

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
September 19, 2022**

The special scheduled meeting of the North Lebanon Township Board of Supervisors commenced at 6:45 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, 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.

**Conditional Use Hearing – Apiary**

**MOTION** was made and seconded to open the Conditional Use Hearing. Motion unanimously carried

Supv. Brensinger turned the meeting over to Solicitor Leonard.

Solicitor Leonard stated it was discovered by the township prior to the Conditional Use Hearing that was scheduled for tonight, that there was a procedural defect, the property was not posted. This was an oversight, and it was communicated to the property owner at 1650 Parkway Dr., who is the conditional use applicant in this case. Due to the procedural oversight, we have asked the applicant if they would be willing to continue this hearing and the applicant is in agreement. This matter is being continued tonight and the Conditional Use Hearing will be held November 21, 2022, at 6:45pm. There will be no testimony or other evidence presented tonight.

At this time, the Conditional Use Hearing was closed.

At 7:00pm the regularly scheduled Board meeting was called to order.

**ANNOUNCEMENT:**

**A.) Life Saving Award – Officer Hilbert**

Chairman Brensinger announced Officer Hilbert and his family were staying at a hotel while visiting their son at college. While at the hotel Officer Hilbert found an unconscious male sitting by the hotel pool. He calmed the crowd of people and directed someone to call 911. He then placed the subject on the ground and assessed his symptoms. He realized that the subject was having a heart attack and provided C.P.R. As a result of Officer Hilbert's training, experience, and quick response to this medical emergency he was able to resuscitate the victim. The victim wanted to go back to his hotel room. Officer Hilbert escorted and insisted he get into the ambulance. The victim had a second heart attack in the ambulance and a major heart attack while in the hospital.

Officer Hilbert learned from the victim's girlfriend he survived. If Officer Hilbert did not perform C.P.R and insist he get into the ambulance the subject would not have survived his medical condition.

At this time, Chairman Brensinger provided Officer Hilbert with the Life Saving Award and congratulations were provided by all Board members.

**B.) Chairman Brensinger announced there was an executive session by the Board held on August 31, 2022, at 9:00 am to discuss a personnel issue.**

**C.) Chairman Brensinger announced that there was an executive session by the Board held on September 16, 2022, at 9:00a.m. to discuss strategy and negotiations related to the police contract.**

**D.) Logan Cresswell from Troop 439 Eagle Scout**

Chairman Brensinger welcomed Logan Cresswell and stated that he is attending the meeting to earn a merit badge.

### **COMMENTS FROM THE PUBLIC**

**A.) Karen Simpson (and neighbors) – Emma Rd Truck Traffic and other Walmart Concerns**

Karen Simpson presented a petition to the Board signed by all the neighbors on Emma Rd requesting that truck traffic be prohibited on Emma Rd. Ms. Simpson and her neighbors described multiple different incidents that they have encountered with Werner trucks on Emma Rd and Elias Ave that are trying to get to the Walmart Warehouse. Supv. Brensinger explained that if they post Emma Rd for no truck traffic that means that Reazer's trucks would not be permitted to use Emma Road as well as any semi-trucks going to farms located on Emma Rd.

Donnie Daub stated that the trucks that are using Emma Rd and Elias Ave are all Werner trucks, and the drivers claim that their company tells them what route to take and that they are not allowed to deviate from that route. They have caused damage to his property multiple times. He had to move his fence posts back four feet to avoid trucks hitting them. At one point one of the trucks took out a telephone pole pulling wires down and the driver did not even notice

The Board informed the residents that they will email the Walmart representative and request that they tell Werner Carriers to change their route to direct trucks to stay on Russell Rd and to avoid Emma Rd and Elias Ave. Any resident who wishes to be included in the email was requested to provide their email address on the attendance sign-in sheet.

Mrs. Simpson asked if there was a way to reduce the speed limit to 25mph instead of 40pmh as the road has multiple 90 degree turns and used daily by farm equipment and there is a hearing-impaired child who lives on Emma Rd.

Supv. Brensinger explained that a traffic study must be completed to support a change to the speed limit and also the posting of no trucks or limiting the length of trucks. The study can take several months to complete. Should the study support the speed limit reduction, or "no truck" signage, an amendment to the ordinance is required for enforcement.

When asked, Supv. Brensinger informed Mr. Daub that currently there is no weight restriction for the Emma Road bridge. All bridges in the township are inspected on a bi-annual schedule by a

professional bridge inspector. Any weight restriction must be designated by the professional bridge inspector based on the structural integrity of the bridge.

The residents requested that the Township reach out to Walmart and/or Werner trucking to have them change their route to the warehouse to direct trucks to stay on Russell Rd to Heilmandale Rd.

Ernie Thompson expressed his disappointment with the Township and Rails-to-Trails and asked for better communication regarding resolution to their concerns. Lisa Doll's property is getting extra water from the Walmart property and a trench was supposed to be dug to divert the water. Supv. Brensinger apologized and stated he will have this task completed before the next meeting.

Lisa Doll stated that she went to Penntex (contractor) because the plans show that there should be trees between her property and Walmart but was told by Penntex that they cannot plant trees because her property is in the emergency spill way. How are they allowed to have a spill way that is directed towards someone's property. Several neighbors expressed their concern regarding the ongoing noise because of the jockey trucks moving trailers around all night. Walmart has now gone 24/7 with their operation. Supervisors agreed to ask Walmart to look into ways to reduce the noise level over-night for the neighboring property owners.

Ms. Doll also mentioned about foam in the runoff water from Walmart and that one of their swales is not draining. Supv. Brensinger stated that the Township will look into what the foam is and will take a water sample.

Ms. Meily explained that trucks are mistaking the farm lane at the Simpson's property as an extension of Emma Rd as the lane shows up as part of Emma Rd on GPS. She asked if there is any way to remove this lane from GPS. Supv. Brensinger informed her that he does not know how to have it removed as the farm lane was never dedicated as a township road and should not show up as an extension of Emma Rd.

Leonard Leffler questioned why the township has not put the Cul-de-sac in Elias Ave so that cars can turn around instead of turning around in peoples' driveways and yards. Stating that Walmart paid the Township to do the work. Supv. Brensinger corrected Mr. Leffler stating that Walmart did not pay the township to build the cul-de-sac. The developer only dedicated the land to the Township. Walmart did not provide any monies towards the construction of a cul-de-sac. This would be up to the township to construct.

Mr. Leffler stated he must spray his hay field three times a year now since Walmart went in as they are not maintaining their property on the south side of the designated wetland area. The weeds grow up to four feet high allowing the seed to blow into his hay field. These weeds can be very deadly to his livestock.

The Supervisors thanked those in attendance for their comments and suggestions. The Board agreed to include those individuals that have provided their email address on the attendance sign in sheet tonight on future communications with Walmart.

### **B.) Bob Reazer – Elias Avenue**

Mr. Reazer voiced his concerns about the \$25,000.00 contribution that was released from the Fees in Lieu of Fund to the Lebanon Valley Rails to Trails for the expansion of the trail. The Supervisors explained that the Fees in Lieu of fund is money that the township receives from developers of

residential development and is used for providing recreation in North Lebanon Township. The Lebanon Valley Rails-to-Trails will use the money donated to extend the trail through North Lebanon Township. The Board of Supervisors all stated that the money was not allocated for acquisition of a specific property but to extend the trail in North Lebanon Township.

### **C.) Concerns pertaining to Rails-to-Trails**

Cynthia Meyer and Karen & William Simpson voiced concerns about multiple trespass issues since the trail was put in by their properties. Ms. Meyer also expressed her concerns regarding communications between the Rails-to-Trails organization and the property owners.

Ms. Meyer stated that she was told by Manager Grumbine that they can only be given a warning because no regulations were adopted by the township for the rail trail. She expressed that it has been almost 2 years since Mr. Wengert stated that the Rails-to-Trails will create Rules and Regulations for the trails so that the police can enforce the trail in North Lebanon Township. Chief Knight informed them that this was the policy of the previous Chief. If the property is posted no trespassing and someone is trespassing on the trails at night or on private property that they need to call the police department and an officer will respond and the person will be cited.

Ernie Thompson expressed concerns with trees on the Rail-to-Trails property falling onto this property and Rails-to-Trails not cutting them down as not to damage his property. Supv. Brensinger explained that this is a civil matter between property owners. The Township has no authority to step in when a tree falls from one property onto a neighboring property.

Tod Dissinger,– asked the chairman if he was allowed to address the residents’ concerns pertaining to the Rails-to-Trails. Chairman Brensinger requested that Mr. Dissinger not address the residents during the meeting, as the board has numerous agenda items that they must complete tonight. He would appreciate that Rails-to-Trails address the residents’ concerns at another time.

### **APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the meeting minutes from the 8/15/2022 and 8/24/2022 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 – Allen Firestine, Chief Rural Security Fire Co**

#### **A.) Monthly Summary – August 2022 Summary**

Unfortunately, Chief Firestine had to leave the meeting before reviewing his report with the Board. A copy was provided ahead of time and there were no questions from Board members on the report.

### **CHIEF OF POLICE REPORT**

#### **A.) Calls for Service.**

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

**B.) Monthly Code Enforcement Report (Brenner)**

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

**C.) Monthly Fire Police Activity Report**

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

**D.) Departmental Notes of Interest**

Officer Innocent, with the help of Lebanon County Probation, was able to apprehend a suspect who had stolen puppies' worth approximately \$11,000.00. Officer Innocent was able to return the puppies back to their owner.

**E.) Ebenezer Annual PTA Walk-A-Thon – 10/07/2022 9:00 a.m. – 3:00 p.m.**

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 October 7<sup>th</sup>, 2022, from 9:00 am to 3:00 pm, rain date October 14<sup>th</sup>. Motion unanimously carried.

**TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager****A.) Proposed 2023 Budget Meeting Dates**

1. Tuesday October 11<sup>th</sup> at 3:00pm
2. Monday October 17<sup>th</sup> after regular Board Meeting
3. Thursday October 20<sup>th</sup> at 3:00pm
4. Wednesday October 26<sup>th</sup> at 3:00pm
5. Wednesday November 2<sup>nd</sup> at 6:00pm

**MOTION** was made and seconded to advertise the Budget meeting dates and time as listed above. Motion unanimously carried.

**B.) Authorization to Advertise for Bids**

The Township received the bidding specifications for the HVAC upgrade project from Ken Kauffman, PE, Moore Engineering Co. Our projected timeline from advertisement to award of bids is suggested as follows:

09/19/2022 – Authorization by the Board to Bid Project (9/23 & 9/28/2022 Advertisement dates)  
10/03/2022 – 3:00pm Pre-bid Meeting  
10/12/2022 – 10:00am Bid Opening  
10/17/2022 – Review and Intent to Award Bid at Board Meeting

There is additional electric work because of the change of HVAC unit for the police crime lab, evidence room, and workout area. Therefore, this electrical work must be bid separately per regulations. The project is subject to the PA Prevailing Wage Act and those wages are included in the bid packet. This project was budgeted with the funds from the ARPA Fund in 2022 and will be carried over into the 2023 Budget as there is a lengthy lead time on the units.

**MOTION** was made and seconded to authorize the Township to advertise for the Bid of the HVAC Project. Motion unanimously carried.

**C.) Request from Weavertown Fire Company – Release of \$30,000.00**

The Township received a letter dated for September 13, 2022, from Weavertown Fire Company requesting the release of \$30,000.00 from the NLT Fire Company Capital Reserve Fund to be used in combination with other fire company funds to make their annual loan payment for the 2019 Seagrave Rescue Engine. Their annual payment is in the amount of \$49,688.04 (principal and interest).

**MOTION** was made and seconded to release \$30,000.00 from the NLT Fire Company Capital Reserve Fund to Weavertown Fire Company to be used in combination with other fire company funds to make their annual loan payment in the amount of \$49,688.04 for their 2019 Seagrave Rescue Engine. Motion unanimously carried.

**D.) Request from Weavertown Fire Company – Roll Curb Removal at Fire Station and Fire Engine Storage**

The Weavertown Fire Company members recently approved a proposal from Martin Paving for improvements to their driveway and parking lot in the amount of \$33,505.00. The Martin's Paving proposal also includes the removal of approximately 44 SY of concrete roll curb at the fire station approach off Suzy Street. The cost of this line item is \$3,555.00.

North Lebanon Township is the owner of the land that houses the fire station, which was acquired from CDBG (Community Development Block Grant) funding through the Lebanon County Redevelopment and Housing Authority. The grant included construction of the public water and sewer line to the property. The Township also determined the type and location of the roll curbing along the frontage of this property owned by the Township.

The Township received a letter of request from Chief Don Steiner, Jr., asking the Board to consider covering the cost of this roll curb removal. The fire company had previously requested removal but was denied by the Supervisors at that time. Milling a portion of the height of the curb and filling in the bottom half to make the curb more user friendly for the fire apparatus was previously done by the Township. Over the years this curb patch has fallen to pieces.

The Fire Company also asked Chairman Brensinger if the Supervisors would agree to temporarily house their fire engine during the time this work is being completed by Martin Paving. The firefighters would need access to the garage where housed, as they will run their calls from the Township building.

**MOTION** was made and seconded to approve the roll curb removal at the fire station and for Weavertown Fire Company to temporary store their responding apparatus in one of the bays at the municipal building. Motion unanimously carried.

**E.) 2023 Safety Grant Award – SMT**

The Township had received notification that we have been awarded the 2023 Safety Grant in the amount of \$1,500.00 for the purchase of the following items:

1. 4 Manhole lid lifters
2. 1 Poly driven drum truck stand
3. 16 Intrinsically Safe Flashlights
4. 20 “Bug Bite Things” for Insect Bites
5. 4 Boxes of Latex Gloves (Large)
6. 4 Boxes of Latex Gloves (X-Large)

The total cost of these items is \$3000.00. The grant from Susquehanna Municipal Trust (workers’ compensation self-insured trust) is for 50% with a maximum grant award of \$1,500.00.

**F.) Wilson Consulting Update for Halfway Drive Bridge Project**

The Township received an email and letter from Steckbeck Engineering and Wilson Consulting Group showing confirmation of PaDOT’s Structural Adequacy Approval. We continue to wait for the bog turtle screening clearance before submitting the GP-11 permit registration to DEP.

**SOLICITOR’S REPORT; Solicitor Amy B. Leonard -- Henry & Beaver****A.) 1705 Rear and 1715 E. Cumberland St – Enforcement Appeal to ZHB-10/6/2022.**

The Township Zoning Officer issued enforcement notices to the property owner of 1705 Rear and 1715 E Cumberland St. An appeal has been filed and is scheduled to go before the Zoning Hearing Board on October 6<sup>th</sup> at 6:00pm. Any Supervisor is able to testify if he wishes but Solicitor Leonard is not urging the Supervisors to testify at this time.

**COMMENTS FROM BOARD MEMBERS****A.) Diamond-Tex® (2 Scoops) to Ebenezer Baseball Association**

Ebenezer Baseball association is redoing the baseball field off Jay St. They stripped the topsoil and realized that they needed Diamond-Tex® to rebuild the field. There was Diamond-Tex® at the township building. Ebenezer Baseball wanted to finish their field project. The Board agreed to allow the Ebenezer Baseball Association to use the pile of Diamond-Tex® that is at the Township building.

Supv. Snook question if the Township would purchase more Diamond-Tex® if the Baseball Association needed more than what is available at the township? Supv. Heisey stated that if the Baseball Association needs more than what the Township has on hand that the Association should purchase it at their cost.

**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 9:17pm.

Respectfully Submitted,

Erika Sheibley  
Recording Secretary