

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
DECEMBER 16, 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 were members of the public. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

There were no comments from the public this evening.

Godshall's Zoning Amendment Request

Chm Miller announced the Godshall's Zoning Amendment public hearing has been re-scheduled for January 20, 2020 at 7:15 PM and has been advertised as such. Notification will be mailed to anyone who had attended the previous hearing or had received a previous notification.

Review of Storm Water Credits Applications and BMP O&M Agreements

1.) Palmyra Homes, Inc. – WS Narrows Dr (Property #1 – larger portion of North Crest Acres)
A recommendation to consider 169 ERUs recommended for a 25% Credit with the following requirements.

2.) Dale Yingst – N of E Cumberland St (Property #2 – smaller portion of North Crest Acres) This property has been accessed 15 ERUs. It is being recommended that a 25% Credit be approved with the following requirement.

As Dan Cannistraci, of SESI, agrees with the calculation of the credit, as submitted on the Credit Application for both properties, the Board can approve the Credit Application with the Custom Permanent Easement Agreement to be signed and recorded between the property owners. This Agreement to go with the signed O&M Agreement to reflect that the stormwater management facility is located on an adjacent property, and that the owner of the subject property (Dale Yingst) accepts joint maintenance responsibilities for the basin in conjunction with the owner of the adjacent property (Palmyra Homes).

MOTION was made and seconded to approve the Credit Applications and signed O&M Agreements for Palmyra Homes and Dale Yingst properties. The Permanent Easement Agreement must be executed by both property owners and must be recorded with the O&M Agreement before credit is issued. Motion unanimously carried.

APPROVAL OF MINUTES

The meeting minutes from the 11/14/2019 Joint Meeting with the Municipal Authority and the 11/18/19 Supervisors meeting are ready for action.

MOTION was made and seconded to approve the 11/14/2019 Joint Meeting between the Board of Supervisors and the Municipal Authority. Motion unanimously carried.

MOTION was made and seconded to approve the minutes from the 11/18/2019 Supervisors meeting. 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 - December

Chf Leonard reported to the Board on the activities of 3 of the 4 volunteer Fire Companies for the month of December. A total of 29 calls for response were reported with 51.51 man-hours logged. A total of 7 trainings was reported with a total of 81.25-man hours being logged for trainings. Suv Miller discussed with Chf Leonard some of the call responses and the notations used for the reporting. Chf Leonard explained several of the notations on the report.

B.) Firefighter Certification

Chf Leonard reported on some achievements he felt were worth the mention. Firefighters can take training sessions to become certified. Two of the NLT firefighters have been certified at the first entry National level after completing required sessions for the NFPA 1001. There are various levels of certification that can be sought. He told the Board he is proud that the firefighters have completed the entry level and have achieved certification.

C.) Ratify Marine Corp Toys for Tots 2nd Collection on 12/07/2019 – Ebenezer Fire Co

Chf Leonard told the Board a Marine Corps Toys for Tots Collection was hosted by the Ebenezer Fire Co on 12/07/2019 from 10am to 2pm as a non-emergency function. A verbal approval had been received and this is the formal approval for that event. Chf Leonard reported over 500 toys had been collected during the toy drive.

MOTION was made and seconded to approve the Marine Corps Toys for Tots drive (non-emergency event) hosted by Ebenezer Fire Co on 12/07/2019 from 10am to 2pm. Motion unanimously carried.

D.) Ratify Wreaths Across America - 12/14/2019 10:00am thu 2:00pm – Ebenezer Fire Co

Ebenezer Fire Co members volunteered to assist with the placing of Wreaths Across America on 12/14/2019. Wreaths were placed at the Ebenezer cemetery on graves of Veterans. Chf Leonard reported it was a rewarding event.

MOTION was made and seconded to approve the Wreaths Across America non-emergency event that Ebenezer Fire Co had participated with on 12/14/2019 from 10am to 2pm. Motion unanimously carried.

CHIEF OF POLICE REPORT – Chief Harold Easter

A.) Calls for Service – November 2019

Chief Easter reported on the calls for service for the month of November. A total of 546 Police-citizen contacts was listed, and 8,357 miles were driven on the patrol vehicles.

B.) 2019-2020 Stray Housing Agreement-Humane Society of Lebanon Co.

Chf Easter told the Board the 2019-2020 contract has been received from the Humane Society in the amount of \$500. That is a \$5 per animal increase, with last year being \$45 per animal. Chm Miller said it appears they are basing the financial amount on the amount that was collected last year. He asked if this amount was for cats only? Chf Easter replied it is for the surrender of both cats and dogs.

MOTION was made and seconded to approve the 2019-2020 contract with the Humane Society in the amount of \$500. Motion unanimously carried.

C.) Intern – Nick Cantrell

Chf Easter stated the Intern, Nick Cantrell that had been with the Police Dept the last few months has now completed his studies and has graduated with his bachelor's degree.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Twp Manager**A.) Adopting 2020 All-Funds Budget**

The Board had approved the Preliminary 2020 Budget during the 11/18/19 meeting. In accordance with the Second-Class Township Code, required advertising was completed in the local newspaper and the public was invited to stop in the office to inspect and/or review the proposed budget. The advertisement had been completed on November 23, 2019 and the Board is required to vote on the budget not later than 12/31/19. The 2020 Budget is before the Board of Supervisors to act on.

MOTION was made and seconded to adopt the 2020 All-Funds Budget. Motion passes by majority vote with Suv Miller and Suv Brensinger in favor and Suv Sattazahn opposing.

Resolution 16-2019 – Fixing Tax Provisions and Special Levies for the Fiscal Year of 2020

Mgr Grumbine read aloud Resolution 16-2019 followed by action of the Board.

MOTION was made and seconded to adopt Resolution 16-2019 which sets various tax rates and special levies for the fiscal year 2020. Motion unanimously carried

B.) Resolution 17-2019, 18-2019 and 19-2019; Pension Funding (MMO)

Mgr Grumbine provided Resolutions 17-2019, 18-2019 and 19-2019 which sets the Minimum Municipal Obligation (MMO) for the Township's pension plans. Resolution 19-2019 establishes the contribution requirement for the Officers.

MOTION was made and seconded to adopt Resolution 17-2019, 18-2019 and 19-2019 approving the Uniform and Non-Uniform Pension requirements as well as the contribution required by the Police Officers. Motion unanimously carried.

C.) Resolution 15-2019 - Correction to Name; Confirm Amount

At the November meeting, the Board adopted Res. #15-2019 authorizing the submission of an H₂O grant in the name of the township for the stormwater project in the vacated Bellview Road.

Resolution 15-2019 - Correction to Name; Confirm Amount (con't)

Following your approval, Jeff Steckbeck determined that it was better to make application for a PA Small Water and Sewer Grant. These grants are for projects between \$30,000 and \$500,000 and have a 15% match. The H₂O grant has a 33% match. Mgr Grumbine would also like to confirm that the application is in the amount of \$332,500. The estimated project total is \$485,500. The \$153,000 match is from Bennett. The application was due on December 13, so the Board is being asked to ratify the signing of the Resolution with the changes, as noted.

MOTION was made and seconded to adopt Res 15-2019 correcting the name change to a PA Small Water and Sewer Grant and confirming the amount of the application is \$332,500. Motion unanimously carried.

D.) Resolution 20-2019 – Marcellus Shale Grant for 2020

Roadmaster Brensinger and Ass't Mgr Lori Books have worked together on a Grant application for the Marcellus Shale to be awarded by the County Commissioners in the spring. The application is for the construction of a 25 x 30 pavilion with an attached 24'x25' storage area at Leni Lenape Park.

Resolution 20-2019 – Marcellus Shale Grant for 2020 (con't)

The total cost of the project is estimated at \$54,680. In-kind services of \$27,230. The due date for the application is 12/31/2019. The maximum grant is \$25,000 with a 50% match requirement.

