

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

Due to the Conditional Use Hearing held at 6:45 PM, the regularly scheduled meeting of the North Lebanon Township Board of Supervisors did not start until 7:25 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

Absent:	Cheri Grumbine	Township Manager
---------	----------------	------------------

Also, present was, Erika Sheibley, Recording Secretary, Keegan Flahive and Josh Skinner with Steckbeck Engineering, Doug Stump, *Lebanon Daily News* reporter, Emily Bixler, *LebTown* reporter, and members of the public.

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

ANNOUNCEMENT: Chairman Brensinger announced that Executive Sessions were held on 11/4/2022 and 11/8/2022 at 8:00 AM to discuss Police Contract Negotiations.

COMMENTS FROM THE PUBLIC

A.) MS-4 Annual Education Review – Keegan Flahive & Josh Skinner; SESI GIS Asset Management

Part of the MS-4 program requirement is public education. Mr. Flahive provided an annual presentation for the public to inform them about how GIS mapping can be used for MS-4. Mr. Skinner showed the Board and the public a new website they are creating. This website would allow residents to report any MS-4 issues throughout the township.

B.) Robert Reazer – Water runoff from Walmart

Mr. Reazer questioned if the burden of proof is his responsibility? He was informed that the burden of proof would be his responsibility. Mr. Reazer stated he is looking for contact information for the property owner, developer, and contractor for the Walmart warehouse at 1625 Heilmandale Rd. Solicitor Leonard informed him that the township can provide him with that information and if he wishes to send anything to the Supervisors, he can send it to the township building.

C.) Ernie Thompson Traffic Signal on Heilmandale Rd and State Route 72 N

Mr. Thompson stated that on Thursday morning he sat at the traffic light at the intersection of Heilmandale Rd and State Route 72 N for 9 minutes waiting for the light to change.

North on State Route 72 turning left onto Heilmandale is very difficult. There is a left turn lane from 72 N onto Heilmandale but there is no turn signal light. The only way to get through that intersection is to drive out into the intersection and wait for the light to turn red to turn.

Both Heilmandale Rd and State Route 72 N are PaDOT roads. The Township had suggested a turn

signal at the intersection during the scoping meeting however, since it is PaDOT road the township can only make suggestions.

Supv. Brensinger informed everyone that this signal is triggered by radar and the radar may not be directed at the right location to trigger the signal to change.

D.) Lisa Doll – Meeting with Walmart 11/22/2022 at 2:00 PM

Ms. Doll had a few questions about the special meeting tomorrow with Walmart.

E.) Michael Reilly – Radar Monitor Signs

Mr. Reilly questioned if Radar Monitor Signs are illegal. Chief Knight informed him that Radar Monitor Signs are not illegal, and that the township is planning to purchase two of these signs to place throughout the township.

F.) Speeding on Beta Avenue and Sholly Avenue

A resident informed the Board with concerns of speeding on Beta and Sholly Avenue.

G.) Water Pressure on Beta Ave

A resident from Beta Avenue asked whom he should complain to about his water pressure. Supv. Brensinger responded the public water system is owned by the City of Lebanon Water Authority. As long as the City is meeting the State minimum for water pressure, which they are, there is nothing that can be done by the township. Supv. Snook suggested purchasing an electric pump to help increase pressure.

APPROVAL OF MINUTES

The meeting minutes from the 10/17/2022 Supervisor’s meeting, and the 10/11/2022, 10/17/2022, 10/20/2022, 10/26/2022, and 11/02/2022 Budget meetings are ready for action.

MOTION was made and seconded to approve the meeting minutes from the 10/17/2022 Supervisor’s meeting, and the 10/11/2022, 10/17/2022, 10/20/2022, 10/26/2022, and 11/02/2022 Budget meetings. 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 – October 2022 Summary

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

CHIEF OF POLICE REPORT

A.) Calls for Service.

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

Supv. Snook questioned if the number of accidents for October is higher than average.

Chief Knight informed him that this is normal as accident rates increase with bad weather.

B.) Monthly Code Enforcement Report (Brenner)

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

Supv. Brensinger questioned if Dollar General was the property that was condemned. Chief Knight informed him that Dollar General is condemned.

C.) Monthly Fire Police Activity Report

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

D.) Contract with Lebanon County Humane Society 10/1/2022 to 9/30/2023

The Board was provided with a copy of the new contract with the Lebanon County Humane Society. The contract starts on October 1, 2022, to September 30, 2023.

MOTION was made and seconded to renew the contract with the Lebanon County Humane Society for 10/1/2022 – 9/30/2023. Motion unanimously carried.

E.) Donation of Bikes to Marine Toys-for-Tots Program

The police department reported 9 bikes that they would like to donate. Per Resolution 8-2000, the Police Department is asking the Board to approve donating the 9 bikes to the Marine Toys-for-Tots Program. These are bikes that they police department has collected over the year. Any broken bikes are fixed by Mr. Gingrich before they are donated to Toys-for-Tots.

