

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JANUARY 20, 2020**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA with the following people present:

Richard E. Miller .....	Chairman
Edward A. Brensinger .....	Vice-Chairman
Arden A. Snook Sr. ....	Treasurer
Cheri F. Grumbine .....	Township Manager
Amy B. Leonard.....	Henry & Beaver LLP

Also, in attendance were Theresa George and Lisa Lauer, Township Employees and 41 other individuals.

The Call to Order was made and the Pledge to the Flag was completed.

**1. COMMENTS FROM THE PUBLIC**

**A.) Kapp/Batz Subdivision Plan-Kimmerlings Road**

Mike Lusaitis from Steckbeck Engineering presented a final subdivision plan of a 1.97-acre lot containing the existing single-family dwelling and detached accessory building. The residual lands will result in 7.356 - acres after conveyance and will remain as vacant lands. There is no development for being proposed as part of this plan. The NLTMA reviewed the planning waiver and non-building declaration and recommend approval.

The single-family dwelling is serviced by an existing on lot well and public sewer. A recommending letter from LCPD has been received. Our PC also recommended approval at their Jan 13 meeting.

**MOTION** was made and seconded to approve plan and the planning waiver and non-building declaration. Motion unanimously approved.

**B.) 840 Patmar Drive LDP – Stormwater**

Mgr Grumbine stated a plan was previously approved for 840 Patmar Drive, however, when applying for a building permit, the house was considerably larger than what was depicted on the approved plan. LCPD required a revised LDP to show a larger house and updated stormwater. The property will be serviced with connections to public water and public sewer.

PC members recommended approval of the plan at their Jan 13 meeting. LCPD is also recommending approval by the township.

**MOTION** was made and seconded to approve the (revised) 840 Patmar Drive Final Land Development Plan to be recorded. Motion unanimously approved.

**C.) LVEDC/Sherwin Williams/Dresch Lot Additions**

Chad Smith from Steckbeck Engineering presented plan. The subject properties are located at the 2630 Charlotte Street & 3050 Hanford Drive in North Lebanon Township. The plan is proposing five (5) lot additions. Four (4) lot additions will be from the lands of LVEDC to the lands of

Engineered Polymer Solutions (Sherwin Williams). One lot addition will be from the lands of LVEDC to Steven and Stacey Dresch. There is no new development planned at this time. LCPD recommended approval of the plan by the Board. The PC recommended approval of the plan but were concerned with one lot (GPIN #27-2325395-369825-000) that is landlocked and should be combined in the near future with another lot owned by LVEDC to provide access.

Supervisor Brensinger mentioned a concern on access to a piece of land owned by LVEDC. It was determined that the strip on back of property was a right-of-way for Charlotte Street and is an existing line between the parcels. Municipal Authority does have access to their sewer line.

**MOTION** was made and seconded to approve the Final Minor Lot Additions Plan for LVEDC-Engineered Polymer Solutions (Sherwin Williams) and Steven and Stacey Dresch. Motion unanimously approved.

**PUBLIC HEARING OPENED AT 7:15 P.M. on Godshall's Zoning Amendment Petition**

Chairman Miller turned the meeting over to Solicitor Leonard to conduct the public hearing on this petition. Solicitor Leonard stated this was the second public hearing on this matter. The first public hearing was held June 16<sup>th</sup>, 2019. This hearing involves the petition to rezone 48 acres from Agricultural to Industrial. Sol. Leonard reviewed the legal requirements for advertising and postings that were completed for the public hearing.

**1<sup>st</sup> Witness:**

Ron Godshall, President of Godshall's Quality Meats was sworn in and testified. Their property is currently being leased to a farmer and Godshall's has not proposed any expansion plan to date. Godshall's has experienced a lot of growth and needs to look at future expansion on current property. Mr. Godshall provided a power point presentation, which showed the next phase of construction on the existing property, and potential construction on the 12-acre site. He then reviewed the 48-acre site showing the possible plant expansion onto this property. The plan also showed building setbacks, wetlands, and other non-buildable areas because of the steep grades. Meetings were held between Godshall's and Briar Lake Homeowner Association and an agreement for restrictive covenants was entered and signed with the intention to record. Mr. Godshall outlined the agreed upon restrictions for uses, not permitted as follows:

(a) Railroad, trucking, busing and other transit facilities, including storage, repair and transfer operations;

(b) Automobile body shops, repair garages, and gasoline stations;

(c) Communication facilities requiring transmission antennae, radio or television stations, satellite earth stations and similar uses;

(d) Automobile recycling, junkyards used for storage, wrecking and converting used or discarded materials;

(e) Airfields, airstrips or landing facilities and buildings accessory thereto; and,

(f) Sandpits, gravel pits or extraction and removal of natural resources from the Property; however, topsoil removal or extraction shall be permitted.

This agreement will be amended to also exclude the permitted use of CAO and CAFO operations. This permitted use in the Industrial District, Chapter 27. Section 1231 was only discovered today and will be included in the agreement if re-zoning is approved.

If rezoning is not approved, then the property would eventually be sold and the agreement would not be recorded.

**Questions/Concerns from the public were addressed as follows:**

1. Resident, James Curtis of 916 Briar Rose Avenue, questioned the restrictions on the agreement between Godshall's and Briar Lake HOA. The restrictions were again repeated by Mr. Godshall.
2. Resident, Mark Hoover of 1021 E. Maple Street, was concerned that no application or notification to neighbors was made on the agreement with restriction to property. Solicitor Leonard addressed this concern explaining that this was a private agreement and is not related to the approval of rezoning. It is Godshall's restrictions to their own land. This is self-imposed and should the land ever get sold they could be devaluing their land by doing so.
3. Resident, Richard Hess of 800 Mount Zion Rd, expressed his concern to Briar Lake HOA and/or the NLT restricting property use for future owners. A future owner who would want to use the property for one of these purposes that are now restricted and would be denied. The TWP and/or HOA could say no and enforce the agreement. Per Solicitor Leonard, once this agreement is on record, it is an agreement forceable as a deed restriction.  
Mr. Hess also stated that Godshall's has quite a bit of trucking and questioned how does that qualify under the agreement? Mr. Godshall responded and indicated this agreement is talking about a transferring facility which is a large amount of trucking and not from a manufacturing company bringing in raw materials and hauling out finished goods.
4. Resident, Susan Mion of 949 Snapdragon Court, asked if this agreement is currently in place or when will it be? Also, when will the addendum take place to exclude CAO and CAFO facilities on property?  
This agreement will be in place if the re-zoning is approved, and recording will follow upon expiration of 30-day appeal period. If property were to change hands these restrictions are not in place unless zoning is changed.

No additional questions were presented for this witness.

**2<sup>nd</sup> Witness**

Robert Gearhart from Matthew and Hockley Associates, Surveying and Engineering company in Lebanon was sworn in to testify. He presented additional information using slides to depict the property with limitations of potential for development due to topography (steep slopes) and wetlands.

**3<sup>rd</sup> Witness**

Elliot H. Berton, of Sugarman Steven L & Assoc., spoke on behalf of Briar Lake HOA and reaching agreement with Godshall's. The HOA is in support of the rezoning.

No further comments, public hearing closed. Solicitor Leonard turned the meeting back to Chairman Miller. Chairman Miller asked the Board for a motion on the request before them.

**MOTION** was made and seconded to approve Ordinance 5-2019 to revise zoning of Godshall's 48-acre property from Agricultural to Industrial. Supervisor Brensinger spoke on how beneficial Godshall's has been to our community. This company has added employment to our area, increasing their number of employees from about 40 to 200. They also have worked well with NLT on our demands and have bought additional EDU's. Chairman Miller thanked Godshall's for their presentation and diligently working with Briar Lake HOA on this matter. The public was praised for attendance and being respectful. Motion unanimously approved.

Chairman Miller reiterated a new agreement will be made with modification to restrict intensive agriculture operations (CAO & CAFO) as discussed tonight. Once NLT receives the filed and recorded agreement, it will be placed on NLT website, [www.northlebanontwppa.gov](http://www.northlebanontwppa.gov).

## **2.) BOS MINUTES, JANUARY 6, 2020 ORGANIZATION MEETING**

**MOTION** was made and seconded to approve the minutes of the meeting held on January 6, 2020. Motion unanimously carried.

## **3.) PAYROLL, FUND BALANCES, AND PAYMENT OF INVOICES SUBJECT TO AUDIT**

**MOTION** was made and seconded to approve payroll, fund balances, and payment of invoices subject to audit. Motion unanimously carried.

## **4.) FIRE CHIEF'S REPORT (MICHAEL LEONARD, EBENEZER FIRE CHIEF)**

### **A.) Monthly Report and Annual Report**

Michael Leonard, Ebenezer Fire Chief gave the December report for all four fire companies. Chief Leonard also gave a year-end report for all NLT fire companies. Supervisor Brensinger spoke on high number of false alarms at over 10 per month. He hopes the fines associated with the false alarms will help to get businesses to correct their system. Chairman Miller would like the year end report to be included on our website.

### **B.) Non-Emergency Events**

Chairman Miller reported that we have received a listing from all our fire companies on non-emergency events planned for 2020. All are to be approved subject to any of those that show to be determined dates and should be presented to board in a timely manner.

**MOTION** was made and seconded to approve the non-emergency events listed on the reports for Ebenezer, Glenn Lebanon, and Rural Security Fire Companies. Also, the addition of the May parade for Weavertown Fire Co. Motion unanimously approved.

### **C.) Request for Release of Fire Co Capital Reserve Funds – Ebenezer**

Request was made to release \$60,000 from the Fire Co. Capital Reserve Funds to Ebenezer Fire Company to purchase a 2020 Pierce Saber Fire engine. All paperwork has been received to complete request, except for the loan document. The loan is to be signed on Jan 31, and a copy will be provided to the township. Ebenezer is requesting release of the \$60,000 on or around February 3. FC is signing a 15-year loan with payments around the \$30,000 capital amount in order to be able to make the annual payment.

**MOTION** was made and seconded to approve the release of the \$60,000 to Ebenezer Fire Company after receipt of signed loan. Any future board to remain committed to the \$30,000 capital amount. Motion unanimously approved.

## **5.) CHIEF OF POLICE REPORT (HAROLD EASTER, CHIEF OF POLICE)**

A.) In Chief Easter's absence, Chairman Miller reported on the monthly calls report for Dec 2019 and the annual 2019 calls report.

B.) Code enforcement report was provided to the Board.

C.) Action is required for the 2020 Fire Police Roster. Eight individuals are on the active list.

**MOTION** was made and seconded to approve the 2020 Fire Police Roster. Motion unanimously approved.

**6.) TOWNSHIP MANAGER'S REPORT (CHERI GRUMBINE, TWP MANAGER)**

**A.) Application for County Aid**

Mgr Grumbine presented the application for the 2020 County (Liquid Fuels) Aid for Board approval for road salt. The amount of our County Aid is \$11,429, which coincides with our population from the 2010 Census.

**MOTION** was made and seconded to approve the 2020 Application for County Aid in the amount of \$11,429 to be submitted for road salt. Motion unanimously approved.

**B.) Approval for Accounting Clerk to attend PSATS Conference**

Manager Grumbine requested that the Accounting Clerk, Bonnie Grumbine, be granted permission to attend the PSATS Conference in Hershey during May 2020.

**MOTION** was made and seconded to approve Bonnie Grumbine to attend the PSATS Conference. Motion unanimously approved.

**C.) Tree Dedication Agreement – Community Park**

A Tree Dedication Agreement was received from Susan Keeney for a tree (#22) at Community Park in the amount of \$300. Mgr Grumbine requested the Board approve the Agreement.

**MOTION** was made and seconded to approve agreement. Motion unanimously approved.

**D.) Pertinent Matters**

1.) Stormwater Consortium Update: Meeting was canceled for January 21<sup>st</sup> at 10:00 a.m. on Mifflin Street. The next meeting will be held Tuesday, February 18 at 10:00 a.m. on Mifflin Street. Reason for cancellation was due to a conflict of MPO meeting at county.

2.) Annual Reports: All annual reports have been received to include: 2019 North Lebanon Township Municipal Authority, 2019 Planning Commission, 2019 NLT Safety Committee, 2020 NLT Safety Committee Goals, 2019 Park & Rec, and 2019 Right To Know Requests. Notating for the record that all reports have been received.

**E.) Mobile Home Park Licenses**

Mrg Grumbine reported that Mobile Home Park license fees and renewal forms were due by January 15, 2020. Northcrest Acres, Countryside, Green Acres, Lincoln Village, Rideway, and Sandhill submitted all necessary forms and fees. Lakeside is delinquent. Mgr Grumbine asked for approval of 2020 mobile home park renewals.

**MOTION** was made and seconded to approve relicensing the mobile home parks in NLT with exception of Lakeside which is delinquent. Motion unanimously approved.

**F.) Lion's Lake**

Supervisor Brensinger spoke of Lion's Lake and how it currently is polluted with geese. A report has been received of a woman who has been feeding these geese frequently. We need a picture of this resident feeding the geese in order to pursue action. Funds spent on the Border Patrol contract for maintenance of the geese population is a waste if we have feeders attracting these birds back. Supv Brensinger suggested we may want to look at extending the Border Patrol contract longer to help control the geese population over winter.

**7. SOLICITOR'S REPORT (ATTY. AMY B. LEONARD – HENRY & BEAVER LLP)****Update on Storage Units regulations in C1 Zoning District**

A.) Solicitor Leonard informed the Board that a draft text amendment for self-storage units in the C-1 commercial Zoning District was prepared and given to the planning commission to review. They anticipate providing comments and making a recommendation at their February meeting. Afterwards the Board can review the draft text amendments and determine a date for the public hearing.

**8. COMMENTS FROM BOARD MEMBERS**

A.) Supervisor Brensinger and Chairman Miller extended a get well wish to Chief Easter.

B.) Chairman Miller thanked Mike Leonard from the Ebenezer Fire Company for his thorough reporting and wished them luck with their new truck to be delivered in September.

As there was no more business to conduct, the meeting adjourned

Respectfully submitted,



Lisa M. Lauer  
Recording Secretary