

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
July 18, 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, Don Steiner, Sr. with Weavertown Fire Company, Steve Sherk with SESI Engineering and Surveying, Attorney Megan Rylan Tanner representing Reilly Wolfson, Makara Mam representing County Garden 6-Pack Restaurant, 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.

ANNOUNCEMENT:

Executive Session held by Board on 6/20/2022 at 8:30pm - Personnel Issues – Chief Knight
Executive Session held by Board on 7/07/2022 at 6:30pm – Litigation - Landmark

PUBLIC HEARING -

At 7:02 PM the regularly scheduled Board Meeting was paused, and the Public Hearing for Ordinance 6-2022 was opened.

Solicitor Leonard opened the hearing and reviewed the legal advertising and publication date of the ordinance in the *Lebanon Daily News*. Solicitor Leonard then turned the meeting over to Steve Sherk who reviewed the ordinance.

ORDINANCE 6-2022:

Mr. Sherk provided background information regarding the proposed stormwater ordinance and new regulations mandated by Pa Department of Environmental Protection (DEP). These new regulations must be addressed by late 2022. Mr. Sherk mentioned that he followed the required DEP checklist (four pages) that must be followed when updating our new Stormwater Management regulations. Mr. Sherk proceeded to explain the various changes made to address the new stormwater management requirements versus the current stormwater management ordinance that was prepared by the County in 2013 and adopted by North Lebanon Township at that time.

The biggest change in this stormwater management ordinance from the current ordinance is the administration and approval authority. In 2022, the Supervisors appointed an engineering firm to review and work with township staff and the Supervisors for all subdivision and land development plan approvals in lieu of County review and approval.

There being no comments from the public, the public hearing was closed at 7:07 PM and the regularly scheduled meeting was resumed.

MOTION was made and seconded to approve Ordinance 6-2022 Stormwater Management Ordinance. Motion unanimously carried.

Halfway Drive Bridge – Report sent to PaDOT 7/13/2022

The Township planned to use Liquid Fuels Funds for the repairs being made to the Halfway Drive Bridge. Because we planned to use liquid fuels funding, PaDOT must review the plans for structural adequacy. The township contracted with Steckbeck Engineering and Wilson Consulting Group, who is the County's bridge engineer, to do the structural design for the Halfway Drive Bridge. Wilson has now submitted the design plans to PaDOT for review. As part of the submission, Wilson Consulting is required to estimate the cost of the project. In October of 2021, for budgetary purposes, Wilson Consulting originally provided a ballpark estimated for the cost of the work, and for the Supervisors to decide direction for either a partial replacement or full bridge replacement. At the time the cost estimate for partial replacement was provided at \$100,000.00, with full bridge replacement at \$300,000.00. The cost estimate has now been increased because of the amount of substructure removal required, beam seat reconstruction, and amount of structure mounted guiderail occurring, which is greater than the comparison project used for the cost estimate. The new cost estimate submitted with the design to PaDOT is now \$231,000.00. However, James Wilson is stating that the relative difference between the partial and full superstructure replacements costs would remain.

This bridge is inspected on a biennial basis through the County liquid fuels bridge inspection program because of the span (22'). Immediate repairs were completed by township workers at the direction of the inspector from Wilson Consulting, Ed Brensinger, and Jared Balsbaugh with the understanding that we would proceed with plans for a partial or complete bridge replacement. James Wilson, Wilson Consulting and Seve Steckbeck, SESI have been working on the design of the bridge and required approvals before preparing bid specifications. Manager Grumbine stated we are now looking at using Liquid Fuels funding and because of the increase in projected cost, ARPA Funding too.

SWORN IN – NORTH LEBANON TOWNSHIP FIRE POLICE

Chairman Brensinger provide the Oath of Office to Thomas Jones and Coryn Foster as fire police for North Lebanon Township.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the meeting minutes from the 6/20/2022 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 – (Don Steiner, Sr, Weavertown Fire Co.)

A.) Monthly Summary – June 2022 Summary

The number of calls, responses, trainings, and aid for the month of June 2022 for all four volunteer fire companies in the Township was reviewed by Don Steiner, Sr.

PUBLIC HEARING –

At 7:28 PM the regularly scheduled Board Meeting was paused, and the Public Hearing for the County Garden 6-Pack Liquor License Amendment was opened.

This Liquor License transfer was presented in front of the Board of Supervisors in November of 2021. It was the application of P&S Country Garden 6-Pack Restaurant Inc. to transfer a Liquor License from 1600 W. Cumberland Street in North Cornwall Township to 2631 W. Cumberland Street in North Lebanon Township. The Board approved the transfer of the License at their November 15, 2021, meeting and adopted Resolution #16-2021. However there has now been a change to their application.

Solicitor Leonard opened the hearing and reviewed the legal advertising and publication date of the hearing in the *Lebanon Daily News*. Solicitor Leonard then turned the meeting over to Atty. Megan Ryland Tanner.

After the Board meeting held on November 15, 2021, her client purchased the property at 2631 W. Cumberland St. on November 18, 2021. After purchasing the property, the owner realized that the space was much larger than what they needed for their restaurant. The owner would now like to rent out a portion of the building which would be separate from the restaurant. About two-thirds of the building would be for Country Garden 6-pack and one-third for the second retail space. Per the Pa Liquor Control Board (PLCB) the rental space may not be rented out for religious services, a daycare, a school, or any individual or group who owns a Liquor License. The owner would like to have the restaurant open by late 2022 or early 2023.

Atty. Tanner mentioned they are working through the zoning permit issues and are not stalled out with the PLCB because of tonight's hearing. She mentioned that the final approval from the PLCB doesn't happen until all work is completed inside the building to confirm all their regulations are met by the owner before opening for business.

The license will cover the restaurant area, not the second retail store they are proposing tonight. There will be no outside seating. Outside seating was only created at their current business because of the COVID pandemic. That has now been removed. Any additional parking requirements for this second retail business will be provided and they intend to work with our zoning officer for compliance.

The public hearing was closed at 7:39 PM and the regularly scheduled meeting was resumed.

MOTION was made and seconded to reaffirm the previous adoption of Resolution #16-2021 regarding the Restaurant Liquor License #15063 transfer for Country Garden 6-Pack Restaurant from North Cornwall Township to North Lebanon Township location at 2631 West Cumberland Street. Motion unanimously carried.

COMMENTS FROM THE PUBLIC**A.) Mapledale Estates Final Subdivision Plan**

Mapledale Estates is located on the north side of E Maple Street approximately 1000 feet east of the intersection with N 8th Ave. The plan proposes the construction of thirty-eight (38) single-family residential lots, stormwater management facilities and other associated site improvements. The lots will be serviced with public water and public sewer.

The township received a clean letter dated January 27, 2022, from the Lebanon County Planning Department recommending the approval of the plan. The North Lebanon Township Municipal Authority approved sewer-related items at their September 2021 meeting. The Township Planning Commission recommended approval at their July 11, 2022, meeting.

The Township has received the following recorded documents:

- Declaration of Restrictive Covenants for Conservation
- Declaration of Covenants, Restrictions, and Easements for Mapledale Estates, A Planned Community
- Park and Rec Agreement – signed and paid with the Preliminary Plan

MOTION was made and seconded to approve The Mapledale Estates Final Subdivision Plan along with the BMP O&M Agreement, and the signed Land Development Improvement Agreement and Escrow, contingent on bonding being posted with the Lebanon County Planning Department/County Commissioners. Motion unanimously carried.

B.) Fire Police Vehicle

Lt. Lutz asked if any replacement vehicle was found for the unit taken out of service for the NLT Fire Police. The Board stated that they have not found a replacement vehicle to date and with the high prices for used vehicles right now, it will most likely take longer.

CHIEF OF POLICE REPORT

A.) Calls for Service.

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

B.) Monthly Code Enforcement Report (Brenner)

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

C.) Monthly Fire Police Activity Report

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

D.) Innocent Feeders – Dept. of Agriculture Permit Issued

The Township has received a copy of the Dept. of Agriculture license for Innocent Feeders and have been issued a Wild Animal Permit, which allows them to operate at the Lebanon Valley Mall. The Chief will now sign the Permit that was on hold since January 2022.

TOWNSHIP MANAGERS REPORT –Cheri Grumbine, Manager

A.) Municibid Items – 2003 Jeep Liberty; 1985 Hudson Trailer

The 2003 Jeep Liberty and the 1985 Hudson Trailer were placed on Municibid. The high bidders are as follows:

Item	High Bid	Bidder
2003 Jeep Liberty 4x4	\$7650.00	Gabriel Josephs – Allentown, PA
1985 Hudson Trailer	\$3100.00	Robert Bolea – Coraopolis, PA

MOTION was made and seconded to approve the sale of the 2003 Jeep Liberty to Gabriel Josephs for \$7,650.00, as the high bidder; and approve the sale of the 1985 Hudson Trailer for \$3,100.00 to Robert Bolea, as the high bidder. The Jeep Liberty and Hudson Trailer are to be

picked by noon on July 29, 2022. Payment must be in the form of certified check, money order, or cash prior to the release of the equipment. Authorization is provided to the Manager or Roadmaster to sign the required documents for the transfer. Motion unanimously carried.

B.) Tree Dedication – Lenni Lenape Park – Tree #12 Red Sunset Maple

Tree Dedication Agreement for Tree #12 – Red Sunset Maple at Lenni Lenape Park.

MOTION was made and seconded to approve the Tree Dedication Agreement with Judy Vogrin for Tree #12 at Lenni Lenape Park. Motion unanimously carried.

C.) Resolution #20-2022, Policy on Public Meeting Procedures and Guidelines (revised)

In 2012 the Board adopted a resolution outlining our policy on public meeting procedures and guidelines. We have updated the policy to comply with the recent changes to the Sunshine Act. Most notable is the change in the posting of the agenda within 24-hours prior to the meeting on our website and in our meeting room.

MOTION was made and seconded to adopt Resolution #20-2022 adopting the Policy on Public Meeting Procedures and Guidelines. Motion unanimously carried.

D.) Resolution #21-2022, Revised Fee Schedule

The proposed new fee schedule now includes a registration permit fee (\$10.00) for the updated Apiary Ordinance that was recently adopted. Depending on the zoning district of the property with the apiary, there is a requirement for a Conditional Use hearing before the Board of Supervisors. The current Conditional Use hearing fee is set at \$2,500.00, which has been for land development plans such as age-restricted communities, pocket neighborhood development, storage units in certain zoning districts, etc. These types of conditional use hearings have a high expectation of associated expenses. The Township is now proposing a lower conditional use hearing fee (\$750.00 deposit) for non-land development issues, such as an Apiary registration permit that is to be approved by the Board of Supervisors, through a conditional use hearing. We also added a small load (5-CY) of mulch to the greenwaste delivery services for \$45.00. Under Park & Recreation we have added an “Event” fee based on the Board’s recent direction for the event to be held at Lion’s Lake on July 30th. The house number signs also increased in price from \$20.00 to \$25.00 because of the increase in the material cost.

MOTION was made and seconded to approve Resolution #21-2022 adopting a new fee schedule for North Lebanon Township. Motion unanimously carried.

E.) Release of Fire Company Capital Reserve Fund for Glenn Lebanon

Glenn Lebanon had requested the release of \$30,000.00 from the NLT Fire Company Capital Reserve Fund for their first payment due in August. This payment is due at the time of arrival of their new apparatus which will arrive the end of August.

MOTION was made and seconded to approve the release of \$30,000.00 to the Glenn Lebanon Fire Company from the NLT Capital Reserve Fund in August when payment is required upon receipt of their new apparatus. Motion unanimously carried.

F.) Melody Lane Stormwater Basin Retrofit Completed

As part of the required MS-4 Pollution Reduction Plan, to meet regulations to reduce sedimentation, the basin off N. 8th Avenue at Melody Lane was re-designed through the

Consortium's engineer as a basin retrofit project. The work was performed by Township personnel in the fall of 2021 and the project was completed this past June. The BMP O&M Agreement will now be recorded, as stated in the Easement Agreement signed with the property owner in September 2021. The Consortium has agreed to reimburse the Township for all material-related costs associated with the project in the amount of \$7,609.12.

Supv. Snook commended the Township work crew for this work. The landowner is very grateful for the Township's help with this project and satisfied with the finished work.

G.) Drop-Off Site License – 2231 Lebanon Valley Mall (Green Education Foundation)

The Drop-off site at the Lebanon Valley Mall is up for the annual renewal of their license. The annual renewal application and fee have been provided to the Township.

MOTION was made and seconded to approve the 2022 Drop-off Site License renewal for the structure located at the Lebanon Valley Mall (Green Education Foundation). Motion unanimously carried.

H.) Fire Escrow – Practical Release Request for 1436-1438 N 7th Street

The owner of the property of 1436 and 1438 N 7th Street (duplex) has been working with Bob Mease, Code Enforcement Officer at the Lebanon County Planning Department since the fire damage that occurred on March 21, 2021. The side that was least affected has received a Certificate of Occupancy and the condemnation was lifted for 1436 N 7th Street. The duplex structure at 1438 continues to undergo repairs as it sustained most of the fire damage.

Per Township Ordinance, a fire escrow must be established by the insurance company with the Township when the property fire damage exceeds the amount as specified by statute of the Commonwealth of Pennsylvania.

As a result of Bob Mease issuing an occupancy permit for 1736 and assessing the percentage of the damage, which was not equally divided among the two properties, he is recommending that we release forty percent (40%) of the fire escrow to Mr. Howard (\$5,327.04) for the satisfactory completion of the repairs to 1436 N 7th Street. The other sixty percent (60%) to be released upon the satisfactory completion of the repairs to 1438 N 7th Street.

MOTION was made and seconded to release forty percent (40%) of the fire escrow for 1436 N 7th Street in the amount of \$5,327.04 to Mr. Howard. The remaining portion, sixty percent (60%), to be released upon a certificate of occupancy being issued by the Lebanon County Planning Department for 1438 N 7th Street. Motion unanimously carried.

I.) Moore Engineering Proposal – Mechanical and Electrical Engineering

To proceed with the HVAC upgrade project budgeted for 2022, Manager Grumbine reached out to Bob Hoffman, Architect. Mr. Hoffman worked with the Township on the 2005 building expansion design. In reviewing the project with him, he recommended that we work with Ken Kauffman, P.E., for mechanical and electrical engineering consulting services. Mr. Hoffman indicated that he would have worked with Mr. Kauffman to design the HVAC and electrical portion for our 2005 expansion project.

Mr. Kauffman reviewed the current units throughout the township building and has submitted a proposal to provide mechanical and electrical services associated with the proposed replacement

of the existing HVAC units. He has provided three project outlines and fees in his proposal as follows:

\$14,488.00 – Design Phase – Construction Documents (hourly not to exceed)
\$ 2,830.00 – Bid Support (hourly, not to exceed)
\$ 6,928.00 – Construction Support (hourly, not to exceed)
\$24,246.00 – TOTAL

The Supervisors questioned if there is any way to avoid this \$24,246.00 paperwork cost?

Solicitor Leonard explained that due to the cost of the project the township is required by law to bid it out. To bid the project, the township must create a bid specification. This project is for specialty work which the Township cannot draw up the specifications that are needed in order to bid the project. The township would like to hire Moore Engineering to create these bids specifications.

MOTION was made and seconded to enter into an agreement with Moore Engineering to draw up bid specs, to manage the bidding process, and construction management during the construction with the successful bidder for \$24,246.00. Motion unanimously carried.

J.) FASP Second Quarter Report and EMS Purchase Report

The Board was given a copy of the FASP Second Quarter Call Report and their EMS Purchase Report.

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

A.) Conditional Use for Apiary – Schedule Hearing

The Township has received an application for a conditional use hearing for the property at 1650 Parkway Dr for an Apiary Use in the R-1 Zoning District. This property owner does already have an existing Apiary Use and was registered with the Pa Department of Agriculture. The property owner is requesting that the hearing be held on September 19, 2022.

MOTION was made and seconded to schedule a Conditional Use Hearing for an Apiary Application for review for September 19, 2022, at 6:45pm . Motion unanimously carried.

B.) Delinquent Stormwater Accounts

Anyone who has not paid their 2022 Annual Stormwater Fee has now been turned over to the Solicitor for collections. Second and Final notices will be sent out shortly as required by statute.

COMMENTS FROM BOARD MEMBERS

A.) Acknowledgement of Employee Resignation – Bryan Heagy

MOTION was made and seconded to accept Bryan Heagy’s resignation letter as a full-time highway employee effective July 1, 2022. Motion unanimously carried.

B.) Lenni Lenape Walking Path – 3 Proposals

The Roadmaster received three proposals for paving the walking path extension at Lenni Lenape. A Marcellus Shale grant was received from the County Commissioners to cover a portion of our costs on this project. The written proposals are higher than anticipated for funding. Roadmaster Brensinger stated he would look at the overall project and will have a recommendation for the

Board at the August meeting. This item was tabled.

C.) Side Agreement with Police Association

MOTION was made and seconded to approve the Chairman to sign the Side Agreement with the Police Association on behalf of the Board. The Agreement resolves a recently filed grievance. Motion unanimously carried.

ADD-ON ITEMS IN THE LAST 24 HOURS

No items for deliberation or action by the Board were added to the agenda.

With no further business to discuss, meeting adjourned at 8:30pm.

Respectfully Submitted,

Erika Sheibley
Recording Secretary