

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JULY 15, 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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| Richard E. Miller | Chairman |
| A. Bruce Sattazahn | Vice-Chairman |
| Edward A. Brensinger | Treasurer |
| Cheri Grumbine | Township Manager |
| Amy Leonard | Henry & Beaver LLP |

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| Absent | Harold L. Easter | Chief of Police |
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Also, in attendance were Anthony Caponigro of Kimley Horn and Alex Kinzey of SESI as well as members of the public. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Bennett Toyota Land Dev Plan; O&M Agreement; \$5000 Escrow Agreement; Sewage Exemption Module; Improvement Guarantee Agreement

Alex Kinzey, of SESI, was present to discuss the Bennett Toyota Land Dev Plan. He explained this plan covers approximately 5 acres and will include parking spaces for 80 customers, car storage area in the northwest corner, and 1 detention basin and an underground facility to the front of the property. Suv Brensinger asked if the underground facility will be lined to prevent infiltration. Kinzey replied it will be lined but he is not sure what the lining will be. There will be 2 access points from Route 422 for ingress and egress which will help control the traffic.

Mr. Kinzey reminded the Supervisors this plan has been under review from the Twp, LCPD and Municipal Authority for at least 6 months. After some conversation it was decided to make the various approvals one at a time.

MOTION was made and seconded to approve the sewer exemption module for Bennett Toyota. Motion unanimously carried.

MOTION was made and seconded to approve and sign the agreement for a \$5000 escrow which includes a reimbursement provision. Motion unanimously carried.

MOTION was made and seconded to approve the signed O&M agreement. Motion unanimously carried.

MOTION was made and seconded to approve the Land Dev Plan for Bennett Toyota contingent upon execution of all entities involved and the Developers Agreement be executed. Motion unanimously carried.

B.) Project Oak Land Dev/ Subd Plan and O&M Agreement; Sewage Exemption Module

Anthony Caponigro of Kimley Horn was present to represent Scannell Properties for the Project Oak Subdivision/ Land Dev Plan. This proposal is in the Lebanon Rails Industrial Park. Mr. Caponigro started his remarks saying the Scannell Properties will be purchasing this 32-acre parcel from the LVEDC. The proposed building will have 30 dock doors and allows for the option of expansion of the building in the future. There will be 2 stormwater basins created, 1 at the rail trail area, which will be a raingarden type facility. The second will be located near Windsor Dr and will be a capture and slow-release type of facility for off-site runoff. There is a sinkhole that had been created by runoff from the Valspar site which Scannell Properties proposes to repair and remediate. Caponigro asked if there were any questions, he could answer for the Board regarding this plan that has been under review for several months.

Suv Brensinger told Mr. Caponigro he was aware of the conversation held at the Planning Commission meeting regarding the existing trees, on the western border, that formed a natural buffer with a neighboring residential property. Caponigro stated they have been communicating with the neighbor and had received some of her comments. Suv Brensinger said he is also aware there was some action taken, on behalf of the developer, to start removal of the trees that acted as a buffer between the 2 properties. Suv Brensinger asked Sue Bowman, neighboring property owner if she had anything she wanted to discuss or add to the conversation regarding the trees.

Sue Bowman stated she had attended the Planning Commission meeting and had participated in the conversation about the tree buffer line. Obviously as the trees were very old and original to the property, she would have preferred the existing trees. However, the day after the Planning Commission meeting, she discovered someone had started taking the trees down. Ms. Bowman told the Board that she has been working with the developer and Mr. Caponigro on a plan to replace some of the trees that had been removed. She is requesting native trees. Her objection to white pines and evergreens, as replacements, was also submitted to Scannell.

Bryan Hoffman, Cleona Borough, stated he is concerned about this plan being approved by North Lebanon. He sits on the Authority Board for Cleona and a portion of this property is in Cleona Borough. The Zoning of the portion in Cleona is also being questioned. According to Hoffman it appears a portion of the 11 acres in Cleona is zoned AG not Industrial. Hoffman said Cleona has not seen this proposed plan as nothing had been submitted to Cleona. There is an existing water runoff problem along Maple Street in Cleona. He thinks this construction will make the problem worse than is already is. Hoffman said there is are 2 sinkholes in this area as well.

Anthony Caponigro explained the detention area and the slow release which is designed to manage the water runoff from the Scannell Property. As far as the sinkhole Mr. Hoffman mentioned, they are working with LVEDC to design correction of the sinkhole issues near the injection well.

Sue Bowman, Cleona, asked about the expansion plan which is part of this plan. Does the stormwater proposed for the current new build also pertain to the future expansion possibility? She was told yes; the stormwater will be designed to capture and control all the stormwater including any water from a future expansion of the proposed structure.

