanimously carried.

APPROVAL OF MINUTES

The meeting minutes from the 2/05/19 Park & Rec/ Supervisors Joint meeting minutes as well as the 2/18/2019 Supervisors meeting minutes are ready for action.

MOTION was made and seconded to approve the 2/05/19 Park & Rec/Supervisors Joint meeting minutes and the 2/18/2019 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 – Mike Leonard – Ebenezer Fire Co**A.) Monthly Report – February 2019**

Chf Leonard reported there were 36 responses from the 4 Fire Companies in the month of February, a total of 19 training/maintenance events, a total of 110.12 man-hours reported for responses and 299.99 man-hours for training/ maintenance events.

B.) Lebanon Co Dept Emergency Services Letter - Box Card Approvals by Board

Chf Arnold entered into a lengthy conversation with the Supervisors regarding the new dispatch system the County DES is planning to activate in April/May of 2019. The Supervisors asked what they can do to help make this process easier for the Fire Companies. Chf Leonard told the Board the main concern for all the Fire Co members is the quickest response to try to limit as much property damage as possible.

Lebanon Co DES Letter (con't)

The new system for call outs does not necessarily consider what is the most expedient response. During daytime hours there is a shortage of responses from the volunteer companies and that must to be a consideration also. DES has determined that we need to let the computer system proceed with what has been designed for it to do. The problem is the valuable time elapse that could make a big difference in some of these emergency calls.

Suv Sattazahn questioned if County has been notified of all the concerns expressed here tonight. Chf Leonard replied, to his knowledge, there has been conversations between County and some of the local Fire Co Chiefs. The County's response is that a large amount of money has been spent on the new system.

Suv Brensinger asked about the box card approval the Board is asked to do for these revisions. What would occur if the Supervisors did not approve the cards? Chf Leonard said he would think that the CAD system would be used to override the Twp and dispatch the response call. Mgr Grumbine wondered if there could be liability issues in a situation such as that. Suv Brensinger said Suv Miller had agreed to contact the County Commissioners and it is not known if he has done that.

Chf Leonard mentioned the previous Fire Chief for Ebenezer had submitted box cards for approval. He told the Board he will have to "tweak" the box cards a bit and resubmit for approval again. Suv Brensinger said that is even more reason to not rush through approving the box cards until the Fire Chiefs have an opportunity to review the information. The Supervisors have always relied on the Fire Chiefs recommendations. He suggested the box card issues be tabled until more answers are received. Suv Sattazahn agreed.

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

Chf Easter reported on the calls for service for the month of February. There was a total of 563 Police/Citizen calls in February. A total of 8,465 miles were driven on the patrol vehicles.

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

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

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Twp Manager**A.) Award of Bids; Paving, Fuel**

The annual bid advertising had been approved and completed. The bid opening was completed, and Bonnie has compiled the bid results. Pennsy Supply was the low bidder, of 3 bids received, for paving in the amount of \$343,775.30.

Only 1 bid was received for diesel fuel to be delivered to the Twp. The bid was received from Meyer Oil at \$2.262/gal (as of 3/13) with a \$.03 winter additive fee. The Board is being asked to act on the submitted bids.

MOTION was made and seconded to accept Pennsy Supply's low bid of \$343,775.30 for the 2019 paving projects as well as the bid received from Meyer Oil in the amount of \$2.62/gal with a \$.03 winter additive fee for diesel fuel delivery to the Twp. Motion unanimously carried.

B.) Release of Fire Escrow – 1780 Ashton Dr

Code Enforcement Officer John Brenner has provided information that the final inspection on the property located at 1780 Ashton Dr has been completed by Commonwealth Code. This was the last inspection required before closing the case. The Board is now being asked to authorize the release of the escrow being held by the Twp.

MOTION was made and seconded to authorize the release of the escrow for the property located at 1780 Ashton Dr. Motion unanimously carried.

C.) MHP License Renewal; Lakeside Delinquent

Per direction from the Board, Atty Leonard sent a collection notice to the owner of Lakeside Mobile Home Park regarding the delinquent 2019 license renewal. The application and payment have now been received. The Board is being asked to approve the renewal and signature by the Chairman on the license.

MOTION was made and seconded to authorize the Chairman's signature on the 2019 renewal license for Lakeside Mobile Home Park. Motion unanimously carried.

