

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
MAY 18, 2020**

Due to COVID19 restrictions, the meeting was held electronically through Zoom application via telephone and internet.

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:

In person:	Richard Miller	Chairman
	Ed Brensinger	Vice-Chairman
	Arden Snook Sr	Treasurer
	Cheri Grumbine	Township Manager
Via Zoom	Amy B. Leonard	Henry & Beaver LLP
Absent	Harold Easter	Chief of Police

Also, in attendance via Zoom were several members of the public and Scott Miller of Stackhouse Bensing. There were 2 individuals that attended in person. The meeting was called to order and the pledge to the flag was made.

COMMENTS FROM THE PUBLIC

A.) Lebanon Project 6 (Grosfillex) Land Dev Pl – Scott Miller, Engineer

Scott Miller, via Zoom, told the Board this plan is for an expansion to the existing Grosfillex building located on Joel Dr. Currently Grosfillex is renting warehouse space from a neighboring building. Once this expansion is completed the rental will no longer be necessary. Miller stated the stormwater design has been reviewed by Rick Bolt, County Engineer as well as the Lebanon County Planning Department. All comments have now been answered and Rick Bolt has signed off on the plan. The sewer and water will be tied into the existing service as the Water Authority has indicated they want only 1 meter to read. The Conservation District will be issuing the NPDES permit within the week. LCPD and NLT Planning Commission have also offered their recommendation for approval of this plan.

Suv Snook questioned the stormwater issues that had been a problem in this area. Some of the neighboring property owners expressed concerns about the stormwater this might create. Scott Miller replied that Rick Bolt had reviewed the plans and several comments were addressed to alleviate any water problems.

MOTION was made and seconded to approve the plans for the Lebanon Project 6 (Grosfillex) Plan. Motion unanimously carried.

B.) Rebecca Alley (Ebenezer) – Bob Deck

Mr. Deck spoke to the Supervisors about an alley that is located to the rear of his property on Ebenezer Road. The alley runs north from Water Street and connects to New Street. There are many property owners in the neighborhood who utilize this alley. Deck told the Board the alley and New St intersection is used as a bus stop. He said the parents use the alley while waiting for the school bus to arrive. Garbage haulers also use the alley repeatedly.

Rebecca Alley (Ebenezer) – Bob Deck (con't)

The heavy equipment causes a lot of wear on the alley. The condition of the alley has deteriorated greatly in the last few years. The alley has never been in good condition, but it is continually used and is deteriorating rapidly. Deck told the Board he would like the Twp to do something to improve the condition of the alley. Vehicles are now trying to avoid the potholes by swinging wide of the holes. There are garages that are awfully close to the edge of the alley and his garage has been damaged in the past. Recently he has done some improvements to his building and he does not want any damage to his building due to these motorists.

Several years ago, the portion of Rebecca Alley to the north of New Street had been paved. Deck mentioned attending meetings at that time to request the portion of the alley south of New St also being paved at that time. There are property owners in the area that agree something needs to be done to correct this situation. Due to restrictions on the meeting attendance, he agreed to attend in person to make this request. Deck told the Board he does not feel the property owners should be financially responsible to maintain this alley.

Suv Brensinger said he remembers the northern portion being paved. He is thinking the problem encountered with the southern portion of Rebecca Alley had been there is not enough footage to get the required easement that our Liquid Fuels specs require. He explained to Mr. Deck some of the requirements the Twp must meet prior to accepting ownership of a street. He repeated to Mr. Deck the Twp does not maintain alleyways because the alleys are not owned by the Twp. Suv Brensinger told Deck that although the paving of the alley is not likely, the Twp could provide some millings to fill in the pothole. He warned it may not hold up, but it would fill the hole. The Twp has provided millings for other individuals who have used the material to fill in holes on their alleyways. A discussion of whether millings would be the proper material to use for this problem took place. Suv Brensinger told Deck there are so many alleyways in the Twp and the Twp does not own or maintain any of these alleyways.

Suv Brensinger then said he is familiar with the north part of the alley being paved but he does not know the history of the alleyway. He said he must question if the Twp would be liable for anything happening within this alley. Chm Miller asked if this is something the Board could ask Sol Leonard to do, research the history of this alley. Mgr Grumbine said we would have the file of information when Rebecca Street was reviewed and paved. Chm Miller asked Sol Leonard to see what she can find out about the ownership of Rebecca Alley. Sol Leonard agreed to check into any requirements for ownership of alleyways. Mr. Deck thanked the Board for their time and asked that he receive follow up on this subject.

APPROVAL OF MINUTES

The meeting minutes from the 4/20/2020 Supervisors meeting minutes are ready for action.

MOTION was made and seconded to approve the 4/20/2020 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.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements

1.) 911 Briar Rose Ave - A Stormwater Credit application was received for Lot 169 (Briar Rose Ave) for a segment of vegetated swale which treats more than 10,000 sq ft of offsite and onsite impervious area. The Engineer has reviewed and recommended a 100% Credit for this application contingent on filing of a BMP and O&M Agreement.

MOTION was made and seconded to approve a 100% Stormwater Credit for 911 Briar Rose Ave contingent on the receipt of the recorded BMP and O&M Agreement. Motion unanimously carried.

FIRE CHIEF'S REPORT – Don Steiner Jr – Weavertown Fire Co (written report only)

A.) April 2020 Report - There was a written report provided to the Board by Chf Don Steiner Jr. Chm Miller said if anyone has questions, this report is available in the Twp office.

CHIEF OF POLICE REPORT – Chief Harold Easter (Written Report Only)**A.) Calls for Service – April 2020**

Chm Miller read the report on various calls for service for the month of April. The Police/Citizen contacts in April was read by Chm Miller and a total of 8,169 miles were reported for patrol.

Chm Miller read a written report on the Fire Police activities for the month of April.

B.) Monthly Code Enforcement Report (Brenner & Haase)

The Board received a written report on Code Enforcement from John Brenner.

C.) Junkyard License Renewal/ Inspection – 2449 Elias Ave

Mgr Grumbine told the Board Reazer's Junkyard had submitted their renewal application and the fees to the Twp. Chf Easter had visited Reazer's Junkyard to inspect the area and has indicated everything complies and is recommending approval for the renewal of the 2020 license.

MOTION was made and seconded to approve the 2020 renewal application and licensing for Reazer's Junkyard located at 2449 Elias Ave. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Twp Manager**A.) Non-Emergency Activity – Rural Security Fire Co**

Mgr Grumbine reported Rural Security had requested permission to participate in a Birthday Parade using their fire truck on 5/02/2020. As it had been short notice and the Board had agreed she, as Manager could make these decisions, she approved the non-emergency activity. The Board is now being asked to ratify this request and permission.

MOTION was made and seconded to ratify the approval given Rural Security Fire Co participating in a Birthday Parade. Motion unanimously carried.

A second request from Rural Security involves the filling of swimming pools as a fundraiser. Financial information from previous years pool filling activities had been provided for the Board's review:

2018 - The number of pool fills – 15

Rural Security Fire Co (con't)

Amount brought in \$ 4621.00 (This included tips given to the company)
Bulk water bill \$ 256.70
Total Profit \$ 4346.30

2019 - The number of pool fills - 3

Amount brought in \$ 825.00 (This included tips given to the company)
Bulk water bill \$ 113.00
Total Profit \$ 711.01

The fuel expense had been bare minimum. No more than 2- 3% for both years combined. We charged a flat rate of 100.00 per load but that price could be increased. Some pools took more than one load of water.

MOTION was made and seconded to approve adding pool filling as a fund-raising activity for Rural Security Fire Co. Motion unanimously carried.

B.) Res 13-2020 – PEMA/FEMA Designated Signer for FEMA Documents

Mgr Grumbine spoke about the current COVID 19 emergency declaration that is in effect. Res 13-2020 assigns one person to act as signer for any FEMA documents that will be submitted. As Accounting Clerk, Bonnie Grumbine is the logical person to appoint as she tracks the expenses and files the documents. Res 13-2020 lists Bonnie Grumbine as the Twp's appointed person.

MOTION was made and seconded to adopt Res 13-2020 appointing Bonnie Grumbine as the processor/ signer for FEMA documents related to COVID 19 issues. Motion unanimously carried.

C.) Pertinent Matters

1.) Stormwater Consortium Update – the meeting scheduled is May 19th @ 10am via ZOOM.

2.) Code Violation – 101 Old Ebenezer Rd – Mgr Grumbine told the Board due to previous issues with the property at 101 Old Ebenezer Road, she thought they would like to know the Twp received a copy of an earth disturbance violation notice the owner received from the Conservation District. This is simply an FYI to the Board.

Suv Brensinger reported there is a contractor there doing work to correct the violation.

SOLICITOR'S REPORT; Atty Amy Leonard -- Henry & Beaver**A.) Res 12-2020 Changes to Park & Rec Fees In Lieu Of**

Sol Leonard mentioned the Fees In Lieu of for the Twp's Recreation Ordinance have been discussed several times recently. She stated it has been 15+ years since the Fees In Lieu of has been reviewed for any updates. Steve Sherk of Steckbeck Engineering had been asked to conduct research on the financial statistics and the regulations pertaining to public dedication of park, recreation and open space land as required for all residential subdivisions and land developments. A revised letter had been provided by Steve Sherk dated 5/15/2020 listing information and recommendations for possible revision to the Park & Recreation Ordinance. Steve reviewed the guideline information from the National Recreation Parks Association and based some of his recommendations on that information. In consideration of his review and the guidelines he has found, the suggestion of \$2200 per dwelling unit is being proposed as the revised.

Res 12-2020 Changes to Park & Rec Fees In Lieu Of (con't)

Suv Brensinger stated he is in favor of the \$2200 per unit. However, he is hesitant to drop the land dedication from .09 AC to .03 AC, especially when it is continuous lands. He is not in favor of constricting future land acquisitions. Sometimes land can be of more value than the financial fees. Sol Leonard mentioned part of the discussion was the possibility of setting a number for land acquisition or setting a minimum of 2 acres for dedication, which in some instances could be more valuable to the Twp.

Sol Leonard told the Board that the revised Ordinance could contain language that allows the Fees In Lieu Of and/or land dedication to be determined by adoption of a Resolution instead of specifying in the Ordinance. Per that suggestion, she explained to the Board Res 12-2020 could be acted on tonight which will set the fees for the Fees In Lieu Of at \$2200 per lot/unit for developments. If at any point in time the Board wishes to revise this fee it would be accomplished by adopting another Resolution. She is asking the Board to consider Res 12-2020 for adoption of revised Fees In Lieu Of @\$2200 per lot/unit.

MOTION was made and seconded to adopt Res 12-2020 setting the Fees In Lieu Of @ \$2200 per lot/unit for development. Motion unanimously carried.

B.) Authorization to Advertise Ord 6-2020 – Park & Rec Changes

Sol Leonard told the Board they have been provided a draft of the Park & Rec Ord amendments. These amendments will clean up the existing Ordinance and will coordinate with the Resolution adopted this evening. She told the Board she is looking for authorization to advertise the Public hearing for Ordinance 6-2020 to be held during the June Board of Supervisors meeting.

MOTION was made and seconded to authorize Sol Leonard to advertise of Ord 6-2020 regarding amendments to the Park & Recreation ordinance. Motion unanimously carried.

C.) Escrow Agreement – Klassen Authorize Chairman to Sign

Sol Leonard explained Klassen Construction has chosen to establish a cash escrow in place of a Bond or Letter of Credit to perform a street cut for installation of a water connection at 840 Patmar Dr. The Cash Escrow will limit any liability the Twp has regarding any type of problem the contractor might create while performing work in the Twp right-of-way. Within a 24-month period the Twp has the right to draw on this escrow should there be any issues or problems with this water connection. Some discussion followed about Cash Escrow, Letter of Credit and Bonds.

Suv Snook questioned if this escrow agreement can be re-used. Sol Leonard replied this agreement is site specific to 840 Patmar Dr.

MOTION was made and seconded to approve the agreement with Klassen Construction for a street cut permit for 840 Patmar Dr. Motion unanimously carried.

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

Suv Brensinger encouraged everyone to be patient just a while longer. All the restrictions and regulations will soon be over, and we can all enjoy the approaching summer.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary