

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
May 16, 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
	Cheri Grumbine	Township Manager

Also, present was, Erika Sheibley, Recording Secretary, Allen Firestine, Fire Chief with Rural Security Fire Company, Doug Stump, *Lebanon Daily News* reporter, Emily Bixler, *LebTown* reporter, 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.) May 21st Dedication Day 9am-11am Ebenezer Beautification Committee – Gwen Yordy
Gwen Yordy requested that the Township close Old Ebenezer Road during their Dedication Ceremony on May 21, 2022.

Gwen presented the Board with a copy of the program for them to review.

MOTION was made and seconded to approve the closing of Old Ebenezer Road (SR 72 to Jay St) on May 21st for the Dedication Ceremony to be held from 9-11am. Motion unanimously carried.

B.) Town’s Edge Revised Final Subdivision Land Development Plan

The plan proposes a revision to the previously approved Final Subdivision & Land Development Plan recorded on May 26, 2021. The originally approved plan includes the subdivision of forty-eight fee simple townhouse lots and two (2) lots containing a total of five (5) garden apartment building with eight (8) units per building for a total of forty apartment units.

The Revised Final Plan proposes forty enclosed parking spaces in seven (7) garage buildings, with four (4) garage buildings proposed on Lot 24 and three (3) garage buildings proposed on Lot 25. The garage buildings are proposed to overlap areas shown as paved parking on the originally approved plan. The revised plan also includes minor grading adjustments and callouts.

A First Amendment to the Declaration of Covenants, Restrictions, and Easements for Town’s Edge, A Planned Community has been provided to the Township and reviewed. The First Amendment has been reviewed and addresses township staff concerns regarding the parking garages being subleased or used for storage purposes only.

Steve Sherk, Steckbeck Engineering, provided a letter to the Township dated May 5, 2022, recommending approval of the plan. The township Planning Commission members met May 9th and recommended approval of the plan.

MOTION was made and seconded to approve the Town’s Edge Development (Lots #24 and 25) Revised Final Subdivision and Land Development Plan contingent on the recording of the First Amendment to the Declaration of Covenants, Restrictions, and Easements. Motion unanimously carried.

C.) Four-Wheeler/ATV use on Township Roads – Bruce Sattazahn

Mr. Sattazahn asked Chief Knight if he was aware of the growing issue of four-wheelers and other ATV use on public roads. Mr. Sattazahn has seen a group of them coming out of the city and also on Mount Zion Rd.

The police department was able to catch a group of four-wheelers and dirt bikes while they were fueling up at Rutters gas station. The police department did seize the group’s vehicles. The Chief acknowledged that he is very aware of this issue and has been looking into different ways to address the ongoing issue.

D.) Prescott Drive Noise Complaint – Scott & Kim Lengel

Mr. and Mrs. Lengel wanted to make the Board aware of an ongoing noise issue at 205 Prescott Drive. The tenants at this property are using power tools to repair semi-trailers and play loud music with bass directly across the street from their residence. They are also burning items on the property. The Lengel’s do not mind that they are working on them, but the noise is very loud and can be heard inside their house. They are asking if there is anything the Township could do anything about this issue as they have tried talking to the tenant’s multiple times about the issue with no result. The 205 Prescott Drive is a large property and they suggested that this work be done to the back of the property or further north away from any residences.

Chief Knight informed them to call the Police Department about the loud music next time it happens.

Solicitor Leonard informed the Lengel’s that she will look into ways to address the issue of them working so close to the road.

E.) Illegal Dumping – Prescott Rd

Steven Schulte informed the police department about dumping that is happening along the waterway behind the Green Acres Mobile Home Park.

Chief Knight told Mr. Schulte that they would investigate this issue.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the meeting minutes from the 4/6/2022 and 4/18/2022 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 – April 2022 Summary**

The number of calls, responses, trainings, and aid for the month of April 2022 for all four volunteer fire companies in the Township was reviewed by Chief Firestine.

Chief Firestine informed the Board that they did tap a fire hydrant in April to test their hoses. He estimated that used about 1,000 gallons of water. This usage is noted on their April report, as requested by Supv. Heisey. When questioned where they fill up the tankers, Chief Firestine stated as close as possible to where they will be using the water. If they need to top off the tank at the end of an incident, they normally will use a hydrant in the municipality where the incident was located before returning to their station.

CHIEF OF POLICE REPORT**A.) Calls for Service.**

Chief Knight reviewed the report on various calls for service for the month of April.

B.) Monthly Code Enforcement Report (Brenner)

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

C.) Monthly Fire Police Activity Report

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

D.) Junkyard Renewal Application and Inspection – Reazer's

The renewal application was received for Reazer's Junkyard and the inspection was completed by Chief Knight and ready for the Board to approve.