D.) Res 8-2019 Swatara Sojourn

As part of the educational component of the MS4 program the Board annually adopts a Resolution in support of the Swatara Sojourn, which is a cleanup effort for the Quittapahilla. It is time to act on Resolution 8-2019 to show the annual support for this event.

MOTION was made and seconded to adopt Resolution 8-2019 in support of the Swatara Sojourn. Motion unanimously carried.

E.) Governor's Award for Local Government Excellence

Mgr Grumbine announced that Supervisor/ Roadmaster Ed Brensinger has been nominated and selected to receive one of the 2019 Governor's Awards for Local Government Excellence. Ed will be recognized at the official Local Government Day Awards Ceremony, which is held on April 10th at the Governor's residence. Congratulations to Ed Brensinger.

F.) Pertinent Matters

1. SW Consortium Update; The next Consortium meeting is scheduled for Tuesday, 3/19/19 at 10:00am. The Consortium continues to work on their response to DEP's comment letter regarding the Pollution Reduction Plan. Movement has started on contacting some of the property owners about various projects listed in the PRP.

2. Tire Collection @ EXPO Center – Wed 4/17 8am – 6pm; This event is open to the Lebanon County residents. Pre-registration is requested and is an option until 4/03/19. Email registration is strongly encouraged and will reach the pre-registration list first.

3. Update on FASP – A letter was received March 11 from Bryan Smith, Executive Director of First Aid and Safety Patrol (FASP). An audit has been completed by Stanilla, Siegel, and Maser, CPA. Mr. Smith is planning to meet with all the municipalities that FASP serves to discuss the audit and any long-term financial solutions to the present challenges. FASP will be scheduling small group meetings in the next few weeks. Mgr Grumbine is asking that one of the Supervisors be appointed to attend these meetings with her.

Update on FASP (con't)

After some discussion, Suv Sattazahn suggested that Mgr Grumbine call him if Suv Brensinger is not able to attend should a meeting be scheduled between now and the next Supervisors meeting. He feels all 3 Supervisors should be in attendance for a discussion about FASP.

4. DEP Response Letter to 2018 Ebenezer Dam Inspection Report – A response letter from DEP was received regarding the 2018 Ebenezer Dam Inspection Report. DEP acknowledged receipt of the plans to extend the left side of the embankment and dredge portions of the reservoir. DEP reviewed the plans and returned comments. Dan Cannistraci (SESI) is expected to resubmit revised plans to DEP by the end of March. A reminder was issued by DEP that any repairs, other than minor maintenance, will probably require written approval from the Dept prior to performing the any work. Minor maintenance involves activities such as vegetation and debris removal, filling of all animal borrows and patching or sealing of small areas. All work must be documented and included in the 2019 Annual Inspection Report.

G.) O&M Agreement for Iona Investment Group – 101 Old Ebenezer Rd

The O&M Agreement has been received for 101 Old Ebenezer Rd and should be approved for signatures. The agreement will be recorded, along with the Stormwater Plan that had been previously approved, a copy of the agreement must be provided for Twp files.

MOTION was made and seconded to approve the BMP O&M agreement from Iona Investments for 101 Old Ebenezer Rd. Motion unanimously carried.

H.) GQM Zoning Amendment Agreement Petition

Godshall's Quality Meats has submitted a Zoning Amendment petition to the Twp for 48 acres located directly north of the existing plant. In 2018 Godshalls had rezoned 12 of the acres located within this property from Agricultural to Industrial. Due to continued growth within the company, Godshalls is now requesting the remaining 48 acres be rezoned from Agricultural to Industrial.

Mgr Grumbine stated she will work with the NLT Planning Commission to review the request for a recommendation. She told the Board that if all 3 Supervisors will be in attendance during the June meeting that we can work toward that date to schedule a Hearing. After the PC meets with the applicant, Mgr Grumbine felt she will have a better idea as to when the PC members will be ready to make a recommendation. The Board can then set a date for the public hearing.

I.) Zoning Hearing Case – Martin Hoover

A ZHB case will be held on March 26, 2019 @ 7:30pm regarding the proposed garage area to be dedicated for accident reconstruction for the Lebanon County Reconstruction Team, of which 3 NLT officers participate. Mgr Grumbine mentioned that someone from the Twp should be present to offer support for the application. Suv Sattazahn asked Chf Easter if there will be someone from the Police Dept available to attend. Chf Easter responded Officer Koons will be attending.

