

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
March 9, 2021**

The Special Tuesday meeting of the North Lebanon Township Board of Supervisors was held this day at 3:00 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

Also in attendance was Atty. Ambrose Heinz representing Project TV (Heilmandale Road Owner, LLC).

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

FIRST AMENDMENT TO FINAL SUBD/LAND DEVELOPMENT AGREEMENT

A.) Solicitor Leonard informed the Board that the item to discuss today is an Amendment to the Development Improvements Agreement. The Board previously approved the Development Improvement Agreement for this property. As a result of a couple of changes that were discussed at the last regular Board meeting, we need to sign a new agreement. One of the issues is the property was transferred to the new owner, and we need to correct that owner name in the Agreement. So instead of being Heilmandale Road, LLC the new owner's name is Heilmandale Road Owner, LLC and this Amendment reflects that change.

The other amendment has to do with the off-site road improvements and the Alternative Transportation Plan (ATP). Initially the developer had provided a check to the township in the approximate amount of \$400,000, as a fee in lieu of constructing the ATP. PaDOT did not approve that as a viable Alternate Transportation Plan. After discussions between the developer and the township we agreed on improvements for the ATP, at the Long Lane and Rte. 72 intersection. This Amendment to the Development Improvements Agreement now reflects the Long Lane and Rte. 72 intersection as the ATP that will be constructed by the developer. The Amended Agreement does state that the township will cooperate with the developer in obtaining the permits and the developer will include the township in the meetings with PaDOT for input on the design, within the scope of the cost estimate for the ATP. The Township will refund the fee in lieu originally paid by the developer at this time. Should the actual cost of the improvements at Rte. 72 & Long Lane be less than the \$398,716.50 fees in lieu of money originally provided to the township, the developer has agreed to contribute the difference. The items are listed in the Probable Cost Estimate for this ATP, which shows the estimated cost at \$371,728.56. This cost estimate is based upon prevailing wage rates, which the developer is not subject to, so the actual construction costs could be less than the estimate.

Attorney Ambrose Heinz was in attendance and stated his agreement with the overview provided to the Board by Solicitor Leonard. He stated they anticipate that the Heilmandale Road and Rte. 72 improvements would be first and this ATP would follow closely while the

contractor is in the area rather than remobilizing later. There is no timeline for when they will receive PaDOT approval, but the engineer is currently working with PaDOT. The Township has already communicated to PaDOT that we are on board with this ATP at Long Lane and Rte. 72. The Township will be refunding the \$398,716.50 and now the developer is required to install the improvements of this ATP at Long Lane and Rte. 72.

MOTION: To approve the First Amendment to the Final Subdivision and Development Improvement Agreement with Heilmandale Road Owner, LLC.

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Erika A. Sheibley
Recording Secretary