MOTION was made and seconded to donate 9 bikes in accordance with Resolution #8-2000, to the Marine Toys-for-Tots Program. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT – Lori Books, Assistant Manager**A.) Proposed 2023 All-Funds Preliminary Budget Presentation**

The Board and those present received a paper copy of the presentation of the Proposed 2023 All-Funds Preliminary Budget.

Assistant Manager Books went through the 25-page handout with a Power Point presentation. No tax increase is proposed for 2023. A history of the township's millage rate, assessment value, and EIT revenue was reviewed. All Funds of the township along with their projected revenues and expenditures, with specific highlights on capital purchase was reviewed.

At this time, Supv. Brensinger presented Assistant Township Manager Books with a "Conflict of Interest" abstention memorandum.

The CPA Firm appointed by the Board replaces the elected auditors only to the extent that a financial audit is performed. The elected auditors set the compensation of the Supervisor/Employees and approving of their benefits. Supv. Brensinger completed a Conflict-of-Interest form because the budget contains wages and benefits that pertain to him as a Supervisor/Employee. However, he does not set his own wages and benefits, they are determined by the elected auditors. The State Ethics Commission which indicates that a Supervisor/Employee identifies a conflict of interest and produces the required abstention form and submits it to the Township secretary then that Supervisor/Employee may vote on the issue at hand. In this case the issue would be the 2023 Township Budget.

MOTION was made by Supv. Heisey and seconded by Supv. Snook to approve the preliminary budget for 2023 and advertise the availability of the proposed budget for inspection in the administrative office. Motion carried with two votes in favor and Supv. Brensinger abstaining from a vote.

B.) Resolution #23-2022 Intent to Appoint CPA firm to Replace Elected Auditors

Resolution #23-2022 states that the Board intends to appoint a CPA firm to replace the Elected Auditors. An advertisement will be placed in the *Lebanon Daily News* announcing that this appointment is expected to take place at the Organization Meeting scheduled for January 3, 2023.

MOTION was made and seconded to adopt Resolution #23-2022 stating the intent to appoint the CPA firm of Brown, Schultz, Sheridan & Fritz (BSSF) to replace the elected auditors of North Lebanon Township, Lebanon County, for the purpose of examining all the accounts of the Township for the calendar year 2023. Motion unanimously carried.

C.) Appointment to Safety Committee – Tom Camasta as Wastewater Representative

Assistant Township Manager Books recommended that the Board appoint Tom Camasta as the Wastewater representative on the NLT Safety Committee for the remainder of the year to fill a vacant spot.

MOTION was made and seconded to appoint Tom Camasta as the Wastewater Department representative on the NLT Safety Committee for the remainder of 2022. Motion unanimously carried.

D.) Resolution #24-2022 PA Small Water and Sewer Grant Application and Letter of Commitment for Stormwater Grant Application

Roadmaster Brensinger has been working with the staff at Steckbeck Engineering to complete a PA Small Water and Sewer Grant Application. The township is requesting \$500,000.00 for stormwater upgrades for slip-lining. The application requires the adoption of a Resolution and a Letter of Commitment from the Supervisors. Resolution #24-2022 and the Letter of Commitment have been prepared for Board approval. The township must match 15% of the grant (\$75,000.00). This will come out of money in the Stormwater fund that has already been budgeted for in 2023.

MOTION was made and seconded to adopt Resolution #24-2022 requesting a PA Small Water and Sewer Program grant from the Commonwealth Financing Authority to be used for the North Lebanon Township Stormwater Pipe Rehabilitation Project. Motion unanimously carried.

MOTION was made and seconded to approve the signing of the Letter of Commitment to DCED pledging matching contributions of at least 15% for the North Lebanon Township Stormwater Pipe Rehabilitation Project. Contribution expected to be at least \$75,000.00. Motion unanimously carried.

E.) Ebenezer Fire Company Box Card Updates

The township received an email from John Wilson with the Lebanon County Department of Emergency Services (LCDES) requesting municipal approval to implement the changes to the Ebenezer Fire Company's updated FD Box Cards.

MOTION was made and seconded to approve the Ebenezer Fire Company’s updated box cards. Motion unanimously carried.

F.) Ebenezer Fire Company Additional Non-Emergency Activities for November and December

The township received an email stating that Ebenezer Fire Company will have a fire truck in the holiday parade on November 19th. Ebenezer is also planning to participate in the Toys-for-Tots drive to be held on November 26th, December 3rd, and December 10th.

MOTION was made and seconded to approve the Non-Emergency Activity dates for the Ebenezer Fire Company of November 19th, November 26, December 3rd, and December 10th. Motion unanimously carried.

G.) Tree Dedication #14 at Lenni Lenape

Tree Dedication Agreement for tree #14 - Flashfire Sugar Maple at Lenni Lenape.

MOTION was made and seconded to approve the Tree Dedication Agreement with Margaret Fortna for tree #14 at Lenni Lenape Park. Motion unanimously carried.

H.) DCNR Grant Agreement - Land and Water Conservation Fund

The township has received the Grant Agreement from DCNR (Community Conservation Partnerships Program (C2P2) and the Land & Water Conservation Fund (LWCF). Per the Board’s previously adopted Resolution #7-2021 adopted on 3/15/2021, Manager Grumbine has signed the agreement on behalf of the Township. The township is holding a kick-off meeting with staff from SESI on December 1st to review the project guidelines to move forward on this project.

I.) Scoping Meeting with PaDOT for NLT Warehouse & Trailer Storage

The Scoping meeting was held on November 9, 2022, regarding the proposed NLT Warehouse & Trailer Storage project on E. Cumberland Street (SR422). Present were representatives with PaDOT, Lebanon County Planning Department, Inch & Company, Steckbeck Engineering, Traffic Planning and Design (TPD), North Lebanon Township and Rettew Associates (Twp Traffic Engineer). Minutes from this meeting were provided to the Board.

Supv. Brensinger explained that the township did express their concerns with PaDOT during the scoping meeting.

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

A.) 2203 W Cumberland St Land Development Plan Contingencies

The Board conditionally approved this plan at their August 15, 2022, meeting. The outstanding Agreements and Financial Security has now been received by the Township and are ready for the Board to approve.

MOTION was made and seconded to approve the Developer’s Agreement, BMP O&M Agreement, and Financial Security for the 2203 W Cumberland St Land Development Plan. Motion unanimously carried.

B.) Resolution #25-2022 Act 57-2022 – Property Tax Penalty Waiver Provisions

Act 57 of 2022 Amends the Local Tax Collection Law, providing for new homeowners to receive

a waiver from the property tax penalty charges if they did not receive a bill notice within their first year of owning the property. The act also requires all municipalities to adopt a resolution or ordinance directing their tax collector to implement the act's provisions for the tax years beginning on or after January 1, 2023.

MOTION was made and seconded to adopt Resolution #25-2022 for Property Tax Penalty Waiver Provisions. Motion unanimously carried.

C.) Resolution #26-2022 Second Amendment to the Intergovernmental Cooperation Agreement (Stormwater Consortium)

The Consortium has requested that amendments be made to the agreement. The first change is to extend the Pollution Reduction Plan deadline from December 31, 2023, to December 31, 2024. The second change is to allow the Consortium to place money into a PLGIT account to earn interest on stormwater funds. Every entity that is part of the Consortium must adopt a similar resolution.

MOTION was made and seconded to adopt Resolution #26-2022 to amend the Intergovernmental Cooperation Agreement for the Stormwater Consortium. Motion unanimously carried.

D.) Curb and Sidewalk Ordinance

Solicitor Leonard has prepared a draft Curb and Sidewalk Ordinance for the Board to review.

This Ordinance will set specific standards for curbs and sidewalks in the township. It also outlines the responsibility of property owners for maintaining curbs and sidewalks.

E.) Pertinent Matters – HVAC Contracts

At the Boards October 17th meeting, the Notice of Intent to award the contracts to the low bidders was approved. The contracts for the mechanical and electrical for the HVAC Project have now been received and are ready for the Board to execute.

MOTION was made and seconded to authorize Supv. Brensinger to sign the mechanical and electrical contracts for the HVAC Project. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS

A.) Long Lane Fields owned by the Township

Supervisor Heisey stated that New Covenant Christian School has reached out to the township requesting to acquire land adjacent to the school from the township. New Covenant Christian School is looking to purchase the land at 2154 Long Ln from the Township. The property has been appraised however, no agreement of sale has been signed at this time. The school has agreed to work with the Ebenezer Baseball Association to allow them to continue to use the teener baseball field located on the property if the school does purchase this land from the township. If purchased the school intends to turn the old football field into a soccer field. The Board felt that this information needed to be made public before continuing any further with the sale. Again, there is no formal agreement of sale for this property.

B.) Step 2 Grievance Letter received from the Police Association

Chairman Brensinger informed the residents that a Grievance Letter that was received from the Police Association has now moved to the next step in the process.

C.) Narrows Drive Sink Hole – GeoView Report

The township is aware of the sinkhole that has formed along the right-of-way on Narrows Drive in front of R&L Carriers. There are multiply utilities that are in the area of the sinkhole including an 18-inch gas main to the electric plant, a 6-inch UGI gas main, 6-inch Sewer Force Main from the Green Acre Mobile Home Park, and a 12-inch public water line. The township has been working with Enbridge to address the issue. Both the Township Roadcrew and Police Department monitor the sinkhole daily and have a supply of material close by to fix any road issues that may result if the sinkhole continues to grow until a permanent solution can be done.

D.) Meeting with Walmart Corporate Affairs Director in the northeast region

There will be a Special Board Meeting tomorrow at 2:00 PM with Walmart to try to resolve some issues that residents have brought to the Board's attention. This meeting is open to the public.

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 9:12 PM.

Respectfully Submitted,

Erika Sheibley
Recording Secretary