

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
March 21, 2022**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors commenced at 7:00 PM at the Municipal Building located at 725 Kimmerlings Road, Lebanon, PA with the following people present:

In person:	Ed Brensinger	Chairman
	Gary Heisey	Vice-Chairman
	Arden Snook Sr	Treasurer
	Tim Knight	Chief of Police
	Amy B. Leonard	Henry & Beaver LLP
	Lori Books	Assistant Township Manager
Zoom:	Cheri Grumbine	Township Manager

Also, present was, Doug Stump, *Lebanon Daily News* reporter, Emily Bixler, *Lebtown* reporter, Erika Sheibley, Recording Secretary, and several members of the public.

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

COMMENTS FROM THE PUBLIC

A.) Ebenezer PTE Annual Walk- Nicole

Nicole from Ebenezer PTE is requesting the closure of the roads for their annual walk. In the past they worked with PD and fire police for the route and pedestrian protection. Barricades will be provided from the Roadmaster for this event.

MOTION was made and seconded to approve the road closure in front of the school on May 6th from 9:00 am to 3:00 pm, rain date May 13th. Motion unanimously carried.

B.) Caliber Car Wash, LLC – Pre/Final Land Development Plan

Lindsey Breylinger, Project Manager with Bohler reviewed this plan with the Board.

The proposed Caliber Car Wash is located at 1333 E. Lehman Street on a separate lot in front of the Walmart Supercenter. The plan is proposing the demolition of the existing bank and the construction of a single tunnel-style auto car wash with associated on-site improvements. There are two waivers that need consideration from the Board. The Traffic Analysis Report for this project was reviewed by John Schick-Rettew Engineering. Mr. Schick provided a review letter of March 15, 2022, stating that he concurs with the scope and methodology employed for this analysis and agrees with the findings and recommendations that the proposed car wash can function acceptably within the confines of the subject tract and not create any adverse impacts to the adjacent roadway network.

A letter of recommendation dated March 11, 2022, was received from the Lebanon County Planning Department. The Township's Planning Commission recommended approval at their March 4, 2022 meeting.

MOTION was made and seconded to approve the waiver to 21-616.1 Access management, to permit less than 200 feet separation between the entrance to the proposed car wash and the intersection of the private access drive to the shopping center to Caliber Car Wash, LLC. Motion unanimously carried.

MOTION was made and seconded to approve the waiver to 27-1408 Loading and Unloading Zones to permit the absence of a loading space for the Caliber Car Wash, LLC. Motion unanimously carried.

MOTION was made and seconded to approve the CCW 1, LLC Land Development Plan for 1333 E. Lehman St, the BMP O&M Agreement and the Planning Module for Caliber Car Wash, LLC. Motion unanimously carried.

PUBLIC HEARING -

At 7:18 PM the regularly scheduled Board Meeting was paused, and the Public Hearing for Ordinance 4-2022 and 5-2022 was opened.

Solicitor Leonard opened the hearing and reviewed the legal advertising and publishing date of the two ordinances in the *Lebanon Daily News*. Solicitor Leonard then reviewed ordinance 4-2022 and 5-2022.

ORDINANCE 4-2022:

An Ordinance adopting an amendment to the North Lebanon Township Code of Ordinances, Chapter 27. Zoning, Part 3, 3A, 4, 5, and 12.

Following Solicitor Leonard's review of Ordinance 4-2022, Solicitor Leonard invited comments on the items reviewed.

Supv. Heisey questioned if there was a height requirement for the flyaway barrier.

Sol Leonard directed him to section 4 A of the Ordinance which states that a flyaway barrier needs to be 10 feet above grade.

Supv. Snook asked if beekeepers are required to have any type of permitting.

Sol Leonard directed him to section 3.A of the Ordinance which states that beekeepers must be registered with the Department of Agriculture as required by the Pennsylvania Bee Law.

MOTION was made and seconded to approve Ordinance 4-2022 amending the North Lebanon Township Code of Ordinances, Chapter 27. Zoning, Part 3, 3A, 4, 5, and 12. Motion unanimously carried.

ORDINANCE 5-2022:

An Ordinance adopting an amendment to the North Lebanon Township Code of Ordinances, Chapter 27. Zoning, Parts 10 and 13.

Following Solicitor Leonard's review of Ordinance 5-2022, Chairman Brensinger invited comments on the items reviewed.

Tod Dissinger (940 Oak Ln) – Are there industrial sites in North Lebanon Township that are farmland?

Supv. Brensinger – Yes, industrial land can be farmed, and it is possible that there are properties that are zoned industrial that are being farmed.

Jim Cikovic (1631 Grace Ave) - Asked Supv. Brensinger what would constitute a wind or solar farm? How much infrastructure do you consider to be of that nature?

Supv. Brensinger – If I put solar panels on my chicken house roof it will be for my power bill. To reduce my use. The solar farms that we are talking about would be solar energy systems installed for the commercial production, distribution, or sale of energy. It would not be to provide energy to the industrial complex where the solar panels are located. Godshall’s Meats on Weavertown Road, a lot of their buildings are covered with solar panels, but they are not putting the energy back into the grid they’re using that power themselves.

Sol Leonard – The way the definition is written for this Amendment is an energy system that is installed on the land purely for the sale and distribution of solar or wind energy for the purpose of personal gain. The landowner would not receive any power from it. She then read Section 3. Part 2 of the Ordinance.

MOTION was made and seconded to approve Ordinance 5-2022 amending the North Lebanon Township Code of Ordinances, Chapter 27. Zoning, Parts 10 and 13. Motion unanimously carried.

The public hearing was closed at 7: 40 PM and the regularly scheduled meeting was resumed.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the meeting minutes from the 2/21/2022 Supervisor’s 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 unanimously carried.

FIRE CHIEF’S REPORT –

A.) Monthly Summary – February 2022 Summary

There was no one present to present the Fire Chief’s Report.

CHIEF OF POLICE REPORT

A.) Calls for Service.

Chief Knight reviewed the report on various calls for service for the month of February. There was a total of 7,495 miles driven for patrol in February.

B.) Monthly Code Enforcement Report (Brenner)

The Board received a written report on Code Enforcement from John Brenner for the month of February.

C.) Monthly Fire Police Activity Report

The Board received a written report on the NLT Fire Police Activity for the month of February.

TOWNSHIP MANAGERS REPORT –Lori Books, Assistant Manager**A.) April 6th Joint Meeting with NLT Fire Chiefs**

The Board is planning on meeting with the four Fire Chiefs on April 6th at 6:00 PM. Lori Books asked for authorization to advertise the joint meeting.

MOTION was made and seconded to approve advertisement of the Joint meeting between the North Lebanon Township Board of Supervisors and the North Lebanon Township Fire Chiefs on April 6th commencing at 6:00 PM. Motion unanimously carried.

The Board was provided a draft of the Agenda for the April 6th meeting and asked to contact Mgr. Grumbine should they have any additions. The agenda would be posted 24-hours in advance as now required by State law.

B.) 804 Patmar Drive Release of Escrow for Street Cut

The posted escrow for the street cut permit for the property at 840 Patmar Drive expires May 29th, 2022. Roadmaster Ed Brensinger inspected the work and is recommending the release of the escrow in the amount of \$7,503.25

MOTION was made and seconded to approve the release of the cash escrow posted for the street cut permit for the property at 840 Patmar Drive. Motion unanimously carried.