SOLICITOR'S REPORT; Atty Amy Leonard -- Henry & Beaver**A.) Memorial Garden Agreement with Ebenezer Beautification Committee**

Atty Leonard said this topic was covered previously in the meeting. As soon as she gets an answer from the Committee about their non-profit status, she will be able to proceed with the Lease agreement revisions.

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

Atty Leonard reported this agreement continues to be worked on by Sol Wolf and Gerald Musser.

C.) Ord 2-2019 Zoning Amendment Petition – 430 N 11th Ave; Public Hearing – Advertise for 4/22/19

Atty Leonard reminded the Supervisors that this public hearing was scheduled for April 22, 2019 at 7:15pm.

D.) Ord 3-2019 – Intermunicipal Agreement w S Leb Twp; Paving Proj 4/22/2019

Atty Leonard told the Supervisors they will be entering into an inter-municipal agreement with South Leb Twp for the paving project to be completed on E Old Cumberland Street. This Ordinance will be on the agenda for the April meeting. The Twp paving project of S 15th Ave to Rote 422 is also included in this bidding process

MOTION was made and seconded to approve advertising of Ord 3-2019 Intermunicipal Agreement with S Leb Twp for paving project, for the meeting of April 22. Motion unanimously carried.

E.) Agreement with Narrows Glen Inc and Escrow

Atty Leonard explained that Landmark had requested a release of the Integrity Bond for Narrows Glen development. During the final inspection Landmark was informed about some curbing repairs that were still required. Landmark indicated that they were comfortable establishing a cash escrow instead of extending the Integrity Bond. The Twp has received a check in the amount of \$3000 and Landmark has signed the Agreement.

MOTION was made and seconded to approve the Agreement with Landmark for repairs required in Narrows Glen (curb deficiencies) and the cash escrow received. Motion unanimously carried.

F.) Text Amendment – R2 Pocket Neighborhood

Two Planning Commission members have reviewed and offered their opinions on this text amendment. Two other PC members have abstained, due to their association with the project, and one PC member was absent from the meeting. The Board will schedule a hearing during their May meeting on this Ordinance.

COMMENTS FROM BOARD MEMBERS**A.) Suv Brensinger; Request from Dwayne Elder for Baseball Fields Work**

Suv Brensinger said he received a request pertaining to some work the Baseball Assoc would like to complete on the Teener field. While the Assoc is planning to complete the work, a request for some equipment help from the Twp is also being made. Suv Brensinger stated the request is a reasonable request and he feels the Twp can be accommodating with this request. Suv Brensinger also mentioned he is happy the Association is willing to tackle some of these projects, at their expense to have these projects completed. The following list is what the Baseball Assoc is requesting:

- Catch basins that the Twp installed - would like to contact Stewart Masonry about the possibility of placing concrete around the basins to direct water into the basins and keep it off the fields

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- Infield dirt – The Assoc would like to rent equipment (Eagle Brother Rentals) to loosen infield dirt to make weeding/grass removal chores easier (this would be dependent on the area drying out to allow equipment on the field)
 - Pitcher’s mound area – the Assoc proposes cleaning up the edges in front of the pitchers mound and planting sod where the coaches stand during batting practice (currently the coaches have been asked to use a piece of indoor/outdoor carpet to stand on while pitching during batting practice) This request is for the Midget field as well as the Teener field.
 - Dugout areas – an accumulation of dirt in the dugouts should be removed to allow the water to flow through the stone that is in place under all the accumulated dirt. The Assoc would like to remove some of the dirt between the dugout and the field fence. They would like to place stone dust in both areas and are requesting the Twp assist moving stone dust from parking lot into the dugouts.

MOTION was made and seconded to grant Ebenezer Baseball Assoc permission to perform the work outlined in their email (listed above). Motion unanimously carried.

B.) Proposed 2020-2022 Contract Received from Police Assoc.

Suv Sattazahn announced that the Supervisors had received a proposal from the Police Association regarding the 2020/2022 contract. The Board will be reviewing and meeting with the Police Association appointed members

C.) Suv Sattazahn – Recent Article in Daily News

Suv Sattazahn said he felt he had to comment on a recent article he noticed in the Lebanon Daily News. He shared his thoughts on the article regarding municipalities’ use of State Police services for full-time protection of their communities and not having to pay a fee for the services. He commended the newspaper for publishing the article and bringing attention to this topic which, he feels, is one of importance.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary