

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
May 17, 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). Present via Zoom was Erika Sheibley, Recording Secretary, 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.) Charles Suhr-Stevens & Lee; Project Tv (Heilmandale Road Owner, LLC)

At the April meeting, Charlie Suhr was present to discuss several issues with the Board of Supervisors. There are two remaining issues that Solicitor Leonard worked with Charlie Suhr to finalize for the meeting tonight.

1. Indemnification Agreement, M-950AA

This Indemnification Agreement relates to the signal improvements at SR72 and Long Lane. The Developer is requesting that in addition to the TE160 approved at the April meeting, the Board authorized the Chairman to sign the M950AA for Application to apply for a Highway Occupancy Permit (HOP). The Board requires the Indemnification Agreement to be signed before signing an M950AA. This document has been prepared by Charlie Suhr and reviewed by Solicitor Leonard and is ready for consideration. The Indemnification Agreement outlines the responsibility of Heilmandale Road Owner, LLC (Developer) related to the traffic signal improvements planned for the SR72/Long Lane intersection.

MOTION: was made and seconded to approve the signing of the Indemnification Agreement with Heilmandale Road Owner, LLC (Developer) with the Board of Supervisors for the intersection of SR72 and Long Lane related to the traffic signal improvements. Also, to authorize the signing of the M-950AA “Applicant’s Authorization Form Agent to Apply for Highway Occupancy Permit”.

2. Second Amendment to the Final Subdivision/Land Development Improvements Agreement.

This proposal from the Heilmandale Road Owner, LLC was presented to the Board at the April meeting. They suggested establishing an escrow to be funded by the developer for damages that may be caused to wells of neighboring property owners from the construction related to the Walmart warehouse. This Second Amendment includes the specifics relating to their funding of the \$20,000 Escrow and criteria to be used by the Board for paying claims from the escrow funds, along with a release form that will be required to be signed by claimants upon receiving payment from the escrow account. The Amendment also stipulates the escrow fund should be restored back to \$20,000 when reduced to below \$5,000. Any money remaining in the fund six (6) months after project completion will be a contribution to the Township's general fund.

MOTION: was made and seconded to approve the signing of the Second Amendment to the Final Subdivision/Land Development Improvements Agreement with Heilmandale Road Owner, LLC (Developer.) Motion unanimously carried.

B.) NCCS Preliminary/Final Land Development Plan

This property is located at 452 Ebenezer Road and is proposing the construction of a 2,253 square foot classroom addition for two new classrooms and a storage area. The proposed addition will convey to the existing stormwater basin. The school will continue to be serviced with public water and sewer.

The Planning Commission members reviewed the plan along with the clean letter from Lebanon County Planning Department at their May meeting and recommend the Boards approval.

MOTION: was made and seconded to approve the NCCS Preliminary/Final Land Development Plan with the posting of the required financial security. Motion unanimously carried.

C.) Artz Subdivision/Land Development Plan

This property is located at the cul-de-sac of Lochwood Drive. The cul-de-sac was originally designed as a "temporary" cul-de-sac due to the possible extension of Lochwood Drive to Water Street sometime in the future. However, now that there is a proposed lot to access the cul-de-sac, it needs to be designed as a permanent cul-de-sac. The temporary cul-de-sac was re-designed and the current developer of Homestead Acres Phase 4, Gerald Musser, was included in a meeting and agreed to the proposed changes. Future extension of Lochwood Drive to Water Street is still possible if the Artz farm is developed. To acknowledge the construction of this cul-de-sac at Musser's expense, Mr. Musser has signed off on this plan, which revised the design shown on the Final Subdivision Plan for Phase 4 of Homestead Acres. The newly-created lot will be connected to public water and sewer. In addition to stormwater improvements for the single-family lot, there will also be a temporary rain garden created, which will be removed at such time as Lochwood Drive is extended.

The township has already received a signed Park & Rec Agreement for fees in lieu of land dedication and the Sewage Facilities Planning Module for approval.

MOTION: was made and seconded to approve the Scott and Linda Artz Preliminary/Final Subdivision and Land Development Plan, the Sewage Facilities Planning Module, and the Park & Rec Agreement contingent on financial security being posted by both developers, Scott & Linda Artz for the residential lot and S. Gerald Musser for the permanent cul-de-sac improvements. Motion unanimously carried.

D.) Lisa Quaglieri- Narrows Drive/SR422 Intersection

Lisa Quaglieri contacted the township regarding several experiences at the intersection of SR422 and Narrows Drive. Manager Grumbine did reach out to Jon Fitzkee and provided the Board with his response on where the MPO is with a Road Safety Audit. Jon indicated that one of their next Road Safety Audit candidates is this corridor of SR422. However, he is unable to give us a definite timeline because of several factors. The next RSA is SR934, and they can better sort out a timeframe after this one is completed.