C.) Bid Opening**Paving Bids**

	H&K Group	Penny Supply	New Enterprise
Item A - Milling (Areas TBD by Roadmaster)	1.81/SY \$36,200.00	1.30/SY \$26,000.00	1.00/SY \$20,000.00
Item B - Scratch coat (Streets listed in bid docs)	81.92/TN \$97,402.88	62.00/TN \$73,718.00	83.65/TN \$99,459.85
Item C - Scratch coat on N 7th Ave (E Canal St to City line)	101.61/TN \$4,064.40	75.00/TN \$3,000.00	83.65/TN \$3,346.00
Item D - Wearing course (Streets listed in bid docs)	6.13/SY \$242,318.90	5.45/SY \$215,438.50	6.40/SY \$252,992.00
Total Bid	\$379,986.18	\$318,156.50	\$375,797.85

Because of the unanticipated increase of material costs from current events vs. budgeted amounts, the paving bids were tabled until April's meeting.

Fuel Bids

15 PPM USLD HWY DIESEL				
Bidder	Price/Gal	Total Bid	Winter Add	Total Bid w/ Additive*
Talley Petroleum	2.238	\$22,380.00	n/a	\$22,380.00
Meyer Oil	2.165	\$21,650.00	0.03	\$21,710.00

* based on 2000 gal
winter usage

MOTION was made and seconded to award the fuel bid to the low bidder, Meyer Oil in the amount of \$21,710.00 Motion unanimously carried.

D.) Park & Rec Recommendations

At the March 1st meeting, the Park & Recreation Board discussed two items where they made recommendations for consideration by the Supervisors.

The Park & Recreation Board recommended approval for the Ebenezer Beautification Committee to hold a chicken BBQ on Wednesday, May 4th from 9am to 6pm. Location to be at the Lion's Lake parking lot below the dam breast at Jay Street & SR72.

MOTION was made and seconded to approve the location of the Ebenezer Beautification Committee chicken BBQ on the Lion's Lake parking lot below the dam breast at Jay Street and State Route 72 on May 4th. Motion unanimously carried.

The Park & Recreation Board recommended the annual \$500.00 association fee for the sports associations be eliminated. A four-year comparison of utilities and costs to the Township was provided to the Board.

MOTION was made by Supv. Snook to eliminate the annual sports association fee. There was no second to motion. Motion dies on the floor.

E.) Tree Dedication

The Township received a Tree Dedication Agreement from Tina Kimmel for Tree #7 at Lenni Lenape Park.

MOTION was made and seconded to approve the Tree Dedication Agreement with Tina Kimmel for Tree #7 at Lenni Lenape Park. Motion unanimously carried.

F.) Stormwater Credit Applications and BMP O&M Agreements

Nolt Family Farms – This non-SFR property currently is assigned 25 ERUs. The property includes a Bioretention Basin and in reviewing the application, Jake Shaffer, MS-4 Consultant recommends a 33.4% credit.

MOTION was made and seconded to approve the stormwater credit in the amount of 33.4% for the Nolt Family Farms located at 1645 W. Kercher Avenue and the BMP O&M Agreement.

Motion unanimously carried.

915 Sweetbay Lane – In reviewing the application Township Manager Grumbine is recommending the denial of a credit because the stormwater facility is not located entirely within the confines of the property and therefore is not eligible for a credit.

MOTION was made and seconded to deny the stormwater credit application for 915 Sweetbay Lane. Motion unanimously carried.

1210 Lochwood Drive – This property has a forebay for a dry extended detention basin that captures all their runoff and are eligible for a 100% credit on their stormwater bill. The property owner does not want to sign and record the required BMP O&M Agreement. Township Manager Grumbine is asking the Board to approve this credit in case the owner changes their mind in the future. No credit will be applied to this property until the owners or future owners sign and record the BMP O&M Agreement.

MOTION was made and seconded to approve the stormwater credit in the amount of 100% for the property located at 1210 Lochwood Drive contingent on receiving a signed and recorded BMP O&M Agreement. Motion unanimously carried.

G.) ZHB Case #2-2022 – 1204 Lochwood Drive

The Board received a Petition before the ZHB for 1204 Lochwood Drive. The petitioners would like to have a home occupation use inside the dwelling and propose to install a second kitchen in their basement to conduct the home occupation. Per the petitioner, the additional kitchen is a requirement of the Pa Dept. of Agriculture as the property owners have a pet in the home. Installation of a second kitchen in a single-family dwelling constitutes a second dwelling on the property, which is not permitted in the R1 Low Density Residential District. A member of the Board should attend this meeting to voice our concerns regarding the construction of a second kitchen. Conditions should be placed on the homeowners that the single-family dwelling cannot be converted into a second unit and shall remain a single-family dwelling. It should be suggested to the ZHB that if the variance is granted, the variance shall expire when the property is sold, or the business no longer exists.

MOTION was made and seconded to authorize Supv. Heisey on behalf of the Board of Supervisors, to attend the ZHB Case 2-2022 meeting on March 22,2022 to provide Board comments to the ZHB members, regarding the second kitchen. Motion unanimously carried.

H.) 2022 County Liquid Fuels Allocation

We originally thought the allocation would be based on the 2020 census, which would have brought our allocation up to \$12,041. Jon Fitzkee in the Transportation Department of County Planning has informed the Township that the liquid fuels allocation will remain at \$11,429. The Township has adjusted the 2022 County Liquid Fuels allocation to the \$11,429.

I.) Proceed to update and work with Scott Koons for IT Upgrade

During the 2022 budget workshops, the Board approved including money from the ARPA funds to upgrade the Township's IT equipment in the meeting room. This would include a tv on the opposite wall, to provide two options for better viewing by everyone in the room. A camera upgrade to capture more of the room and sound upgrade. Additional microphones would also be

included, so everyone can be heard by the public. The Township's current wireless microphone is no longer able to be used, as it was using 3G capabilities that are now obsolete.

MOTION was made and seconded to approve Township Manager Grumbine to work with Scott Koons to upgrade the IT system in the meeting room. Proposal to be brought back to the Board for approval. Motion unanimously carried.

J.) Various Annual Reports
LCPD Annual Zoning Report

The Board was provided with the Annual Zoning Report from Lebanon County Planning.

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

A.) Extension Agreement with New Covenant Christian School

New Covenant Christian School reached out to the Township requesting an extension to allow them to have module buildings for an additional two years while they complete their classroom additions.

The Board agreed to table this item until documents are provided from New Covenant Christian School.

COMMENTS FROM BOARD MEMBERS

A.) Rising Fuel Costs – Vehicle Expenses – Inflation

Discussion was held pertaining to Township employees taking vehicles home overnight in case they receive a call-out.

This item was tabled until the April meeting.

B.) Approval to hire a Full-Time Maintenance Employee

The Township has hired a full-time maintenance employee, Kirk Artz. He will be filling the vacant position of Adren Snook Sr., as he has retired. Mr. Artz's official start date is 3/21/2022.

MOTION was made and seconded to ratify the hiring of Kirk Artz . Motion unanimously carried.

C.) Request for Inclusion in Health Insurance – Supv. Snook provided Manager Grumbine with a letter asking to participate in the Township's Health Insurance plan as a Supervisor, which is permitted by the Second Class Township Code. No action is required by the Board.

D.) Supv. Snook informed Chief Knight that he has heard a lot of positive feedback since he has become the new Chief of Police.

ADD-ON ITEMS IN THE LAST 24 HOURS

A.) Ratify Hiring of a full-time Police Officer effective 3/21/2022

MOTION was made and seconded to add an item to the 24-hour list to the agenda. Motion unanimously carried.

The Township has hired a full-time Police Officer to fill the current vacant position. His official start date is 3/21/2022.

MOTION was made and seconded to ratify the hiring of Connor Callaghan, as a police officer,

effective 3/21/2022. Motion unanimously carried.

With no further business to discuss, meeting adjourned at 9:04 pm.

Respectfully Submitted,

Erika Sheibley
Recording Secretary