MOTION was made and seconded to approve the 2022 Junkyard License renewal for Reazer's Inc. located at 2449 Elias Avenue. Motion unanimously carried.

E.) Departmental Notes of Interest

- 1) Chief Knight, Officer Himmelberger, and Officer Innocent responded to the call where Lt. Lebo tragically lost his life in the City of Lebanon. He commended their efforts during this difficult incident.
- 2) Storage Unit Break in – Chief Knight reported there were around 73 breaks in for the month of April most being the storage units on the east end of the township. Most of the merchandise has been recovered. Officer Himmelberger got in a foot chase with one of the suspects and was able to apprehend him. A cell phone was recovered as well, and the police are investigating deeper into this case.

TOWNSHIP MANAGERS REPORT –Cheri Grumbine, Manager**A.) Resolution #15-2022 Revised Highway Occupation Permit Fees**

A revised Resolution for our Highway Occupation Permit (HOP) Fees reflect one minor correction under the Application fee and Inspection Fee portion of the schedule. This correction mirrors the fees currently charged for an overly on an existing paved minimum use driveway of \$50.

MOTION was made and seconded to adopt Resolution #15-2022, revised Highway Occupation Permit Fees (HOP). Motion unanimously carried.

B.) Resolution #16-2022, Establishing a Procedure for the Sale of Surplus Personal Property Valued at less than \$2,000.00

Resolution #16-2022 establishes a procedure governing the sale of surplus personal property valued at less than two thousand dollars (\$2,000.00). The resolution outlines the procedures to be followed by the Township Manager and/or Chief of Police whereby they must determine the dollar value of the lot of items to be sold and if under the \$2,000.00 threshold (Per the Second-Class Township Code), follow the stated procedures.

Surplus lots valued under \$2000.00, may be purged from the township inventory without the necessity of Board approval to advertise, advertisement in local newspaper, and subsequent approval at a Board meeting to approve the sale to the highest bidder. This task will become an administrative duty of the Township Manager and/or the Chief of Police. Following the sale of such items, reporting to the Board of Supervisors is required. This will reduce the time required to sell these small items and dispose of them as outlined in the policy.

Supv. Brensinger questioned what would happen if the Manager or the Chief estimates the value something at less than \$2,000.00 but we sell it for over \$2,000.00.

Solicitor Leonard explained that the Resolution sets forth a number of different ways that the Chief or Township Manager could use to establish the fair market value and if the procedure for establishing the fair market value is followed then if someone just really wants it and bids more than the fair market value it is just a windfall.

MOTION was made and seconded to adopt Resolution #16-2022, establishing a procedure for the sale of surplus personal property valued at less than \$2,000.00. Motion unanimously carried.

C.) Resolution #17-2022, Establishing a Procedure for the Sale of Surplus Personal Property Valued at \$2,000.00 or more

Resolution #17-2022 establishes a procedure governing the sale of North Lebanon Township surplus personal property valued at \$2,000.00, or more. The resolution outlines the procedures to be followed, which includes the requirements of the Second-Class Township Code. This Resolution would become a template to be adopted each time we have items that are valued at \$2,000.00, or more.

MOTION was made and seconded to add 1985 Hudson Trailer and the 2003 Jeep Liberty to Resolution #17-2022 and to adopt Resolution #17-2022, establishing a procedure for the sale of surplus personal property valued at \$2,000.00 or more. Motion unanimously carried

D.) Released of 2021 Fire Co. Capital Reserve Funds – Ebenezer Fire Company

On January 3, 2022, the Board approved the release of \$25,871.60 from the Fire Company Capital Reserve Fund to Ebenezer FC towards their Kansas State Bank equipment loan. The remaining \$4,128.40, is now being requested to put towards the principal of their loan with Kansas State.

MOTION was made and seconded to approve the transfer of \$4,128.40 from the North Lebanon Township Fire Company Capital Reserve Fund to the Ebenezer Fire Company to place on their Kansas State bank loan. Motion unanimously carried.

E.) Marcellus Share Grant Award - \$25,000.00

The township was awarded \$25,000.00 through the Lebanon County Commissioners Marcellus Shale Grant program. The application for submission was approved at our December 21, 2021, meeting for the extension of the walking path at the Lenni Lenape Park. At the time of submission of the grant application, the cost of the project was estimated at \$84,605, of which \$44,060 was “in-kind” services by township employees and equipment. The expenses for actual material and engineering will be paid from the \$25,000.00, grant and the Park & Recreation Fund. It was stated that that the roadcrew will be doing the prep work for this project.

MOTION was made and seconded to authorize the Chairman to sign the documents for the Lebanon County Commissioners Marcellus Shale Grant Award for North Lebanon Township for the walking path extension at Lenni Lenape. Motion unanimously carried.

MOTION was made and seconded to authorize the Roadmaster to obtain three proposals for the paving of the walking path extension at Lenni Lenape. Motion unanimously carried.

F.) Park and Recreation Board Memorandum with Recommendations

The Board received a Memorandum dated May 9, 2022, from the Park & Recreation Board with four items listed for the Board’s consideration.

i. Concession Stand during the Future Stars Tournaments.

At the Board meeting in April, Supervisor Heisey provided background information regarding the Future Stars tournaments held at our Long Lane fields. He confirmed that the operation of the concession stand is not affiliated with the Ebenezer Baseball Association and in looking back over the past three years of receipts there were no deposits made to the Ebenezer Baseball Association after their regular season ended around July 2nd for the concession stand sales during the Future Stars Tournaments.

Supv. Heisey stated he was providing the information, as his intention was to attend the May Park & Recreation Board meeting for discussions for a recommendation to come before the Supervisors regarding the after-season concession stand sales, if permitted to continue. Supv. Heisey stated that it was his opinion that should the concession stand continue to be operated during the Future Star Tournaments the individuals running the Concession Stand should be required to sign a lease agreement with the Township, which is required for anyone who wishes to lease the Lion’s Lake main building for any type of retail sales, as has been done in the past.

The Park & Recreation Board held discussions on this topic at their May meeting and their thoughts and recommendations are outlined in the Memo to the Supervisors. The Chairman of the Park & Recreation Board, and operator of the after-season concession stand, stated during their May meeting that he “would not operate the concession stand for these tournaments unless Little League has a fall program.” Thus, the Park & Recreation Board did not make any recommendations regarding this topic because of that statement. However, if Mr. Elder does operate the concession stand all monies should be turned over to the Ebenezer Baseball Association.

Supv. Heisey informed the Board that he would not participate in a vote regarding any issues for the Ebenezer Baseball Association because of his affiliation with the organization and position of Treasurer.

MOTION was made and seconded that anyone who wishes to open the concession stand after the end of the Ebenezer Baseball Association Baseball season must have a signed lease agreement with the township. Motion carried with two votes and Supv. Heisey abstaining because of the above stated reason.

ii. Future Stars Tournaments – Continuation of Field Use.

Also, at the Board meeting in April, Supervisor Heisey discussed the use of our Long Lane fields for the Future Stars Tournaments. Supervisor Heisey explained that ninety-nine percent (99%) of the teams participating in these tournaments are from out of state, travelling from New Jersey, New York, and Maryland. A spreadsheet was provided showing additional costs to the township for these tournaments being held at Long Lane. In 2021, the township received \$25/game played and then increased that fee to \$50/game during the season, to try and recover more of our expenses. There could also be undocumented expenses such as callout for our staff to respond when problems arise. The callout expense is one issue but more importantly a callout that needs immediate attention for an unassociated township-related emergency (that would not have otherwise happened) is an extra burden on staff home enjoying their weekend. Although additional clean-up issues are not evident every Monday morning from tournaments there are occasions when additional clean-up becomes necessary. In addition, the over-use of these fields from the tournaments, does create concern.

The Park & Recreation Board discussed the fees for these Future Stars Tournaments but did not think it was fair to raise the fees at this time and tabled this discussion until next year. One member of the Park & Recreation Board that works for a college and is responsible for field maintenance stated they increased their fees for these out-of-state participant tournaments, so there was no longer interest in playing on their fields. They recognize the additional cost to the college with maintenance needs.

Supv. Heisey feels that it is unfair to raise the rates as the games are already booked for this year on the “teener field”.

Supv. Snook asked if we have an agreement this year with In-The-Net for this year to provide the teener field? Supv. Heisey answered there is never an agreement signed for this usage. They put the schedule out with Future Star tournament dates and Mr. Elder agrees to those dates to use our field. The township does have the dates our field will be used for tournaments. The Supervisors stated they feel it is too late to change the rates for the upcoming season.

MOTION was made and seconded to allow Future Stars to continue to use the teener field for this year at the current rate and to reevaluate pricing or usage for next year. Motion carried with two votes in favor and Supv. Heisey Abstaining from a vote for the reason stated above.

iii. Renovate Infield at Lion's Lake Field-Little League Request.

Dwayne Elder asked on behalf of the Little League if they could renovate the field at Lion's Lake. They would like to make it a multipurpose field to accommodate different age groups by renovating the infield with 50/70 and 60/90 base lines and a portable mound. Corey Ulrich, member of the Park & Recreation Board, stated his company, Seedway, is willing to help with the costs and do this as a promotional field. The only help they would need from the township would be for the township to rent a rototiller if they cannot find one to borrow.

The Park & Recreation Board recommends the township allow Little League to renovate the infield at Lion's Lake and help with the rototiller.

MOTION was made and seconded to allow Little League and Seedway to rehabilitate the Lion's Lake ball field and to supply a rototiller if needed. Motion unanimously carried.

iv. Township Shed at Community Park – Little League Request.

Dwayne Elder asked on behalf of the Little League to have the shed located at the Township Community Park field relocated to the field at Lion's Lake. It was pointed out that the shed at Community Park was purchased by the township and not the baseball association. Mr. Elder asked that the township be responsible for moving the shed. If the township is not willing to relocate the shed for the baseball association's use, they requested permission to purchase a new shed if resources allow.

The Park & Recreation Board recommended the township relocate the shed from the Community Park to the Lion's Lake field as the preferred option. If the Supervisors do not approve the relocation, they recommend allowing the Baseball Association to purchase and place a new shed at the Lion's Lake field, if approved by the Lebanon County Planning Department.

MOTION was made and seconded to allow Ebenezer Baseball Association to purchase a new shed to be placed at the Lion's Lake ball field contingent on receiving a permit from the Lebanon County Planning Department. Motion carried with two votes in favor and Supv. Heisey abstaining for reasons as stated above.

G.) Joseph John Pennsylvania Realty, LLC (Always Bagels) Land Development Plan

On April 12, 2022, a withdrawal letter was received from Steckbeck Engineering on behalf of their client, Joseph John Pennsylvania Realty, LLC (Always Bagels). The withdrawal letter is for the Preliminary/Final Land Development Plan for the freezer expansion project on their property at 3010 Hanford Drive. Should the project move forward, a new submission will be made to North Lebanon Township.

H.) State Fire Commissioner Form–Glenn-Lebanon Fire Company \$250,000 Loan

Glenn Lebanon FC provided us with the standard form from the Commonwealth of Pennsylvania, Office of the State Fire Commissioner, Volunteer Loan Assistance Program to approve and sign. The form is to be completed by North Lebanon Township, as background for an application for a \$250,000 apparatus loan. Manager Grumbine signed this same form for the other three volunteer fire companies when purchasing apparatus.

MOTION was made and seconded to authorize Manager Grumbine to sign the State Fire Commissioner Volunteer Loan Assistance Program form provided by Glenn Lebanon Fire Company for purchasing the apparatus previously approved by the Board. Motion unanimously carried.

I.) 2021 Fire Company Financials Received

The four township fire companies have all submitted their 2021 Year-End CPA prepared Financial Reports as required by our Memorandum of Understanding. The Board received these documents. No action is required by the Board.

J.) EMA Coordinator Resignation

On April 19th, Township Manager Grumbine received a resignation from Steve Beard, EMA Coordinator for the township.

MOTION was made and seconded to accept the resignation letter from Steve Beard, EMA Coordinator with regret. Motion unanimously carried.

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

A.) None

COMMENTS FROM BOARD MEMBERS

A.) Rising Fuel Costs – Vehicle Expenses – Inflation

At the March meeting discussion was held pertaining to certain Township employees utilizing township trucks to commute to and from work for responding to possible after-hours call-out. Supervisor Brensinger stated that following discussion on this topic at the March meeting, he has parked the township truck that he was using. Also, Jared Balsbaugh has parked the truck he was using as approved by the Board for over the winter only, as he oversaw winter maintenance. Supervisor Brensinger again reiterated that he was not in favor when a previous Board stated they wanted him to use the truck over-night for potential off-duty hours call-out.

The Board stated it is important for the Chief of Police to continue to use his Township provided truck after hours to commute to and from work.

B.)Police Department HVAC System Upgrade

During the last 3 months, upgrades to offices in the police department have uncovered debris build-up in the HVAC ductwork (squad room and Tim Knight’s old office). The debris in the duct work is isolated to a certain area of the police department and seems to be from the plenum area from the offices directly to the open police garage. Work has now been completed to seal the PD garage wall between the police garage area and offices.

Dave Strohm received two proposals from PROAC Corporation.

- Project to include seven tasks - \$9,620
- Option #1 150-200 LF - \$5,260 (Dave Strohm’s recommendation)

This is the same contractor that performed this type of work at our Narrows Drive rental house and Mr. Strohm stated he was satisfied with their work.

MOTION was made and seconded to approve Option #1, to clean and encapsulate the HVAC system in the police department for the price of \$5,260.00. Motion unanimously carried.

ADD-ON ITEMS IN THE LAST 24 HOURS

A.) Grievance from the North Lebanon Township Police Association.

Chairman Brensinger noted for the record that the Board of Supervisors received a grievance today from the North Lebanon Township Police Association and will be meeting to discuss the issue.

With no further business to discuss, meeting adjourned at 8:34 pm.

Respectfully Submitted,

Erika Sheibley
Recording Secretary