Susan Eberly – LVEDC, told the Supervisors that the LVEDC had approached Cleona Borough sometime in 2004 and asked to have all lands in the proposed Industrial Park area to be rezoned to Industrial. A map had been provided, at that time, that showed all lands north of the railroad that were requested be rezoned to Industrial.

Project Oak Land Dev/ Subd Plan (con't)

Mr. Caponigro stated that a copy of the current proposed plans was submitted to Cleona Borough in April of 2019.

Chm Miller shared his thoughts that the issues being discussed should be dealt with by LVEDC and Cleona Borough. The plan on the agenda for tonight was submitted to North Lebanon Twp. He spoke to his fellow Supervisors asking if they have any other questions or comments. He was told no, they did not have any further comments.

MOTION was made and seconded to approve the Project Oak Subdivision/Land Dev Plan for all lands in North Lebanon Twp contingent on the execution and approval of all other entities listed on the plan being completed. Motion unanimously carried.

MOTION was made and seconded to approve the Planning Module Exemption for Project Oak. Motion was unanimously carried.

MOTION was made and seconded to approve the O&M agreement once executed and submitted to the Township. Motion unanimously carried.

MOTION was made and seconded to have the landscape plan discussed tonight for the western boundary be a condition of the plan approval for Project Oak. Motion unanimously carried.

C.) Race for Education; Melissa Kessler – Ebenezer PTE

Ms. Kessler reminded the Board the Ebenezer PTE has sponsored a Race for Education event for the students at Ebenezer Elementary School for the past 8 years. They are looking ahead to this year's event happening on Oct 11, 2019 with a raindate of Oct 18, 2019. The event will last from 9am to 3pm and the PTE is requesting the road closure of Colonial Circle for that day. She told the Board, in the past, Fire Police had assisted with the road closure. Chm Miller asked if the group had contacted Chief Easter about this request. When he received a no response, he told Ms. Kessler the group must contact Chief Easter to assist them in planning for the road closure.

MOTION was made and seconded to approve the request for a road closure of Colonial Circle on 10/11/19 or the raindate of 10/18/19, from 9am to 3pm, contingent on the group contacting Chief Easter for guidance. Motion unanimously carried.

Review of SW Credits Applications and BMP O&M Agreements

There are no Stormwater Credit Applications to discuss this month.

APPROVAL OF MINUTES

The meeting minutes from 6/17/19 Supervisors meeting are ready for action.

MOTION was made and seconded to approve the 6/17/19 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 – Mike Leonard – Ebenezer Fire Co**A.) Monthly Report – June 2019**

Chf Leonard reported on responses from the 4 volunteer Fire Companies for June. A total of 58 service responses and a total of 211 man-hours was reported for training sessions participated in.

B.) Boot Drive held June 29/30 behind LV Mall – Ratify Mgr Approval

Chm Miller stated a Boot Drive had been held 6/29 & 30/2019 behind the Lebanon Valley Mall. A verbal approval had been provided from the Twp and the Supervisors will ratify that approval by acting on it tonight.

MOTION was made and seconded to ratify the approval for the Boot Drive on 6/29&30/2019. Motion unanimously carried.

C.) National Night Out – Ebenezer FC; 8/06/19 – Non-Emergency Event

A request for approval of a non-emergency activity for Ebenezer Fire Co has been received. The Fire Co wishes to host a National Night Out event at the Fire Station on 8/6/19 between the hours of 6pm to 8pm. Chf Leonard reported they plan to have fire prevention activities/events and an NLT Police Officer to meet and greet.

MOTION was made and seconded to approve National Night out for Ebenezer Fire Co on 8/06/19 between the hours of 6pm to 8pm. Motion unanimously carried.

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

Chm Miller reported on the calls for service for the month of June. A total of 8,800 miles were driven on the patrol vehicles.

B.) Monthly Code Enforcement Activity Report

Chf Easter had provided the Supervisors with the monthly Code Enforcement Report for June involving John Brenner.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Twp Manager**A.) Stubborn Dutchman Zoning Amendment Request**

The Board is being notified about a Zoning Amendment request received from Robert Gosling owner of the Stubborn Dutchman @ 1840 State Rte 72 N. The application is for a C2A classification as opposed to the current C1 classification. Mr. Gosling will meet with the Planning Commission to present his request during their August meeting. The request was sent to Julie Cheney at LCPD to get her recommendation. Following the completion of these 2 recommendations a public hearing will be scheduled before the Supervisors. No action is needed tonight from the Board.

B.) Allocation Release to Rural Security Fire Co

Rural Security Fire Co has submitted all required paperwork to the Twp, and it is being requested an amount of \$74,197 of their allocation be released to the Fire Company.

MOTION was made and seconded to approve \$74,197 be released to Rural Security Fire Co. Motion unanimously carried.

C.) Pertinent Matters

1. SW Consortium Update – Mgr Grumbine reported the next Consortium Meeting will be held July 16 @ 10 am.

2. Update on FASP – Chm Miller had attended a meeting on 6/24/19 and reported some of the municipalities in the northern portion of the County have decided to contract with Life Lion for emergency services. Another letter was drafted and submitted to FASP from Suv Miller outlining some of the concerns still outstanding. A meeting has been scheduled at Wellspan Hospital on July 24th that Suv Miller indicated he will be attending.

3. AG Security Renewal Update – A notice has been placed in the Lebanon Daily News to announce the 7-year review of NLT's AG Security Area Program. Following the guidelines of the new ASA handbook and researching the recording costs, it was decided to allow the 2012 Resolution to automatically renew. The advertisement requested anyone wanting to remove or add their properties to our ASA should inform the Twp in writing no later than August 15, 2019. The advertisement included 5 properties to be posted with the information. Suv Brensinger, liaison for the ASA Committee, contacted these 5 property owners before placing the advertisement. Following August 15th, it is the intention of the Twp to prepare a list of any properties requesting changes. That list will then go before the County Planning Department, NLT Planning Commission and the Twp ASA Committee for their recommendation to the Board. After those recommendations are received, a Public Hearing will be advertised and held before the Board of Supervisors.

4. Lebanon Valley Rails to Trails – Phase 6d – update on Route – A conceptual map of the updated route for phase 6d was provided to the Supervisors. This is the area near the Lebanon Valley Mall where the trail will cross over Route 422 from 22nd St to the LV Mall. The Mall is cooperating with a design for pedestrians to pass through the mall property or around the outside of the mall, on the West Lebanon side, back to the underpass along 25th Street and eventually connect to Long Lane.

5. Godshalls Zoning Amendment Request - Mgr Grumbine reported she will be meeting with a few individuals from The Crossings development tomorrow to discuss the process for this zoning amendment. She informed the Supervisors that she has not heard anything from Godshalls at this point or the Briar Lake HOA residents.

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

Atty Leonard announced the non-profit status for the Ebenezer Beautification Committee has now been completed. The agreement between the Twp and the Committee for the area located on the corner of Jay St and State Rte 72 N is signed and completed. Gwen Yordy representing the Beautification Committee thanked the Supervisors and expressed her appreciation, on behalf of the Committee, to the Twp for working with the group to make this memorial park a reality.

MOTION was made and seconded to approve the agreement with the Ebenezer Beautification Committee for a Memorial Garden to be placed at 130 Old Ebenezer Road. Motion unanimously carried.

Memorial Garden Agreement (con't)

Bob Deck, President of the Beautification Committee, told the Supervisors he had recently learned some interesting local history which relates to the Memorial Park. Two Ebenezer families were directly related to World War II and he is suggesting a specific memorial be placed in this park in honor of these individuals. The Supervisors agreed they felt this would be appropriate.

B.) Agreement with Gerald Musser – Cul-de-Sac on Adjoining Property

Atty Leonard updated the Supervisors on the cul-de-sac agreement with Gerald Musser (Mt Pleasant Ventures). She informed the Board all parties have now signed the agreement regarding the cul-de-sac at the end of Rolling Meadow Road and is asking for the Board to approve the agreement. The agreement specifies the removal of the cul-de-sac once the next development is started and a connecting road will be installed between the 2 developments.

MOTION was made and seconded to approve the agreement with Gerald Musser (Mt Pleasant Ventures) regarding the cul-de-sac and connecting of 2 developments owned by Mt Pleasant Ventures. Motion unanimously carried.

C.) Agreement – 940 State Route 72 N; No permits

Atty Leonard stated there is no new information on this issue. At this point the Twp is waiting to hear from LCPD on any type of movement from the owner. Suv Sattazahn asked if that means there will be no work permitted on the site. He was told yes.

COMMENTS FROM BOARD MEMBERS**A.) Suv Brensinger – Paving Projects**

Suv Brensinger reported on the summer paving projects for 2019. The paving of E Old Cumberland Street behind the East Dairy Queen was completed Saturday. The street was done with a heavier application in consideration of the heavy truck traffic that is created by Lebanon Seaboard's location. This project was shared with S Leb Twp, who took the lead on the bids and contracting for this street. The area from 15th Avenue (the Twp line) north to Rte 422 will be completed on Tuesday.

The paving of the walking trail extension (1200 ft) at Lenni Lenape Park has been completed. Water Street will be next in line for paving. Suv Brensinger estimated it will begin around the date of July 29th, dependent on the paving company's schedule and the weather. It is hoped that by paving Narrows Drive last, the construction crews at Union Canal School will have completed most of their heavy truck traffic. Narrows Drive will be paved sometime in the beginning of August.

Roadside mowing has begun again now that the mower is back in operating order.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary