

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 21, 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
Amy Leonard	Henry & Beaver LLP

Also, in attendance was Attorney Scott Grenoble, as well as members of the public. The meeting was called to order and the pledge to the flag was done.

At 7:15pm a Public Hearing is scheduled to hear comments for Ordinance 6-2019, vacating a portion of Bellview Road/Old Sunnyside Road. A second Public Hearing is scheduled for 7:30pm to hear comments on Resolution 14- 2019 adopting modifications to the current (adopted 2012) AG Security Program for North Lebanon Township.

COMMENTS FROM THE PUBLIC

A.) Final Land Dev Plan for Union Canal Park – 399 N 25th St

This Land Dev Plans shows a new entrance to the park being constructed off N 25th St. The current entrance off Union Canal Dr will eventually be closed off. New stormwater features are shown on the plan as a raingarden and swale located on the south side of the existing walking path. Mgr Grumbine pointed out the BMP and O&M agreements are now being recorded on the plans. An address of 399 N 25th St has been assigned due to the existing recreational barn and new parking lot which has been proposed for the area. A letter of recommendation has been received from NLT Planning Commission and the Lebanon County Planning Dept. After review of the plan the Supervisors agreed to act on this plan.

MOTION was made and seconded to approve the Final Land Dev Plan for 399 N 25th St. Motion unanimously carried.

B.) Final Land Dev Plan for 799 Patmar Dr

This Land Dev Plan shows a single-family dwelling, an access driveway, public sewer & water services and stormwater management for this existing lot of record. New Stormwater regulations require a Stormwater Plan be processed for the lot. A letter of recommendation from Lebanon County Planning Dept and a recommendation from the NLT Planning Commission have been received for 799 Patmar Drive Plan.

MOTION was made and seconded to approve the Final Land Dev Plan for 799 Patmar Dr. Motion unanimously carried.

C.) Final Land Dev Plan for 840 Patmar Dr

This Land Dev Plan is also for a lot of record and shows a single-family dwelling, driveway access, public water/sewer services as well as stormwater management planning. This is also a lot of record requiring stormwater processing. A letter of recommendation from NLT Planning Commission and Lebanon County Planning Dept have been received.

MOTION was made and seconded to approve the Final Land Dev Plan for 840 Patmar Drive. Motion unanimously carried.

D.) Tractor Trailer Truck Traffic Concerns – Tunnel Hill Rd & Windsor Dr

Three residents from the Tunnel Hill Rd area and Windsor Drive area were present to discuss their concerns about the tractor trailer traffic activities on Tunnel Hill Rd and Windsor Dr. A remark was made that Windsor Dr is not designed to handle the truck traffic. Roadmaster Brensinger asked what criteria was used to determine this remark. The individual started talking about the trucks attempting to turn into Windsor Dr from Tunnel Hill Rd and not being able to negotiate the turn. Roadmaster Brensinger corrected the previous statement saying the concern is not the construction of the road but rather the turning radius for the trucks. Windsor Dr was constructed to withstand the traffic travel. The discussion included comments about the trucks creating traffic jams, traveling on roads that are restricted from truck traffic and noises from a dust collector being run on the Sherwin Williams property.

Chf Easter was asked to speak on this issue. He reported that he has had many occasions recently to be in that location. He speaks to many of the drivers who have a variety of reasons that they are driving in areas where they are not to be. The drivers mentioned that their GPS takes them onto Windsor Dr. Chf repeated there are some trucks permitted on the roads. Tractor trailer trucks are the trucks that are restricted.

Mgr Grumbine was asked to explain a response from PADOT to a letter that had been sent to them from the Twp in July 2019. She read from the PADOT response letter stating the results of a study indicate turn restrictions are warranted for Windsor Dr. PADOT has approved the install of additional signs along Tunnel Hill Rd relaying to drivers there are truck turning restrictions onto Windsor Dr. The Twp is responsible for purchase, installation and maintaining these signs. Roadmaster Brensinger stated he has researched and ordered the signs for placement. Once received, the signs will be installed on Tunnel Hill Road prior to the Windsor Dr entrance, both directions, to provide notice to the truck drivers. Discussion about future options for widening the entrance was held. Suv Brensinger explained that for the entrance to Windsor Dr to be widened to accommodate these trucks would necessitate purchasing additional land to accomplish the widening process. It is not a quick process.

Conversation continued about the disadvantages the residents in the Tunnel Hill Rd area experience due to the business Park location in their neighborhood. The question was asked why the entrance to the Park was not placed on Charlotte St. Suv Brensinger replied, at the time of the planning for the Business Park, Sue Bowman did not want her property split in half due to a roadway being cut in. He added that Charlotte St is in Cleona Borough, not North Lebanon Twp.

PUBLIC HEARING; Ordinance 6-2019 – Vacating Bellview Road/Old Sunnyside Road

Atty Leonard outlined the background for the request the Twp received for vacating Bellview Road/Old Sunnyside Road.

Ordinance 6-2019- Vacating Bellview Rd (con't)

Atty Leonard explained the advertising requirements, notification letters had been mailed, and the research that has been done prior to the hearing for Ordinance 6-2019. Chm Miller stated any questions, comments or concerns are to be addressed to Atty Leonard on the vacating of Bellview Road.

Atty Scott Grenoble, representing Frederick Real Estate, introduced himself to the Board. He stated his client opposes the vacating of Bellview Road as it will eliminate access to their property via use of this alleyway. Atty Leonard explained the portion of Bellview Road that is being request for vacating. She said it is the most northern portion of Bellview Rd. The southern portion that connects to Route 422 is not involved with this request. The eastern portion, of the northern part, that adjoins Frederick's property could, and would, be annexed to Fredericks property. Atty Leonard questioned if it is Atty Grenoble's client's opinion that half of the alleyway would not be enough for him to access his property? Atty Grenoble replied in looking at the position of the eye Doctor's property and the way its "pinched" inward to the northern section of Bellview Rd, his client has concerns that his portion of the abandoned alleyway would not accommodate the width of a vehicle.

Atty Leonard questioned if Frederick Real Estate has had access to his property via this alleyway since he has owned the property and if the alleyway has been utilized for access the entire time, he has owned it? Atty Grenoble responded yes to both questions.

Atty Leonard explained options for the Board to take regarding this vacating request. She told the Supervisors the area being viewed for vacating could be revised. Atty Leonard asked Atty Grenoble if his client has made any attempt to discuss any options for use with the other property owner. He replied, no, the 2 property owners are not on good "terms". When Atty Grenoble repeated Frederick has made no attempts to communicate with the other property owner, Bennett Toyota, Atty Leonard explained to the Supervisors the objection being made by Atty Grenoble on behalf of his client. They have had continual use of Bellview Road to access their property. Frederick is of the belief that the width of one half of the alleyway will not be enough access to the Frederick property.

Atty Leonard told the Board there are 2 options for them this evening.

1. The Board can move forward this evening and take action to vacate a portion of Bellview Road, adjusting the exact location of the portion to be vacated. Atty Grenoble would then have the option of trying to reach an "agreeable" solution for both property owners involved through legal recourse.

2. The Board could table the vacating action and allow Atty Grenoble time to negotiate an "agreeable" solution prior to any legal processes being completed.

Suv Miller questioned if this issue is tabled would the Twp be required to re-advertise for another Public Hearing? Atty Leonard confirmed the hearing would have to be re-advertised for another time, yes. Suv Miller asked Atty Grenoble if his client would be agreeable to assume the advertisement costs incurred by the Twp? Atty Grenoble stated his client would be open to reasonable costs, yes.

When asked for her opinion, Atty Leonard stated it is a reasonable request to allow the neighboring property owners to work out an agreement. She then asked Atty Grenoble if this could be accomplished in 30 days' time? He said 30 to 60 days' time would be agreeable.

MOTION was made and seconded to table Ord 6-2019 the vacating of Bellview Rd/Old Sunnyside Rd, until a future time agreeing that Frederick Real Estate assume all costs the Twp would incur for re-advertising the hearing. Motion unanimously carried.

Public Hearing; Resolution 14-2019- AG Security Area Modifications

Atty Leonard provided a brief background on the Agricultural Security Area Program. The last AG Security adoption for the Township was in 2012. A renewal process is required every 7 years. Atty Leonard gave a summary of all the requirements that have been completed prior to Resolution 14-2019 being drafted and presented to the Board for consideration.

Atty Leonard told the Supervisors a letter of recommendation has been received from NLT Planning Commission, Lebanon County Planning Dept and the Ag Security Area Advisory Committee for North Lebanon. All have indicated their favorable recommendations of any additions and withdrawals from the current AG Security Program. Resolution 14-2019 contains all additions to and withdrawals from the 2012 Ag Security Program and is open to comments from the public.

Suv Miller asked for any comments from the public at this time. No comments were offered.

MOTION was made and seconded to adopt Resolution 14-2019 accepting additions to and withdrawals from the current Ag Security Program for North Lebanon Twp. Motion unanimously carried.

Suv Miller asked for any other Comments from The Public. There were no comments added.

Review of SW Credits Applications and BMP O&M Agreements

1.) 1664 Grace Ave – Gerald Musser is eligible and recommended for a 100% Credit, per the Engineer. Previously a BMP had been processed and recorded. However, an O&M maintenance page was not attached to the Agreement when recorded. A revised O&M Agreement or an additional page added to the existing recorded BMP was suggested for recording by the Engineer before Credit is issued. On 9/23/2019 a corrected O&M Agreement, as suggested by Dan Cannistraci, was recorded and now this Credit Application is ready for approval by the Supervisors.

MOTION was made and seconded to approve the 100% Stormwater Credit for 1664 Grace Ave, as the O&M Agreement has already been filed and recorded. Motion unanimously carried.

2.) 1220 N 8th St – Brandon Koons; This application was made after the owner of 3 separate tracts of land were combined into 1 property. A reduction from 3 ERUs to 1 ERU is being sought. Parcels #27-2337448-375356 and 27-2337597-375261 were combined with 27-2337421-375288 to form a single lot which retained 27-2337421-375288 as the tax parcel number. Dan Cannistraci has recommended the 3 ERUs be reduced to 1 ERU for 1220 N 8th St.

MOTION was made and seconded to approve the reduction from 3 ERUs to 1 ERU for the property at 1220 N 8th St. Motion unanimously carried.

3.) 2080 Water St/Lions Lake – NL Twp; After a Lebanon Valley Conservancy project of planting 150 trees on the Lions Lake property, Mgr Grumbine applied for a Credit on behalf of the Twp. Dan is recommending an increased Credit from 27% to 31.1% as a result of the tree plantings.

MOTION was made and seconded to approve an increase to 31.1% Credit for 2080 Water St, Lions Lake property owned by North Lebanon Twp. Motion unanimously carried.

Suv Miller asked if this project will give the Consortium credit in the MS4 program. Mgr Grumbine confirmed the information has already been submitted at the October Consortium meeting.

APPROVAL OF MINUTES

The meeting minutes from 9/16/19 Supervisors meeting and 9/30/2019, 10/01/2019 Budget Workshops are ready for action.

MOTION was made and seconded to approve the 9/16/19 Supervisors and Budget Workshops from 9/30/2019 and 10/01/2019 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 Activity Report - September

Chf Leonard reported to the Board on the activities of the 4 volunteer Fire Companies for the month of September. A total of 38 calls for response were reported with 132 call hours logged. A total of 17 trainings was reported with a total of 81.16-man hours being logged.

B.) Ebenezer Fire Co – 442 Ebenezer Rd; 2 Non-Emergency Events

Ebenezer Fire Co submitted a request to hold a Boot Drive on 11/30/2019 on N 25th St (the Mall side of the tunnel). Their second request is to hold a collection at the Fire Station for donations to Toys for Tots.

MOTION was made and seconded to approve the 2 non-emergency events planned for 11/30/2019 by the Ebenezer Fire Company. Motion unanimously carried.

CHIEF OF POLICE REPORT – Chief Harold Easter

A.) Calls for Service – September 2019

Chief Easter reported on the calls for service for the month of September. A total of 612 Police-citizen contacts was listed and 7,791 miles were driven on the patrol vehicles.

B.) Monthly Code Enforcement Activity Report

Chf Easter had provided the Supervisors with the monthly Code Enforcement Reports for September. He reported the grass cutting violations have decreased this month.

C.) Oct 31, 2019 – Trick or Treat Night

Chf Easter announced that Trick or Treat Night will be County wide on Thursday 10/31/2019 6-8pm with a raindate of 11/01/2019 from 6 to 8pm.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Twp Manager

A.) Lease Agreement – 1779 N 8th Avenue

A lease agreement has been provided to the Board to review and act on for 1779 N 8th Avenue.

MOTION was made and seconded to approve the lease agreement provided for 1779 N 8th Avenue. Motion unanimously carried.

B.) Border Patrol for Lions Lake - 2020

A proposal for the 2020 season has been received from Border Patrol for Canada Goose removal services. Services start 3/01/2020 and continue through 11/30/2020 for a period of 28.5 weeks (77 visits). After receiving many positive comments following the 2019 use of these services, it is recommended that the service be continued for 2020 in order to not lose the progress made in 2019.

MOTION was made and seconded to approve the 2020 agreement with Border Patrol regarding goose population control at Lions Lake for a period starting 3/01/2020 and continuing through 11/30/2020. Motion unanimously carried.

C.) Truck Turn Restriction Studies - PaDOT

A letter had been mailed to PADOT requesting truck turn restriction studies on 2 intersections.

- Tunnel Hill Rd (SR4002) at Windsor Drive (T-765)
- Weavertown Road (SR 1002) at N 8th Avenue (T-522)

At Tunnel Hill Rd and Windsor Dr, the study warrants turn restrictions. PADOT has approved the additional signs along Tunnel Hill Rd relaying to drivers there is a truck restriction on Windsor Dr. The Twp is responsible for all costs to purchase, install and maintain these signs.

At Weavertown Rd and N 8th Avenue, the study states it is warranted to restrict turns for trucks with trailer over 33'. North Lebanon is responsible for all costs to purchase, install and maintain these signs as well. PADOT commented in their notification that in the future, any studies must be completed by the Twp to determine if restrictions are warranted based on vehicle type and size, where a local road intercepts a state highway. Following a determination, a detailed request must be submitted to PADOT, in writing, for approval. If approved, all costs to purchase, install and maintain the signage will be the Twp's responsibility.

D.) PA Municipal Health Insurance Cooperative (PMHIC) Amendment

As a member of Pennsylvania Municipal Health Insurance Cooperative, the Twp has received an amendment to the current agreement and have been asked to approve the amendments. The Supervisors were provided with the information to review.

MOTION was made and seconded to approve the amendments to the PMHIC. Motion unanimously carried.

E.) Pertinent Matters

1. SW Consortium Update; Because of timing of scheduled Consortium meetings, the 9/17/19 and 10/15/19 meetings were held since the last BOS meeting. The Consortium is working with Dan Cannistraci (SESI) to design and prepare bids to go out early 2020 for 7 retrofit projects to existing basins. The engineer will then move his focus to the N 11th Ave -stream restoration and Coleman's Park.

Regarding the Lion's Lake shoreline restoration project, notification was received that our project was not selected for the latest grant round.

SW Consortium Update (con't)

Review will be done to see if the Twp can move forward by combining our shoreline restoration project and possible enhancement of the walking path for a possible DCNR Grant. A meeting will be requested with a representative from DCNR to pursue the possibility.

The next Consortium meeting is scheduled for Tuesday, 11/19/2019 at 10:00 am on Mifflin Street.

2. Upcoming Budget Workshops; The next Budget Workshop is scheduled for 11/06/2019 at 5pm and will be the final Budget Workshop. The advertised 10/28/2019 Budget Workshop will be cancelled. The 2020 Budget presentation is scheduled for the 11/18/2019 meeting.

3. Joint Meeting with NLTMA – 11/14/2019 @ 6pm ; The annual joint meeting with the Municipal Authority and Supervisors is scheduled for Thursday 11/14/2019 @ 6pm.

4. 940 St Rte 72 N Update; Bill Sourwine; Bob Mease of LCPD has confirmed that all issues with the property have been resolved and a Use and Occupancy certificate has been issued.

5. Submission of Annual MS4 Report to DEP; The Annual MS-4 Report to DEP has been submitted by Dan Cannistraci by 9/30/2019. A copy of the report is available if anyone desires to review the report. Dan Cannistraci will be in attendance during the 11/18/2019 meeting to discuss the annual report with the Board.

6. Safety Award; Risk Management - 2nd Place for 2019 ; The Twp has received a plaque for 2nd place in Risk Management for 2019. Compliments to the Safety Committee for continuing to keep the employees aware of safety during our working hours.

SOLICITOR'S REPORT - Atty Amy Leonard -- Henry & Beaver**A.) GLRA Agreement – Host Municipality**

Atty Leonard told the Supervisors that as Host Municipality for the GLRA we enter into an agreement and receive compensation for allowing the Landfill to operate within North Lebanon Twp. The 2020 Agreement is before the Board for review and approval.

MOTION was made and seconded to approve the Host Municipality Agreement with GLRA for 2020. Motion unanimously carried.

B.) Godshall's Zoning Amendment Petition – Hearing Scheduled 12/16/2019

As an FYI to the Board Atty Leonard reminded them the Godshall's Zoning Amendment Hearing has been scheduled for 12/16/2019.

C.) Quitclaim Deeds

Atty Leonard stated as Ordinance 6-2019 has been tabled, action on the Quitclaim Deeds will also be tabled this evening.

COMMENTS FROM BOARD MEMBERS**A.) Suv Ed Brensinger – Truck Traffic**

Suv Brensinger commented on the discussion about truck traffic concerns. With today's society and the online ordering option, Suv Brensinger stated there is no getting away from the truck traffic. Everything is transported by trucks.

Suv Ed Brensinger – Truck Traffic (con't)

Unfortunately, that means these trucks have destinations to reach and that includes residential neighborhoods. He does not see this problem going away anytime soon.

B.) Suv Bruce Sattazahn

Suv Sattazahn said he heard the mention of a “dust collector” running at the Sherwin Williams property. His question is about the Twp’s noise Ordinance. Would this type of disturbance be controlled by the noise Ordinance? Conversation followed about the hours the equipment might be running, the decibel level and whether the fact that it is an Industrial zoning comes in to play with this type of complaint.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary