

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
DECEMBER 21, 2020**

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
	Amy B. Leonard	Henry & Beaver LLP
	Harold Easter	Chief of Police

Also present were representatives from Project TV (Heilmandale, LLC), Josh Weaber, Chrisland Engineering, Douglas Stump from LD News, and a few members of the public.

The meeting was called to order and the pledge to the flag was made.

COMMENTS FROM THE PUBLIC

A.) Nicole Levack – Appointment as NLT Fire Police

Chair Miller asked Nicole Levack to repeat the Oath of Office as a Fire Police member. The Oath was repeated, and the Board thanked Ms Levack for volunteering to act as a Fire Police.

**B.) Preliminary Land Dev Plan for N Lebanon Storage, LLC/ Final Phase 1 Land Dev Plan
Josh Weaber, Chrisland Engineering**

Josh Weaber reviewed the Land Dev Plan for the property at 1840 SR 72 North known as the Stubborn Dutchman. The proposed plan shows conversion of the existing building into storage units along with the construction of 4 additional units, additional paving, parking and associated stormwater management structures and features. Phases 2 and 3 are also shown on the plan for future expansion, which will require a submission of a final LDP for both phases. Zoning Hearing Case #6-2020 was previously held on November 17, 2020, for a Special Exception on use of this property. The written decision was approved and signed December 9, 2020.

Suv Snook questioned the current use of the flea market for this property. He was told no flea market will continue on this property, as it will be used for storage units only. His next question was about fencing for this property. This property will be totally fenced in with a gate off the existing access drive. Mr. Weaber confirmed there will be no outside storage of any items or vehicles.

Suv Brensinger asked about the stormwater improvements to be made. Josh Weaber confirmed that the stormwater for the entire project is included with the Phase 1 improvements. When Phase 2 & 3 are submitted the stormwater improvements will already have been completed with Phase 1 final.

MOTION was made and seconded to approve the N Lebanon Storage, LLC Preliminary Land Dev Plan/ Final Phase 1 Plan conditional upon no appeals (appeal period ending 1/09/2021) being submitted on the previous Zoning Hearing decision of Case #6-2020 for North Lebanon Storage, LLC. Motion unanimously carried.

C.) Project TV Land Development Plan – Warehouse on Heilmandale Road

Anthony Caponigro, Engineer for Kimley-Horn and Greg Boler representing Project TV were in attendance to discuss progress on this Land Development Plan for a 412,000 SF distribution warehouse to be located at 1625 Heilmandale Road. Anthony Caponigro reviewed the last several meetings they have attended to discuss finalizing all issues and requirements for Project TV. He stated they are still awaiting the NPDES permit from the State, which he feels they will have shortly. There was a third-party engineer hired by the County and Township to specifically review the Traffic Impact Study pertaining to the non-feasible southbound right turn lane on SR72 at N 22nd Street/Tunnel Hill Road. Direction should be forthcoming regarding everyone's agreement as to the feasibility of these off-site improvements and the proposed Alternative Transportation Plan, which will be recorded in a Development Improvements Agreement. Anthony Caponigro requested a conditional approval for the plan with the agreement that the signatures on all required Agreements will be provided at the Board of Supervisors meeting scheduled for 1/04/2021.

Suv Brensinger questioned the Development Improvements Agreement and any inclusion in requiring the Developer to be responsible for the installation and all future maintenance of the traffic signal at SR72 and Heilmandale Road. His concern is not only the cost of installation but maintenance of the traffic signal in perpetuity. Charlie Suhr stated an Indemnification Agreement for the installation and maintenance of the traffic signal has been worked on with the Twp Solicitor, Amy Leonard. PaDOT does require the municipality to be responsible for the maintenance of the traffic signal as the applicant for the HOP permit. However, the Indemnification Agreement references the installation and on-going maintenance costs of the traffic signal being the responsibility of the developer/property owner in perpetuity. Solicitor Amy Leonard confirmed that the Indemnification Agreement does require on-going payment of any costs and reimbursement of any expenses on the township side that are related to the scope of the HOP. Mr. Suhr confirmed this includes the advance flashing warning lights. Everything included with the HOP will be the responsibility of the Developer/Property Owner in perpetuity.

Suv Brensinger questioned the amount of \$398,000 being offered as an Alternative Transportation Plan to be escrowed for a future project to be determined by the Board of Supervisors. Charlie Suhr responded these funds would be in lieu of the recommended southbound right turn lane on SR72 at N 22nd Street/Tunnel Hill Road, which they are waiting for the township's agreement that this improvement is not feasible due to the limited PaDOT right-of-way. This is the projected cost of that improvement based on an engineering cost estimate. The Township and Lebanon County Planning Department are waiting for a recommendation from a third-party engineering firm that was contracted to look at this issue on behalf of the township.

A member of the public questioned who the future tenant is for this warehouse. Chm Miller replied it is to be a Walmart distribution warehouse.

The Municipal Authority approved the Planning Module for this property at their meeting on Thursday, December 10, 2020. Mgr Grumbine stated the Board should also act on the Planning Module for Project TV.

MOTION was made and seconded to approve the Planning Module for Project TV Land Development Plan. Motion unanimously carried.

MOTION was made and seconded to grant conditional approval for the Project TV Land Development Plan on Heilmandale Road pending completion of a clean letter from Lebanon County Planning, all Rick Bolt's comments being addressed and a completion letter from him, all transportation improvements being addressed (a clean letter stating), a signed Indemnification Agreement and Development Improvements Agreement, the NPDES being approved and all associated fees being paid to the Township. Motion unanimously carried.

Chm Miller mentioned a meeting with the Fire Departments and the Police Department to discuss all pertinent issues. He also reminded Project TV representatives about the requirement of a Knox Box purchase and installation. Chief Steiner, Jr., asked how many Knox Box units they will place on the building. Mr. Boler stated they will work with the local Fire Companies and place whatever they recommend. Mr. Boler also agreed to meet with the Fire Chiefs to review their requests and answer any of their questions.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements

1.) 1560 Joel Dr – Snow Goose, LLP; This basin had the reduced orifice plate installed on the basin outlet. Brown's Conservation mixture has been planted in the basin and the fall cutting was completed. Vegetation height varies but is around 4" to 8", which is appropriate for winter. Jacob Shaffer from SESI has recommended a 49.71% credit for stormwater improvements on this property.

MOTION was made and seconded to approve a 49.71% Stormwater credit for 1560 Joel Dr. Motion unanimously carried.

2.) 205 Prescott Dr – Pumpkin Ridge; The basin had the necessary upgrades, 8" orifice plate on the basin outlet & wet-tolerant plant species installed. This BMP should now be considered a dry extended detention basin. However, the plantings of the basin have not been properly maintained and is dominated by Foxtail and Knapweed, both noxious weeds and invasive species. Jacob Shaffer from SESI has recommended a 49.92% credit for stormwater improvements on this property with the provision that the basin will be brought into compliance per the agreed O&M plan in the Spring of 2021, with the option of revoking any obtained credit if the site is not brought into compliance. BMP O&M Agreement was recorded 9/18/2018.

MOTION was made and seconded to approve a 49.92% Stormwater credit for Pumpkin Ridge Property at 205 Prescott Drive with the provision that the basin be brought into compliance per the agreed O&M plan by applying a light herbicide during dry weather along with a mowing by May 1, 2021. Failure to bring into compliance by this date will automatically revoke the credit for the remainder of 2021. Motion unanimously carried.

APPROVAL OF MINUTES

The meeting minutes from the 11/16/2020 Supervisors meeting and a Joint Meeting between the Board of Supervisors and NLTMA on 11/12/2020 are ready for action.

MOTION to approve the 11/16/2020 Supervisors meeting minutes and the minutes of the joint meeting between the Board of Supervisors and NLTMA on 11/12/2020 was made and seconded. 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 unanimously carried.

FIRE CHIEF’S REPORT – Donald Steiner Jr. – Weavertown Fire Co.**A.) Monthly Summary - November**

The number of calls, responses, trainings, and aid for the month of November was discussed.

CHIEF OF POLICE REPORT – Chief Harold Easter**A.) Calls for Service**

Chief Easter read the report on various calls for service for the month of November. There was a total of 538 Police-Citizen contacts reported and 6,408 miles reported for patrol.

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

The Board received a written report on Code Enforcement from Brenner & Officer Haase.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager**A.) 2021 Final All Funds Budget – Resolution 20-2020**

Mgr Grumbine reviewed with the Board the 2021 All Funds Budget that was reviewed at the November Supervisors’ meeting. There is no tax increase proposed for 2021. Resolution 20-2020 sets the 2021 All Funds Budget, tax provisions and tax levies. Mgr Grumbine read the Resolution. The Board is being asked to adopt Resolution 20-2020.

Suv Ed Brensinger announced he wishes to provide a written Conflict-of-Interest Statement regarding action on the 2021 Budget adoption.

Suv Snook also provided his written Conflict-of-Interest pertaining to action on the 2021 Budget adoption.

Solicitor Amy Leonard reviewed the State Ethics Act regarding Supervisors who are also employees. She mentioned that both Suv Brensinger and Suv Snook do not set their own wages. By submitting the Conflict-of-Interest they will be permitted to take action on the 2021 Budget.

MOTION to adopt Resolution 20-2020 setting the Final 2021 All Funds Budget with tax levies and tax provisions was made and seconded. Motion unanimously carried.

B.) Release of Capital Reserve Funding for Ebenezer – 2020

Previously the Board had approved the purchase of a 2020 Pierce Saber Fire Engine. Ebenezer Fire Co is requesting the release of \$25,871.60 from the Capital Reserve Fund for the fire company to make their 2020 payment. The remaining amount of \$4,128.40 will be requested for release in early 2021 to pay towards their separate PEMA loan for this same piece of equipment.

MOTION was made and seconded to approve the release of \$25,871.60 from the Capital Reserve Fund for Ebenezer Fire Company. Motion unanimously carried.

C.) Playground Assessment – Park & Rec Board Recommendation

A Playground Assessment had been provided to the Twp from McKee Risk Management. The Park & Rec Board reviewed the suggested recommendations made in the Assessment at their 12/02/2020 meeting.

Playground Assessment (con't)

The assessment recommended removing all the metal slides at the Twp Community Park. These slides were noted as being unsafe and outdated and should be removed or replaced. The stairs exceed the acceptable range of 30-45 degrees, and they do not provide any guarding at the top of the slides.

PARK & REC BOARD recommendation: now that the Twp has been made aware of these possible dangers, the members of the Park and Rec Board suggest all metal slides should be removed.

MOTION was made and seconded to approve the recommendation from the NLT Park & Rec Board for removal of metal slides at the Twp Community, as listed in the report. Motion unanimously carried.

D.) Return of Security Deposit – Narrows Dr Tenant

An inspection of the rental property had been conducted after the tenant vacated the property on 12/11/2020. No damage was noted, and it is being recommended the Security Deposit that had been posted at the signing of the lease be returned to this tenant. Work will be completed in the next few weeks to get the property ready for a new tenant.

MOTION was made and seconded to approve the return of the Security Deposit to the previous tenant at 775 Narrows Dr. Motion unanimously carried.

E.) Resolutions #21-2020, 22-2020, 23-2020 Pension

Resolution 21-2020, 22-2020, and 23-2020 all acknowledge the requirements for Non-Uniform and Uniform Pension funding in addition to the required Officer's contribution for 2021.

MOTION was made and seconded to adopt Res 21-2020, 22-2020, and 23-2020 regarding the Pension requirements for 2021 and stating the required Officer's contribution for 2021. Motion unanimously carried.

F.) Resolution 24-2020 – Approval to Manager for DEP GP Application

DEP has launched an online electronic permitting for Chapter 105 Wetland and Waterway Obstruction and Encroachment General Permits. As part of the Online registration, a Resolution must be adopted by the Board providing a signatory authorization for the Manager to sign any application on the Online through our "GreenPort" account. Resolution 24-2020 is the standard form provided by DEP for adoption by the Officials granting this authorization.

MOTION was made and seconded to adopt Res 24-2020 providing the signatory authorization for Mgr Grumbine to sign forms or agreements necessary to facilitate the Chapter 105 Electronic Filing Administrator (EFA) Registration and General Permit Registration. Motion unanimously carried.

G.) Resolution 25-2020 – Approval to add/remove properties from ASA

A petition from Sue Ellen and John Bowman was received at the June 2020 Board meeting for inclusion of 1.47 acres to NLT's Ag Security Area. This 1.47 acres is the area also known previously as "Charlotte Street", which was recently abandoned. On 10/01/2020 a petition was received from I. Hershey Bare to remove 110 acres from the Ag Security Area.

Resolution 25-2020 (con't)

Because the 180 days has lapsed for the Bowman petition and the Board took no action, Resolution #25-2020 is being presented for recording to add this land to our ASA. The Resolution also includes the removal of the 110-acre, I. Hershey Bare farm at 1625 Heilmandale Road.

MOTION was made and seconded to adopt Res 25-2020 adding property from Sue Ellen and John Bowman, 1.47-acre, to the NLT Ag Security Area. Also, the I. Hershey Bare property of 110-acres being removed from the Ag Security Area. Motion unanimously carried.

H.) Tree Dedication – Mandy Allen; Lenni Lenape Tree #1

Mandy Allen has signed an agreement to purchase a Tree Dedication, tree #1, at Lenni Lenape Park. The Board is being asked to approve this Tree Dedication with Mandy Allen.

MOTION was made and seconded to approve the Tree Dedication with Mandy Allen for Tree #1 at Lenni Lenape Park. Motion unanimously carried.

I.) Ebenezer Santa Ride-along; 12/21 from 6:30-9:00 (non-emergency)

Ebenezer Fire Chief Mike Leonard requested approval for a Santa ride-along on Monday 12/21/2020 from 6:30-9:00pm. Mgr Grumbine had provide her approval as the event started prior to the Board meeting. The Board is being asked to ratify that approval.

MOTION was made and seconded to ratify the ride-along request for Santa and the Ebenezer Fire Co on 12/21/2020 from 6:30-9:00pm Motion unanimously carried.

J.) GLRA Stipend Change for Board Members

The GLRA has provided changes to their Administrative Policy and Procedures Manual. The changes refer to the amount to be paid to the Board members and Committee meetings to be as follows:

- \$50 for committee meeting not associated with a Board meeting
- \$60 for each Board meeting for members and \$75 for Chairperson
- \$25 for committee meetings held before or after a regular Board meeting

MOTION was made and seconded to approve the revised stipend pay for GLRA Board members as previously stated. Motion unanimously carried.

K.) Pertinent Matters

1. SW Consortium – The next Stormwater Consortium will be held 1/19/2021 at 10am here in the meeting room in person and/or attendance via Zoom. The December meeting had been cancelled. Jacob Shaffer of SESI will be the new MS-4 Coordinator.

2. CARES Relief Grant Received (\$9592.77) (Nov 30) – The Twp received a grant on 11/30/2020 through the CARES Relief Grant Program. The full amount requested was received, \$9,592.77 and reimburses the township of various expenses related to the Covid-19 pandemic. This includes equipment purchased to hold videoconference meetings.

3. WellSpan Grant Application/ Award - \$3640.96 – The Twp submitted a grant application on 12/08/2020 to Wellspan Health – “Slow the Spread”. The amount requested was \$3640.96 and covers the expense of the tempered glass installed in the Administrative Office, face shields, disposable gloves, and a no touch temperature scanner.

WellSpan Grant Application (con't)

On December 16th, the Twp received word from Wellspan that our application will be awarded in the full amount requested.

Suv Brensinger mentioned kudos to Mgr Grumbine and staff for following up and completing these Grant applications. Suv Snook added his appreciation for these Grant monies being applied for and awarded to the Twp. Any funds that can be saved from taxpayer monies is a good thing.

SOLICITOR'S REPORT; Solicitor Amy Leonard -- Henry & Beaver

Solicitor Leonard reported she has no new topics for discussion this evening.

COMMENTS FROM BOARD MEMBERS**A.) DEP Recycling Grant Award**

An award from the 902 DEP Recycling Grant was announced. The funds were used to purchase the truck chassis for the new Freightliner Truck #4. Suv Brensinger and Suv Snook repeated their appreciation of the Twp staff pursuing these Grant applications.

B.) Truck #4 – Municibid Sale – No P/up – Richland Bid Rec'd

Old truck #4 was advertised on Municibid and had been approved for sale. The high bidder was approved but the transaction was not completed, and he forfeited the truck. Before placing another advertisement, Richland Borough inspected the truck and submitted a bid to the township. Supv. Brensinger opened the bid and announced the offer was for \$38,000 to purchase the old truck #4 which includes truck with dump body and leaf collection body. No other bids were received from municipalities.

MOTION was made and seconded to approve an offer of \$38,000 from Richland Borough for the old truck #4 truck with dump body and leaf collection body. Motion unanimously carried.

Bruce Sattazahn questioned the funds from this sale. Will the monies be returned to DEP or is the Twp permitted to keep the funds? Suv Brensinger replied the Twp has received permission from DEP to use the funds to replace the older recycling equipment with new recycling equipment.

C.) Emergency Declaration for GAIL – Effective 12/16/20 at 12pm

The Board is being asked to take action to ratify storm GAIL as an Emergency Declaration. The Emergency Declaration was made on 12/16/2020 @ noon and ended on 12/18/2020 @ noon.

MOTION was made and seconded to ratify the Emergency Declaration for 12/16/2020 @ noon ending 12/18/2020 @ Noon. Motion unanimously carried.

The Supervisors extended wishes for a Merry Christmas and a better 2021.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary