

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
February 20, 2023**

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
	Lori Books	Assistant Township Manager

Also, present was, Erika Sheibley, Recording Secretary, Emily Bixler, *LebTown* reporter, James Skipper representing Chrisland Engineering, and a few members of the public.

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

**ANNOUNCEMENT: None**

**COMMENTS FROM THE PUBLIC**

**A.) Calvary Church Minor Subdivision Plan**

This plan is to subdivide the church parsonage from the main church parcel. The church is on public sewer and the parsonage is currently on an on-lot system. The subdivision plan proposes the parsonage to be connected to public sewer.

**MOTION** was made and seconded to approve the Calvary Church Minor Subdivision Plan and the Sewage Facilities Planning Module Exemption. Motion unanimously carried.

**B.) Mena Elia – Delinquent Stormwater and Liens (505 Linda Dr)**

Mr. Elia purchased the property at 505 Linda Dr in April of 2021. His settlement company failed to contact the township to request amounts due for stormwater or other utilities for the property. The property transfer was picked up from the April 2021 Deed Transfers received from the county and a stormwater fee invoice was mailed to the new property owner at the property address on file on May 10, 2021. The owner reached out to township staff and later to Township Solicitor Leonard and was advised each time that he needed to reach out to his settlement company as the stormwater fee should have been collected at settlement. The 2021 stormwater fee was not paid, and a lien was filed against the property. The 2022 stormwater fee was also not paid, and another lien was filed against the property. Mr. Elia is requesting that all late fees and legal fees for both the 2021 and 2022 stormwater fee be waived as he claims he was not aware that there was a stormwater fee and that the invoices were not sent to the correct address. The stormwater invoices for both 2021 and 2022 were mailed to 505 Linda Drive, this is the mailing address listed on the deed and the mailing address on file at the County Treasurers Office. The township is only able to mail invoices to the address they are provided from the owner.

Supv. Brensinger questioned Mr. Elia on how he was notified to pay his taxes if his taxes were sent to the same address as the stormwater invoice. Mr. Elia claims his taxes are paid by his mortgage company. Supv. Brensinger questioned how his mortgage company knows to pay the taxes, how were they notified. Mr. Elia stated that the mortgage company automatically pays it. Manager Grumbine informed the Board and Mr. Elia that she reached out to the Lebanon County Treasurer's Office and they confirmed they do not send tax bills to banks/mortgage companies.

Mr. Elia stated that he is new to the township and this year when he received the bill he came to the office and only paid the amount due for the 2023 stormwater fee. This bill was mailed to the correct address that Mr. Elia provided to the township in the Fall of 2022.

Supv. Snook questioned why it took 2-3 years to clear this issue up. It is billed every year.

Mr. Elia stated he bought the property in March of 2021 and the bills had already been sent out. He claims he did not receive any of the invoices.

Supv. Snook informed him that when he bought the property that the stormwater fee would have been included on the settlement sheet for what is owed to the township. Supv. Snook asked Mr. Elia when was he notified that the 2021 stormwater fee was late?

Mr. Elia stated that he was notified in 2022.

Solicitor Leonard explained that she spoke on the phone with Mr. Elia and so has township staff in 2021. He was told at that time that he needed to reach out to his settlement company for the fees. The township cannot adjust the fees after the fact, it should have been paid at settlement and if it wasn't paid at settlement that is a dispute between Mr. Elia and his settlement company as the settlement company should have reached out to the township to collect fees owed. The lien went into place in 2021 because even though he was advised that he needed to resolve it with the settlement company, he did not. Mr. Elia had to receive the notices sent to 505 Linda Dr in 2021 because he had contacted the township questioning why the 2021 fees were not collected at settlement.

Mr. Elia stated that he did not know he had to inform the township of a different mailing address.

Supv. Heisey asked if anyone is living at 505 Linda Dr currently.

Mr. Elia informed him that there is a tenant living there.

Supv. Brensinger asked how much is currently owed?

Sol. Leonard stated she does not know the exact amount but there are two liens on the property and one lien averages around \$400.00.

Supv. Brensinger informed Mr. Elia that the Township is unable to waive any of the fees. The township did their part, they sent bill to the address on record and there is no way the township would know that a property owner does not live at the property unless notified by the owner.

Mr. Elia requested relief from the township for the penalties, liens, and fees.

Sol. Leonard told Mr. Elia that he needs to go back to his settlement company if he wants relief for the 2021 fees and question why the fees were not collected at settlement. This advice was given to Mr. Elia several times, including before the 2021 lien was filed.

Mr. Elia said he would contact his settlement company about the 2021 Stormwater fees.

Mr. Elia requested relief of the 2022 bill as he stated he did not know about the stormwater fee in 2022.

Manager Grumbine stated that it was explained to Mr. Elia in 2021 that the stormwater fee is an annual bill. Manager Grumbine recommended that the Board does not waive any of the fees.

The Board agreed to not waive any stormwater fees owed for 505 Linda Dr.

**C.) Scott and Kim Lengel – Prescott Dr – Noise Complaint**

**Mr. Schulte – Prescott Dr**

Due to this matter pertaining to an ongoing ZHB decision that was appealed to the Court the township is unable to comment but stated they do understand Mr. & Mrs. Lengel's frustration with the noise they are dealing with on a constant basis and are hopeful a resolution can be reached with the property owner and their legal counsel.

**D.) Bruce Sattazahn – Weavertown Rd**

Mr. Sattazahn voiced his concerns about the burning going on at a property between Mt. Zion Road and Grubb Avenue. Weavertown fire company had to be dispatched three different times to this property from the burning. They are burning after 4pm and are burning on Sundays. Mr. Sattazahn asked if the property owner have been cited for the burning?

Chief Knight informed him that the police were called to the location and are investigating the matter.

Supv. Brensinger informed him that he spoke with the property owner about the burning. The property owner hired a logging company to log and grub the land. The logging company are the ones responsible for the fires. The property owner is no longer burning and are using a different method to dispose of the stumps. Properties that are zoned Agricultural are allowed to burn for the purpose of farming. County dispatch was informed that they were doing controlled burns on the property, however the burning did get slightly out of hand.

Mr. Sattazahn stated that the owners should apologize to their neighbors and donate to the Weavertown Fire Company for having to respond multiple times for out of control burning. The latest callout was at midnight.

Jim Cikovic asked if the burning was also in Bethel Township.

He was informed the burning was close to the Bethel Township boundary line, but the fire was in North Lebanon Township.

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**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the meeting minutes from the 1/16/2023 Supervisor's meeting and the 1/16/2023 Public Hearing for the Escambia-Perry Zoning Amendment petition. 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 – Chief Mike Leonard, Ebenezer Fire Company****A.) Monthly Summary – January 2023**

The number of calls, responses, trainings, and aid for the month of January for all four (4) volunteer fire companies in the Township was reviewed by Chief Leonard.

**B.) Pertinent Matters – Hose Testing**

The Board had previously approved additional funding for the four (4) township fire companies to complete testing of hoses and other equipment. Glenn Lebanon already had some of their hoses tested on February 14, 2023. Additional testing has been scheduled for May for the remaining fire companies. All the lines/hoses on their new apparatus had to be tested for the new apparatus to be put into service.

Chief Leonard informed the Board that during the last fire chief meeting, the four (4) companies have worked together to share resources in the township. After their March meeting, they would like to come to the Board with a few requests that would allow the fire companies to share resources and manpower more efficiently.

Supv. Brensinger told Chief Leonard that the Board would gladly set up a meeting, if necessary, with all four (4) of the fire companies.

**CHIEF OF POLICE REPORT – Timothy Knight, Chief of Police****A.) 2022 Year End Summary**

Chief Knight reviewed the year-end report on various calls for service for 2022.

**B.) Calls for Service - January**

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

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

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

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

Chief Knight stated he has not yet received the monthly report for the NLT Fire Police Activity for the month of January.

**E.) Bike Donation – Marine Toys for Tots Programs**

The police department reported three bikes in their evidence room which are now ready to be donated. Per Resolution 8-2000, the Police Department is asking the Board to approve donating

the three bikes to the Marine Toys-for-Tots program. Any broken bikes are fixed by Mr. Gingrich before they are donated to Toys-for-Tots program.

**MOTION** was made and seconded to approve the donation of the three bikes per Resolution #8-2000 to the Marine Corp. Toys-for-Tots program. Motion unanimously carried.

**TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager**

**A.) Resignation from Planning Commission Member – Charlie Allwein**

The township received a resignation from Planning Commission member Charlie Allwein. Due to health issues, he will no longer be serving on the Planning Commission.

**MOTION** was made and seconded to approve the resignation of Charlie Allwein from the Planning Commission, with regret. Motion unanimously carried.

Manager Grumbine will send Mr. Allwein a letter thanking him for his past service.

**B.) Authorization to Advertise for the 2023 Paving Project and Fuel for Vehicles/Equipment.**

The 2023 paving project and fuel bids are ready to be advertised with a bid due date and opening of March 15 at 10:00am. The bid tabulation will be provided to the Board for consideration at their March 20<sup>th</sup> meeting.

**The list of streets included in the bid packet for the paving project are:**

Alpha Ave  
Beta Ave  
Cappa Ave  
Sholly Ave

Willow Ln  
Maple Ln  
Oak Ln  
Sycamore Ln

Parkway Dr  
Greenwood Dr

Supv. Snook questioned if any paving will be done on Horizon Blvd. Supv. Brensinger informed him that no paving will be done on Horizon Blvd because there is a subdivision plan currently being reviewed that is located off Horizon Blvd. The township will try to patch the road to help improve the roadway.

**MOTION** was made and seconded to authorize the advertisement for bids for the 2023 Paving Project for streets listed above and the annual vehicle/equipment fuel bid. Motion unanimously carried.

**C.) Advertising for Bidding of Halfway Drive Bridge Project**

Steve Sherk, Steckbeck Engineer, continues to work on the bid documents and approvals necessary for the Halfway Drive bridge partial superstructure replacement project. Submission was made to PaDOT on the design package for structural adequacy approval.

Roadmaster Brensinger spoke with Mr. Schulte and Mr. Martin, the two neighboring property owners where temporary and permanent easements are required.

Easement Agreements have been prepared by Solicitor Leonard providing for both temporary and permanent easements needed on the two adjoining properties to the project for the work to be performed by the contractor.

Supv. Heisey asked if there is a time frame on when this project will be completed and if notices will be sent to the property owners? Supv. Heisey was informed by Supv. Brensinger that the Township hopes the bridge is open by the end of the year. Notices can be sent to the property owners along Halfway Drive closer to time of the work. Detour signs will be placed along the road by the contractor.

**MOTION** was made and seconded to approve the advertisement for bids on the Halfway Drive Bridge Partial Superstructure Replacement Project. Motion unanimously carried.

**MOTION** was made and seconded to approve the Easement Agreement with Ms. Schulte and Mr. & Mrs. Lester Martin contingent upon property owner's execution of the agreement. Motion unanimously carried.

**D.) Update Box Card Response Plans for the Lebanon Valley Mall - Ebenezer Fire Company**

Manager Grumbine received an email from John Wilson, Lebanon County DES on the updated response plan that was submitted by Fire Chief Leonard for the Lebanon Valley Mall. The response plan needs the approval of both North Lebanon and West Lebanon Townships. John Brenner from West Lebanon has provided the approval for West Lebanon Township.

Supv. Heisey asked Chief Leonard why Station 75, Fort Indiantown Gap, was placed on the working fire Box Card? Chief Leonard informed him that he included Station 75 because this station is paid and will have the manpower needed for a working fire of this size. While Chief Leonard does not expect a plane to crash into the mall but the very small chance one does, Station 75 is equipped with an apparatus that is specialized for aircraft fires.

**MOTION** was made and seconded to approve the revised response plan submitted by Fire Chief Leonard for the Lebanon Valley Mall. Motion unanimously carried.

**E.) Non-Emergency Event Request from Ebenezer Fire Company**

Submission was received from the Ebenezer Fire Company to hold a Boot Drive at Old Ebenezer Road and SR72. The date requested for the event is March 18<sup>th</sup> from 9am to noon, with a rain date of March 25<sup>th</sup>.

Chief Leonard informed the Board that they will stop the boot drive if it appears to be impeding the flow of traffic.

**MOTION** was made and seconded to approve the non-emergency boot drive event to be held on March 18<sup>th</sup> from 9am to noon, with a rain date of March 25<sup>th</sup>. Location for the event is Old Ebenezer Road and SR72. Motion unanimously carried.

**F.) PaDOT Form TE-160 Traffic Signal Application – 22<sup>nd</sup> & W Cumberland St**

Due to the traffic signal at W. Cumberland Street and 22<sup>nd</sup> Street being jointly owned by North Cornwall, North Lebanon, and West Lebanon Townships, a TE-160 form is required from each municipality, as part of the proposed Sheetz project in North Cornwall Township.

**MOTION** was made and seconded to authorize the Chairman to sign the TE-160 "Application for Traffic signal Approval" form for submission to PaDOT for the W. Cumberland Street

(SR0422) and 22<sup>nd</sup> Street/Lebanon Valley Mall signal improvements relating to the Sheetz project in North Cornwall Township. Motion unanimously carried.

**G.) Resolution #11-2023 Appointment to the ZHB – Alternate Member Nathan Arnold**

Resolution #11-2023 provides for the appointment of Nathan Arnold to the Zoning Hearing Board, as an alternate member. Supv. Heisey and Manager Grumbine met with Mr. Arnold and shared with him the duties of a ZHB alternate member.

**MOTION** was made and seconded to adopt Resolution #11-2023 appointing Nathan Arnold as an alternate member to the Zoning Hearing Board. Motion unanimously carried.

**H.) Fire Company Audits for Year-End 2022**

The CPA firm for two of the four NLT Fire Companies notified Ebenezer FC and Rural Security FC that they will no longer perform the annual financial audit, including the completion of the required 990 forms for them. These two fire companies reached out to Garcia, Garman, & Shea (GG&S) for a proposal to complete the financial audit.

The cost per fire company for the 2022 year-end audit is \$2,500.00. Manager Grumbine recommended that the township allocate \$2,500.00 to each fire company for this expense from the Fire Protection Tax Fund. Any remaining allocation following payment for the audit would be allocated to the respective Fire Company to equalize the allocation among all four fire companies to \$2,500.00. She also recommended that the Board approve an extension of the audit to June 15<sup>th</sup> from the MOU date of May 15<sup>th</sup> to allow extra time for the new firm to complete the audits.

Supv. Heisey questioned if there was any other way to do the audits other than by using a firm? Could the audits be performed inhouse? Supv. Brensinger informed him that audits should not be performed in-house. Due to the amount of money that the township allocates to the fire companies from taxes each year, audits need to be done by a CPA firm for assurances for everyone. If the audit is done by a firm, it also guarantees that the IRS 990 form is completed and filed for all four (4) fire companies.

**MOTION** was made and seconded to authorize the use of Fire Protection Fund for payment up to \$2,500.00 for the 2022 year-end CPA financial audit for each of the four township fire companies. Any remaining balance of the \$2,500.00 after final payment for the year-end audit would be allocated to the respective fire company for uniformity. Extension of time for the audit submission to be June 15<sup>th</sup>, 2023. Motion unanimously carried.

**I.) GO Lebanon 2023!**

WellSpan has reached out to the township to continue their GO Lebanon! Summer program. They are requesting permission to use the North Lebanon Township Community Park for their summer walking and reading program. The Parks and Rec Board reviewed their request and recommended approval to allow GO Lebanon! to use North Lebanon Township Community Park for 2023.

Supv. Heisey asked how many people participate in this event and was advised it is County-wide. After the completion of the event, the Township is provided with the number of participants that visited our park.

**MOTION** was made and seconded to approve the use of the North Lebanon Township Community Park for WellSpan's 2023 GO Lebanon! Summer walking and reading program. Motion unanimously carried.

**J.) 2023 PHMIC Wellness Grant**

Lori Books, Assistant Township Manager, has completed the 2023 PMHIC Wellness Grant application for North Lebanon Township in the amount of \$1,000.00, which is the maximum amount of the grant. Manager Grumbine reviewed the specifics of the grant with the Board.

**MOTION** was made and seconded to approve the submission of the 2023 Wellness Grant with PHMIC in the amount of \$1,000.00. Motion unanimously carried.

**K.) Lebanon County DES – 2023 Hazard Mitigation Plan Update**

The Lebanon County Dept. of Emergency Services has been tasked with completing an update to the current 2018 Lebanon County Hazard Mitigation Plan. The current plan is available on the Lebanon County DES website and required the approval of all municipalities in the county upon completion.

The initial municipal planning meeting will be held on Thursday, February 23, at 1:00pm and 6:00pm. at the Penn State Extension office on Cornwall Road. Each municipality is requested to attend one of the planned sessions. The municipal responsibilities for hazard mitigation planning and the plan update project will be reviewed and discussed. Worksheets and surveys will also be provided to each municipality for completion.

**MOTION** was made and seconded to appoint Lori Books and Supv. Brensinger, as the representatives for North Lebanon Township on the Lebanon County Hazard Mitigation Plan update project. Motion unanimously carried.

**L.) 2023 Annual Lebanon County Tire Collection Event**

The Lebanon County Tire Collection Event is scheduled for Wednesday, April 26<sup>th</sup> from 8am-4pm. The cost of tire disposal will be slightly higher this year due to increased costs and the Conservation District is asking municipalities to increase their allocation based on the total number of last year's collected tires and increased disposal prices. North Lebanon Township budgeted \$750.00, and they are asking if we would increase to \$900.00 for the 2023 event. This cost is expensed out of the Special Projects Fund (Recycling Fund). The Conservation District will provide the Township with a list of names and addresses to confirm that the Township is only charged for our residents that drop off tires at the event.

**MOTION** was made and seconded to authorize the increase in our support of the Lebanon County Tire Collection Event for North Lebanon Township residents to \$900.00 for 2023. Motion unanimously carried.

**M.) Resolution #12-2023 DCED Municipal Assistant Program Application**

Resolution #12-2023 authorizes submission of a grant application through the PA DCED Municipal Assistance Program (MAP) to update the Cornwall Lebanon School District Regional Comprehensive Plan. The total cost of the project is \$60,000.00 and the five municipal participants agreed to equally divide the cost of the project. If successful in receiving a 50% state-funded grant award, the Township commits municipal resources in the amount of \$6,000.00 as our share for the project.



**MOTION** was made and seconded to adopt Resolution #12-2023 authorizing the submission of a grant application through the PA DCED Municipal Assistance Program and confirming our commitment to the \$6,000.00 cost share, if the DCED MAP grant is received in the estimated amount of \$30,000.00. Motion unanimously carried.

**N.) Authorization to Hire Full-time Sewer Billing Clerk**

Interviews were completed by the administrative staff. The township is asking the Board to authorize the hiring of their top choice candidate contingent on a successful background and credit check.

**MOTION** was made and seconded to hire the top candidate provided by the administrative staff, contingent on receiving a successful background and credit check. Motion unanimously carried.

**O.) Appointment to the Planning Commission – Scott Artz**

Manager Grumbine spoke with Scott Artz, a resident on Water Street, regarding one of the two open positions on the Planning Commission. They went over the job tasks and estimated time commitment. Mr. Artz is very much interested in serving on the Planning Commission and Manager Grumbine would recommend appointment by the Board.

**MOTION** was made and seconded to appoint Scott Artz of Water Street to fill an unexpired term that expires on 12/31/2024. Motion unanimously carried.

**P.) Various Annual Reports**

- a.) North Lebanon Township Municipal Authority
- b.) Planning Commission
- c.) Safety Committee
- d.) Parks & Recreation Board
- e.) Admin Office Phone Log
- f.) Right-To-Know Law Request Log

Reports from the various appointed Boards and Commissions are required to be filed with the Board annually. The reports from the Municipal Authority, Planning Commission, Safety Committee, and Parks & Recreation Board, provide the attendance record of each member and an overview of the various topics and tasks completed throughout 2022.

The Administrative Office Phone Log provides the number of recorded calls each month tallied by department.

The Right-To-Know Law Request Log reflects each of the Right-To-Know Law requests we received and responses.

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

**A.) None**

**COMMENTS FROM BOARD MEMBERS**

**A.) Supv. Brensinger -**

Supv. Brensinger thanked the administrative staff and Solicitor Leonard for the effort they put in to helping the residents.

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**ADD-ON ITEMS IN THE LAST 24 HOURS**

**A.) None**

With no further business to discuss, meeting adjourned at 8:18 PM.

Respectfully Submitted,

Erika Sheibley  
Recording Secretary