

MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
April 26, 2021

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

Also present was Atty. Charles Suhr with Stevens & Lee, representing Heilmandale Road Owner, LLC (Project TV) . Also representing Heilmandale Road Owner, LLC on Zoom were Matt Shinton, Greg Boler, and Charles Wells. There were a few members from the public who attended in person as well as via Zoom.

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

COMMENTS FROM THE PUBLIC

A.) Brandon Pokrop- Narrows Dr- Apiaries in NLT

Mr. Pokrop provided a sample Apiary Ordinance to Township Manager Grumbine, the Board of Supervisors, and Solicitor Leonard. He asked the Board to consider moving forward to adopt this ordinance to permit apiaries under residential districts. The sample is a joint consultation of the PA State Beekeepers Assoc., the Penn State Center for Pollinator Research, and the PA Apiary Advisory Board to develop and endorse this Model Ordinance for Beekeeping in PA Municipalities. Mr. Pokrop went through the various sections of the sample ordinance and discussed the benefits for not only the beekeeper but the area residents too.

The Supervisors agreed that they would pass the sample Apiary Ordinance on to the Planning Commission for their review and recommendation.

B.) Charles Suhr-Stevens & Lee; Project Tv (Heilmandale Road Owner, LLC)

Atty. Suhr from Stevens and Lee, along with Matt Shinton and Greg Boler, discussed a few items pertaining to the Heilmandale Warehouse project.

1. PaDot is requiring the Township to sign a Traffic Signal Maintenance Agreement (TSMA). The TSMA is 12 pages and includes Exhibits “A” through “J”. This agreement between PaDOT and NLT provides acknowledgement by the township for ownership and maintenance responsibilities pertaining to the operation of ALL existing signals in the municipality and future signals. All signals must be owned and maintained by the township, which is the current PaDot policy. The Township does have separate agreements with some developers which place that responsibility on them rather than the township.

2. **Res. #10-2021** Authorizing the Chairman to Sign TSMA.

MOTION was made and seconded to approve the Traffic Signal Maintenance Agreement with PaDOT, and the adoption of Res #10-2021 authorizing the Chairman of the Board to execute the Agreement. Motion unanimously approved.

3. **PaDot Form TE-160 “Application for Traffic Signal Approval.**

Submitted for the Board’s approval is the PaDOT form TE-160 “Application for Traffic Signal Approval”, for Long Lane & Rte. 72.

MOTION was made and seconded to approve signing of the PaDOT form TE-160 Application for Traffic Signal Approval for Long Lane & SR72, contingent on a future indemnification agreement between the township and the developer. Motion unanimously carried.

4. Manager Grumbine prepared and signed a letter to PaDOT confirming the Township as the applicant for the signal permit for the intersection of SR72 and Heilmandale Road and securing bonding for these improvements, from the Developer.
5. Atty. Suhr discussed with the Supervisors the possibility of setting up an Escrow for property owners that experience damage to their wells caused by the Heilmandale project. Discussion was held about initial funding of \$20,000, with the developer being willing to replenish should this become necessary. Guidelines for disbursement from this fund would be outlined in an agreement. This would be the Second Amendment to the existing Development Improvement Agreement that the Board would have to approve at their May meeting.

MOTION was made and seconded to authorize Solicitor Leonard to work with Attorney Suhr on drafting the Second Amendment to the Development Improvement Agreement for this Escrow Fund. Motion unanimously carried.

6. Deed of Dedication.

MOTION was made and seconded to accept the Deed of Dedication for the Cul-de-sac on Elias Ave. Motion unanimously carried.

7. Manager Grumbine and Solicitor Leonard requested that Transwestern representatives on Zoom provide the Township with an update to the SR72 & Heilmandale Road intersection signal improvements. Matt Shinton stated they just sent in revisions to PaDOT and are awaiting comments from their review regarding the proposed traffic signal improvements. They also have several driveway applications into PaDOT to re-permit driveways where they need to regrade and tie in with their work along Heilmandale Road. There are also 3 properties where they need to acquire land for the traffic signal improvements, and they are in negotiations with those property owners.
8. Discussion on the upcoming pouring of concrete at this facility and the amount of 60,000 CY required for the job at 1000/1100 CY per pour. Each day will be 22 hours of labor from start to finish and they are planning on pouring in the middle of the night with saw cutting during the day and finishing up by 9:00/10:00 p.m. There will be approximately 60 pours to complete the concrete work and the days will be weather dependent. The township was informed that the cement trucks will have a different type of back up beeper that is more of a “quacking” sounds than the normal loud “beep”. Letters will also be sent

out to neighboring residents prior to the pouring of concrete. The township will also receive a copy of this notification to place on their website. A berm ranging from 6 feet to 16 feet has already been put in place to help shield the neighboring properties from the lights and sounds of the construction.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements

1.) NONE

APPROVAL OF MINUTES

The meeting minutes from the 3/15/2021; 4/12/2021 Supervisor's meetings are ready for action.

MOTION was made and seconded to approve the 3/15/2021; 4/12/2021 Board of Supervisors minutes. 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 – Brian Vragovich, Chief Glenn-Lebanon Fire Co

A.) Monthly Summary – March 2021 Summary

The number of calls, responses, trainings, and aid for the month of March for all 4 volunteer fire companies in the Township 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 March. There was a total of 617 Police-Citizen contacts reported and 7,507 miles driven for patrol.

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

The Board received a written report on Code Enforcement from John Brenner & Officer Haase for the month of March.

C.) Reazer's Junkyard Renewal License 2021

The renewal application was received from Reazer's Junk Yard. The inspection has been scheduled and will be ready for the May meeting.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager

A.) Res. #9-2021; Destruction of Municipal/NLTMA Records

Resolution #9-2021 is the annual Resolution approving the disposition of certain municipal records as set forth in the Municipal Records Manual provided by the State.

MOTION was made and seconded to adopt Res. #9-2021 approving the disposition of certain municipal records as listed. Motion unanimously carried.

B.) Tree Dedication

The township received a Tree Dedication Agreement for Lenni Lenape, #4, with Tina Pitt.

MOTION was made and seconded to approve the Tree Dedication Agreement with Tina Pitt for Lenni Lenape Tree #4. Motion unanimously carried.

C.) Ebenezer Non-Emergency Activities

Manager Grumbine received an email from Chief Leonard with Ebenezer Fire Company submitting two non-emergency activities.

- 1.) April 26th Cub Scout Pack 439 stand-by for the bike rodeo. 5:30pm-8:30pm.
- 2.) May 8th 10am–4pm – open house with tours for New Covenant Christian School Fun Day.

MOTION was made and seconded to approve participation by the Ebenezer FC in the Non-emergency event on April 26th Cub Scout bike rodeo and May 8th New Covenant Christian School Fun Day. Motion unanimously carried.

D.) 2021 Lakeside MHP Renewal License

Township received the 2021 Lakeside MHP Renewal License and payment. This is the last of the licenses due in 2021.

MOTION was made and seconded to approve the 2021 Lakeside MHP Renewal License. Motion unanimously carried.

E.) PERTINENT MATTERS:

1.) SW Consortium Meeting

The April meeting of the Consortium was held April 13th at 10:00 a.m. at North Lebanon Twp and via Zoom. We reviewed several projects:

- 1.) Hickory Blvd
- 2.) Clover Drive
- 3.) Lebanon Rails Business Park
- 4.) N Cornwall Twp bldg.
- 5.) 810 Melody Lane
- 6.) 925 Redwood Lane
- 7.) Quittapahilla Creek Mainstem, of the 22nd St bridge; Floodplain restoration. The Consortium authorized Land Studies to start Phase I of this project.

2.) ZHB Case #1-2021, McLand Holdings, LLC (Marty Hoover)

On April 19, 2021, the engineer for McLand Holdings, LLC (Marty Hoover) submitted a withdrawal notice for the ZHB petition Case #1-2021 for the lot at Suzy Street & North 15th Avenue. No further action is required by the Board.

3.) Night Fishing at Lion's Lake

At the request of a resident, the Park & Rec Board discussed an exception to our rule of the park being closed at dusk for night fishing. The Park & Rec Board was NOT in favor of changing the rules to allow night fishing.

The supervisors agreed with the Park & Rec Board to continue to NOT allow night fishing in the parks.

4.) VzW Notice to Sublet to New Cingular Wireless PCS.

The township received notice that Verizon Wireless intends to sublet a portion of the Premises (Cell Tower) to New Cingular Wireless PCS, LLC. The sublease will be subject to the provisions

of the Agreement and the Lessee will be \$200/month commencing on the Sublease Commencement Date. This Fee will escalate in accordance with the terms of the Agreement.

5.) GLRA Landfill Expansion Update

The GLRA has provided the Township with a Landfill Expansion Update. The projects are listed are listed below.

- 1.) Relocation of approximately 90,000 cubic yards of waste material. This project has already started and is set to be completed by June of this year.
- 2.) Replacement of the existing E-Waste Recycling Building. This project is in the permitting stage with a goal of constructing the new building in early 2022.
- 3.) Relocation of the existing flare. This work is expected to occur over the next two months. A temporary flare will need to be operational for less than a month during this time. The temporary flare is a “Candle Stick Flare” and if it does operate the flame will be visible unlike the current flare which is fully enclosed.
- 4.) The actual Landfill Expansion project should start in the third quarter of this year and is expected to be completed in 2023.

SOLICITOR’S REPORT; Solicitor Amy B. Leonard -- Henry & Beaver

A.) Act 108 of 2020- WC for Firefighters, EMC, Fire Police

Solicitor Leonard reviewed Act 108 that was adopted in 2020 and defines 4 different types of members for a Volunteer Fire Company who are eligible for workers’ compensation coverage if injured in the performance of their duties:

1. Active volunteer firefighters who respond to emergency calls;
2. Individuals appointed as special fire police;
3. Officers and directors of volunteer fire companies; and
4. A participating member of a volunteer fire company who provides necessary operational support but does not respond to emergency calls

Act 108 clarifies that social members of volunteer fire companies are not covered by Worker’s Compensation insurance under any circumstances. The Act defines “operational support” and requires the Township to approve the operational support activities at the beginning of each policy year. Resolution #11-2021 approves and authorizes participating members of the Township’s Volunteer Fire Companies to participate in certain operational support activities as designated in the Pennsylvania Workers’ Compensation Act as modified by Act 108 of 2020. This will become an annual Resolution to be adopted by the Supervisors at renewal of the Worker’s Compensation Insurance policy. Currently the policy runs calendar year, so we will adopt routinely at the Organization meeting in January.

MOTION was made and seconded to adopt Resolution 11-2021 in recognition of Act 108 of 2020 regarding Worker’s Compensation for Volunteer Firefighters. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Erika A. Sheibley
Recording Secretary