MOTION was made and seconded to approve submission of the Marcellus Shale Grant application for the proposed pavilion and attached storage area at Lenni Lenape Park. Motion unanimously carried.

E.) Pertinent Matters

1. SW Consortium Update; The next meeting is to be held tomorrow, 12/17/2019 at 10:00am at the Mifflin Street location.

2. Hiring of Full-Time Office Clerk; Mgr Grumbine told the Supervisors the newly hired full-time clerk for the Twp office has just completed her first day. Mgr Grumbine introduced Lisa Lauer to the Board. She explained Lisa will be taking Theresa George's position when Theresa fills the part-time position in April. Until then Lisa will shadow to learn the various procedures for the Twp office.

MOTION was made and seconded to approve the hiring of Lisa Lauer as the full-time Clerk. Motion unanimously carried.

SOLICITOR'S REPORT - Atty Amy Leonard -- Henry & Beaver

A.) Update on Storage Unit – Regulations in C1 Zoning District

Stubborn Dutchman – 1840 State Rte 72 N

Atty Leonard reminded the Supervisors that a request for storage units in the C1 zoning district has been made. She has been working on drafting a Text Amendment for the C1 permitted uses before this issue can be addressed by the Board. Lebanon County Planning has received a draft for their comments which NLT has received. Once the revisions to the draft of the Text Amendment is completed, this matter will be processed through normal procedures.

B.) Act 80 and Act 81 of 2019 – Intermunicipal Agreements by Resolution

(Effective 1/01/2020)

Atty Leonard stated there have been some legal changes made when adopting certain Inter-governmental agreements. In the past these agreements were adopted by Ordinance processes which requires advertising and public hearings. The new changes now allow for adoption of these agreements by adopting Resolutions. This change will show a considerable savings for the municipalities.

C.) Letter from Solicitor Gallo – Jonestown Borough (Police Services Agrmt)

Atty Leonard stated she had received correspondence from Jonestown Borough's Solicitor concerning the cancellation of Police Services. The communication indicates Jonestown is no longer interested in receiving North Lebanon Police services for 2020.

MOTION was made and seconded to approve the cancellation of NLT Police Services for Jonestown Borough effective the end of 2019. Motion unanimously carried.

D.) Letter from Resident – Clarification Supervisor/Employee

Atty Leonard stated a letter had been received from a concerned resident about having 2 Supervisors who are also Twp employees. She reviewed the legalities for these 2 individuals holding both positions, as set forth in the Second-Class Township Code and State Ethics Act. Atty Leonard explained in detail many of the options available for the Board in the event of any conflict of interest situations. Discussed were situations that might arise concerning votes and actions on certain issues/topics and policies. Atty Leonard reviewed two specific voting conflict exceptions that are set forth in Section 1103(j) of the State Ethics Act. One of the exceptions relates to a tie breaking vote despite a conflict of interest, where the governing body has three members.

The second allows voting even where there is a conflict of interest if the Board is unable to take any action on the matter before it because the number of members required to abstain from voting makes the majority or other legally required vote of approval unattainable.

COMMENTS FROM BOARD MEMBERS**A.) 2020-2022 Police Association Contract**

Chm Miller reported the Police contract for 2020-2022 has now been agreed upon and signed. Suv Brensinger commended Suv Sattazahn and Suv Miller on accomplishing the task of meeting with the Police Association and negotiating a new contract to become effective January 2020.

B.) Organization Meeting, 1/06/2020 @ 1pm

Chm Miller reminded the public there will be a meeting held 1/06/2020 for organization as required by the Second-Class Township Code.

C.) Retirement – Solicitor Fred Wolf – Original Appointment Date 7/21/1969

Official notice had been received from Fred Wolf announcing his retirement effective the year end of 2019. Fred has served as NLT's attorney for 50 years. The Supervisors all wished him well and acknowledged he will be missed by all of us.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary