

MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
August 15, 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
	Tim Knight	Chief of Police
	Amy B. Leonard	Henry & Beaver LLP
	Cheri Grumbine	Township Manager
Absent:	Arden Snook, Sr	Treasurer

Also, present was, Erika Sheibley, Recording Secretary, Attorney Stacy MacNeal with Barley Snyder representing 2203 West Cumberland St and Escambia Properties, LLC, and Mitch Kemp with Snyder Land Development Planning & Consulting representing 2203 West Cumberland St. 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:

Manager Grumbine announced that a meeting was held on July 20, 2022, to discuss a possible settlement of the Landmark appeal matter. Present was one supervisor, Township Manager, one Zoning Hearing Board member, legal counsel for the Township and Zoning Hearing Board, as well as representatives from Landmark.

COMMENTS FROM THE PUBLIC

A.) Mr. and Mrs. Lengel – Prescott Drive Noise Complaint

Mr. and Mrs. Lengel previously attended the May 16th Board meeting to make the Board aware of an ongoing noise issue at 205 Prescott Drive. The tenants at this property continue to use power and manual tools to repair semi-trailers and play loud music with bass directly across the street from their residence. 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. 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. The Township and Board members have visited this site and talked to the property owner to try and resolve this issue. The owner claims that location is the only place on the property that is supplied by 220v of electricity which is needed to power the welders. The Township Manager is currently working with the Township's Zoning Officer (LCPD) to see if this use is a permitted use for this property and determine non-compliance issues. Manager Grumbine suggested that the Board approve requesting the Zoning Officer to send a letter of violation based on this review to the property owners.

Chief Knight informed them to call the Police Department about the loud music next time it happens, and they will respond.

B.) 2203 W Cumberland St Preliminary/Final Land Development Plan

This plan is for a 3-tenant commercial building with a drive-through window. The proposed tenants are Starbucks, Verizon, and Jersey Mike's. There is no direct access onto SR422 from this property. The access into this property is on the property owned by the Lebanon Valley Mall. Per Township Solicitor Leonard, the property owner of 2203 W. Cumberland St must enter into an Access Easement Agreement with the Lebanon Valley Mall. The owner will also need to enter into an agreement with the LV Mall to obtain additional off-site parking as their site does not meet the minimum parking requirements for the 3-tenant building.

Township Manager Grumbine questioned how the off-site parking would be labeled so that drivers know which parking spaces are reserved for the tenants at 2203 W. Cumberland St and is not intended for use by the Lebanon Valley Mall visitors. Stacy MacNeal stated that signs or paint markings could be used to indicate that they are reserved for use by customers for 2203 W. Cumberland St. Sol. Leonard recommended that the employees use the off-site parking instead of the customers.

Mitch Kemp explained that the traffic pattern is counterclockwise. All traffic is one way and there is a drive-through lane that wraps around the entirety of the building to allow for a 16-car stack. All traffic will enter and exit through the mall parking lot. This site will be using pervious pavement for their Stormwater Management Facility. Supv. Brensinger questioned if test samples were done on this site. Mitch Kemp explained that test samples were taken and will continue to be taken throughout the construction site.

MOTION was made and seconded to recommend the approval of the requested waiver to Section 3.04 of the Lebanon County Subdivision and Land Development Ordinance requiring separate preliminary plan approval and to Section 314.A.13 of the Lebanon County Stormwater Management Ordinance to accept the offered blanket easement to the Township for 2203 West Cumberland St Preliminary/Final Land Development Plan. Motion unanimously carried.

MOTION was made and seconded to approve the sewage facilities planning module exemption for 2203 W Cumberland Street Preliminary/Final Land Development Plan. Motion unanimously carried.

MOTION was made and seconded to approve the Preliminary/Final Land Development Plan for 2203 W Cumberland Street contingent upon receiving

- Executed Developer's Agreement and Escrow
- Posting the Financial Security with the Township
- Executed Access and Parking Agreements with the Lebanon Valley Mall (to be recorded)
- Executed Stormwater BMP O&M Agreement (received at meeting)

Motion unanimously carried.

Solicitor Leonard stated for the record that the financial security to be posted with the township for the project is in the amount of \$311,595.15.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the meeting minutes from the 7/18/2022 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 – July 2022 Summary**

Chief Firestine was not present to present the Fire Chief’s Report. The Board reviewed a copy of the report.

B.) Lebanon County Fair – July 25th 6-8pm

Ebenezer Fire Company attended the Lebanon County Fair to represent the Lebanon County Fire Services with their new engine and Ladder 9 on July 25, 2022, from 6-8pm. Township Manager Grumbine asked the Board to ratify her approval of this non-emergency event for WC insurance purposes.

MOTION was made and seconded to ratify the approval of the non-emergency event attended by the Ebenezer Fire Company on July 25, 2022, from 6-8pm at the Lebanon County Fair. Motion unanimously carried.

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

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

B.) Monthly Code Enforcement Report (Brenner)

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

C.) Monthly Fire Police Activity Report

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

D.) Departmental Notes of Interest

Chief Knight noted two incidents that happened.

First being that Sergeant Koons and Officer Gross, with the help of a citizen, were able to apprehend a suspect who had stolen a 4-wheeler. The second was an incident where Officer Callaghan and Officer Himmelberger were able to apprehend a suspect on assault charges at Rutter’s in West Lebanon Township.

TOWNSHIP MANAGERS REPORT –Cheri Grumbine, Manager**A.) 904 Recycling Grant**

Bonnie Grumbine, Recycling Coordinator for North Lebanon Township, has completed the 904 Recycling Performance Grant application for the year 2021. The projected amount for our 2021 Tonnage is \$21,494.51. A memo from Ms. Grumbine provided the history of this grant for the Township based on the recycling efforts of our residents and businesses.

B.) FASP Funding for 2023-2025

On August 1, municipalities in Lebanon County using First Aid and Safety Patrol (FASP) services as their primary ambulance provider met to discuss their services and future financial support. This year is the last year of our original 3-year commitment to provide an annual allocation towards funding new equipment (ambulances) for FASP. Greg Smith and other FASP

representatives attended our April 6th joint meeting to update us on their progress, number of calls, types of calls, and to answer any questions from the Board members or the Fire Chiefs who also attended this joint meeting. Our past 3-year financial commitment was:

2020 - \$45,716.00 (\$4.00/Per Capita)

2021 - \$51,430.50 (\$4.50/Per Capita)

2022 - \$57,145.00 (\$5.00/Per Capita)

The group (City of Lebanon, Cornwall Boro, Townships of North Cornwall, North Lebanon, South Lebanon, West Cornwall, and West Lebanon) will continue to meet to discuss any concerns from the past three years and the needs of FASP going forward. Mayor Capello is spearheading the discussions and setting up the meetings. Mayor Capello has reached out to FASP to meet with us soon, so we are prepared for budget discussions in the upcoming months. Supervisor Heisey indicated that he would like to attend these meetings with Manager Grumbine.

C.) Release of Allocation to the Lebanon Valley Rails to Trails (LVRTT) from “Fees in Lieu of” Funds

The Township received a request from the Lebanon Valley Rails-to-Trails organization for a \$25,000.00 donation towards their plans to continue the trail through North Lebanon Township. Township Manager Grumbine is recommending that the Board approve this donation from the “Fees in Lieu of” fund. These monies are received from developers of residential development for the purpose of providing recreation in North Lebanon Township and are not tax dollars.

Supv. Brensinger informed Supv. Heisey that the trail runs from the tunnel behind the LV Mall to Long Lane, but he is unsure on how many miles, he thinks it is about three miles. There is also a trail head for parking off N. 25th Street at Hanford Dr. The Fees in Lieu of fund is for the purpose of recreation in North Lebanon Township and a walking trail would be considered recreation.

MOTION was made and seconded to approve the donation of \$25,000.00 from the Township’s Fees In Lieu of (FILO) Fund to the Lebanon Valley Rails to Trails non-profit organization for the expansion of the rail trail in North Lebanon Township. Motion unanimously carried.

D.) Tree Dedication – Lenni Lenape Park – Tree #12 Pin Oak

Tree Dedication Agreement for Tree #12 – Pin Oak at Lenni Lenape Park.

MOTION was made and seconded to approve the Tree Dedication Agreement with Nicholas Warren for Tree #12 (Pin Oak) at Lenni Lenape Park. Motion unanimously carried.

E.) 2023 Safety Grant Application

Lori Books, Assistant Township Manger has prepared the 2023 Safety Grant Application which is offered by Susquehanna Municipal Trust (Benecon), for our Workers Comp Insurance. Items requested for this grant must be for the safety of the employee. The application is for a manhole cover lift and a poly drive drum truck which will help to alleviate back strain while moving 55-gallon drums of oil. Also requested are intrinsically safe flashlights for each vehicle, latex gloves, and the “Bug Bite Thing” which removes the irritant and prevents itching from a variety of insects such as mosquitos. The total cost of these items is \$3,000.00 with \$1,500.00 requested from the grant, which is the maximum grant amount. A 50% match of \$1,500.00 to be paid by the Township.

MOTION was made and seconded to ratify the approval of the submission for the 2023 Safety Grant Application to Susquehanna Municipal Trust (Benecon) which was due on August 12, 2022. Motion unanimously carried.

F.) Ebenezer Beautification Committee Request to use Lion’s Lake parking lot at Dam Breast for BBQ Fundraiser – Sept. 14th

The Township received a request from the Ebenezer Beautification Committee to use the parking lot at the Lion’s Lake dam breast at SR72 and Jay Street to hold a BBQ Fundraiser on September 14th from 8am to 6pm. The request was only received on August 4th, after the Park & Recreation Board meeting. The Park & Recreation Board has recommended the approval of using the parking lot in the past for fundraising events by this committee and there has never been any issues.

MOTION was made and seconded to approve the use of the Lion’s Lake parking lot at the dam breast for their BBQ fundraiser on September 14th from 8am to 6pm. Motion unanimously carried.

G.) Sale of items under \$2,000.00

The Township placed a 4-person metal glider swing and an Epson Power Lite 1761W LCD projector on Municibid. The high bids were as follows:

\$410.00 4-person metal glider swing	– Wesley Foltz
\$122.00 Epson Power Lite 1761W LCD projector	– Andrew Steenburg

Manager Grumbine authorized the sale of these items, per Resolution #16-2022. No action was required by the Board.

H. Zoning Amendment – Escambia Properties (1675 & 1677 Grace Ave)

The Township received a petition for a zoning amendment from Escambia Properties, LLC. They have an agreement of sale for 1675 & 1677 Grace Avenue. Both properties are currently zoned Rural Residential. The request is to rezone both properties to Low Density Residential. The Planning Commission made a recommendation to approve the request at their August 8th meeting.

Manager Grumbine recommended January or February for this hearing. Supervisor Heisey suggested the January 16th meeting in 2023. The legal counsel for Escambia Properties, Stacy MacNeal, noted their concern, as they are under contract and there is a due diligence time period for this contract. If the hearing for this matter is next year it could have an impact on their ability to be able to maintain this contract. They would like the Board to consider a meeting sometime this fall.

Solicitor Leonard confirmed to the Board the Township is not obligated to hold a public hearing for a rezoning change within a set time. Manager Grumbine stated this property does not need to be rezoned in order to be developed. It is possible to develop as the current Rural Residential zoning district without the change to Low Density Residential zoning.

MOTION was made and seconded to tentatively schedule the public hearing for the zoning amendment request from Escambia Properties, LLC for January 16, 2023. Motion unanimously carried.

SOLICITOR'S REPORT; Solicitor Amy B. Leonard -- Henry & Beaver**A.) 1715 E. Cumberland St – Appeal to ZHB**

This item was tabled.

B.) Accept Dedication of Streets – Homestead Acres Phase 4 – Resolution #22-2022.

The developer, Mount Ventures, LLC, dedication of streets located in Phase 4 of Homestead Acres. Phase 4 includes portions of Harvest Drive, Hunters Chase Lane, Lochwood Drive, and Rolling Meadow Road. The engineer has reviewed all legal exhibits. The developer has also signed a Maintenance Guarantee Agreement, which guarantees that the developer will repair anything inside the 50ft right-of-way if there are any workmanship issues within 18 months of the date of dedication. These roads will be added to the liquid fuels map for the Township. Sol. Leonard has reviewed a copy of the letter of credit that they intend to post, and it meets all legal requirements.

MOTION was made and seconded to adopt Resolution #22-2022 accepting Harvest Drive, Hunters Chase Lane, Lochwood Drive, and Rolling Meadow Road located in Homestead Acres Phase 4 contingent on receiving the original letter of credit. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.) Lenni Lenape Walking Path**

Supv. Brensinger stated he decided the Township will be renting equipment and purchasing the materials needed to complete this project inhouse instead of bidding the project. The paving of the walking path is to be completed either in Fall this year or early next Spring.

B.) Lenni Lenape Parking Lot Paving

Supv, Brensinger noted that the parking lot at Lenni Lenape is tentatively scheduled to be paved this Wednesday, August 17, 2022.

C.) Slip-lining Project

Supv. Brensinger discussed a sample 18” and 42” round stormwater pipe slip-lining structure that was in the meeting room to explain this project to everyone. The township has been slip-lining various sizes of stormwater pipes in the township this year. The projected life of this material is 50 years and is a good alternative to complete replacement of these stormwater pipes.

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 8:10pm.

Respectfully Submitted,

Erika Sheibley
Recording Secretary