Manager Grumbine will contact Jon Fitzkee to discuss the timing of a Road Safety Improvement Audit for this intersection.

REVIEW OF STORMWATER CREDIT APPLICATIONS/ BMP O&M Agreements**1.) NONE****APPROVAL OF MINUTES**

The meeting minutes from the 4/26/2021 Supervisor's meetings are ready for action.

MOTION was made and seconded to approve the 4/26/2021 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 –April 2021 Summary**

The number of calls, responses, trainings, and aid for the month of April 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 April. There was a total of 599 Police-Citizen contacts reported and 7,890 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 April.

C.) Reazer's Junkyard Renewal License 2021

The renewal application was received from Reazer's Junkyard and the inspection was completed. Chief Easter recommends the Board approve the renewal License for Reazer's Junkyard.

MOTION was made and seconded to approve the renewal of the 2021 Junkyard License for Reazer's Junkyard. Motion unanimously carried.

D.) Donation of Bikes to Marine Toys-for-Tots Program

The police department reported 4 bikes that they would like to donate. Per Resolution 8-2000, the

Police Department is asking the Board to approve donating the 4 bikes to the Marine Toys-for-Tots Program.

MOTION was made and seconded to donate 4 bikes in accordance with Resolution #8-2000, to the Marine Toys-for-Tots Program. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager

A.) Ebenezer Non-Emergency Activities

The Ebenezer Fire Company President and Chief provided the Township with the following non-emergency activities for the Board's approval.

- 1.) June 4th 5-8pm Food Vendor Trucks
- 2.) June 19th 8am-1pm Lebanon Co. Firefighters Business Meeting
- 3.) June 19th 1-4pm Housing Event for their new Fire Engine

MOTION was made and seconded to approve the Ebenezer Fire Co. non-emergency activities to take place on June 4th from 5-8pm and June 19th from 8am-4pm. Motion unanimously carried.

B.) PERTINENT MATTERS:

1.) SW Consortium Update

The Consortium met on May 11th at the Township Building. SESI has agreed to provide the Township with a monthly Progress Summary Report and a Technical Summary Report. Manager Grumbine provided the Board with an article that will appear in the next Township newsletter outlining what projects have been completed by the Consortium to date and projected projects for 2021.

2.) 2020 Annual Recycling Awards

North Lebanon Township Received the 1st place award in 2020 for our recycling efforts. Township Manager Grumbine would like to commend Bonnie Grumbine, Recycling Coordinator, for her efforts for the Township and providing information to our residents and commercial businesses. She also commended the maintenance crew for their dedication in making sure the roll-off containers are emptied and taken to the recycling center. For 2020, the township saw a huge increase in the amount of cardboard we received. Lastly Manger Grumbine would like to thank the township's residents for their commitment to recycling.

3.) 2020 Year End Financial Statements- FASP

Manager Grumbine gave the Board the 2020 Year End Financial Statements for FASP, as prepared by Stanilla, Siegel & Maser LLC. Manager Grumbine asked the Board if they would like a representative from FASP to attend a meeting to review the Financial Statements and answer any questions? The Board informed Manager Grumbine they did not have any specific questions but agreed any questions she has she should reach out to Mayor Cappello.

4.) Jon Fitzkee Highway safety Improvement

The Township received a letter from Jon Fitzkee stating that he received an email from the PADOT Central Office that two HSIP projects have been formally approved and are being reviewed by the Federal Highway Administration. They will be programed on the 2021 TIP. The first project is for the Road Safety Improvement for the intersection of 7th Street and Kochenderfer/Kimmerlings Road. The second project is intersection at Prescott Drive and SR422.

5.) Pesticide Test

Manager Grumbine would like to congratulate Jared Balsbaugh on receiving his Pesticide License.

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

A.) Delinquent Stormwater Accounts

The original Stormwater Bills went out on January 15th, 2021 and were due February 15th, 2021. A 10% penalty letter was then sent out in February. A final letter was then sent out in early March. All delinquent accounts have been turned over to the Township Solicitor for collections. Solicitor Leonard will be sending out a final letter by the end of May stating that all delinquent accounts have 30 days to pay before they incur any legal fees.

B.) Apiary Ordinance

Solicitor Leonard will work with Manager Grumbine to look closely at the Model Ordinance to make sure that recommended provisions can be applied and regulated in the Township from a practical standpoint. Also, they will go through the Zoning Ordinance to reconcile existing Zoning Ordinance provisions with the Model Ordinance and draft amendments to implement the Apiary Ordinance and eliminate inconsistencies.

COMMENTS FROM BOARD MEMBERS

With no further business to discuss, meeting adjourned.

Respectfully Submitted,

Erika A. Sheibley
Recording Secretary