

MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
April 17, 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 Lizzy Pedersen, Recording Secretary, Emily Bixler, *LebTown* reporter, and a few members of the public.

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

ESCAMBIA ZONING AMENDMENT REQUEST & ZONING ORDINANCE 2-2023 –
Atty. Amy Leonard (Henry & Beaver LLP)

A.) Zoning Amendment Request & Zoning Ordinance 2-2023 –

Amy reviewed advertised ordinance 2-2023, which is the proposed zoning amendment to rezone 20.43 acres of 1675 Grace Avenue and 1.00 acres of 1677 Grace Avenue from the rural residential district to low density residential district. The amendment was proposed by Escambia LLC, which is the equitable owner of the property requested to be rezoned. The rezoning request was submitted to the North Lebanon Township Planning Commission and Lebanon County Planning department on August 8th, 2022. The Planning Commission recommended approval of the rezoning at its August 8th, 2022, public meeting. No comments were received from the Lebanon County Planning Department. A public hearing on the petition to rezone was held on January 16th, 2023. Thereafter the Board of Supervisors authorized advertisement of the proposed zoning amendment on March 20th, 2023, and the property to be rezoned was posted in accordance with the provisions of the municipalities planning code on April 5th, 2023. Township staff members have provided affidavits confirming the posting of the property and providing photos of the posted property. Notice of tonight's public hearing and the notice of intent to act upon the zoning amendment was published in the Lebanon Daily News on March 30th, 2023, and April 6th, 2023, and the township has received proof of that publication.

The floor was then opened to the public to ask questions and comment on the Escambia Zoning Amendment Request.

Mr. Schwab expressed his desire for the board to take the petition that was signed by the residents, with a strong dislike for the amendment, into consideration when making their vote.

Randy Aleardi from Hunters Chase Lane, reiterated what Mr. Schwab had stated. He added that this amendment was proposed in 1996 and it was denied. He shared that he does not see any reason

for this previously denied amendment to be approved at this point.

Another resident came forward with concerns about the wetlands and surveys for bog turtles or other endangered species. He was informed that these study requirements would be reviewed if the project moved forward with the submission of a subdivision plan.

Bernard Ridilla, the owner of the property at 1677 Grace Avenue, told the board the septic system on his property is very old and the only way he would be able to upgrade would be to run a sewer line 1300 feet down the lane to tie into the public sewer. He wanted to share his support of the amendment because the developers agreed that if the project is approved, they would install a public sewer line three hundred feet from his property which he could then utilize for his connection.

Karen Mihalik stated that the current zoning allows for the land in discussion to be farmed or developed without the need for rezoning. She wanted to share her belief that the one and only reason this amendment is being brought to the board is Mr. Perry's financial benefit.

Mr. Perry was compelled to respond to the comments made on the amendment. He wanted to share that the rezoning being requested in 2023 is different than the rezoning that was requested in 1996. Homestead Acres lot sizes are a minimum of 12,000 square feet and this request is for 15,000 square feet lots or greater. Mr. Perry also mentioned they have made some restrictive covenants on the property, in response to some of the residents' comments at the January hearing. Mr. Perry asked if any of the board members had heard from any residents who refused to sign the petition. Manager Grumbine confirmed she took a call today and shared the discussion of support for the project with the board. Mr. Perry then continued explaining the restrictive covenant. The covenant will allow no more than thirty lots in the area proposed for rezoning. He stated the request for the R-1 zoning would require a minimum lot size of 15,000 square foot. If it were to remain zoned RR it would make the proposed development neither feasible nor profitable. He told the board and the residents that a previous Township Board wanted the road to connect into Homestead Acres. This was planned for at the time of the approval for Homestead Acres. This will allow for additional access for police and fire vehicles.

Supv. Heisey asked Mr. Perry about the restrictive covenant, which will only permit 30 lots including Mr. Perry's personal house in the covenant. Mr. Perry responded and stated his house is included in the restrictive covenant but the rear portion of the property, lots 28, 29, and 30, are not being requested to be rezoned. He stated the petition only includes rezoning what is being connected to Homestead Acres and Grace Avenue (lots 1 through 27 shown on plan). Supv. Heisey then inquired about the sale with Escambia. When the sale happens, will he receive a lump sum payment for the property. Mr. Perry explained this is a long process to get the planning approval. When the lots are sold, he would get a portion of each lot sold as they occur, meaning he would not get a lump sum payment. Supv. Heisey asked about the time frame of the development process. The Escambia representative present responded by explaining they have an approval period, which this amendment process is included in, after this they would go through the land development approval period. The build out time would be approximately 2 years after all approvals are obtained but will be influenced by the housing market during that time.

Supv. Snook asked Mr. Perry if he is going to remain living in his current home and at some point build another home. Mr. Perry confirmed that this would be his goal and that is why they are retaining their current home and the 2 lots to the rear of the property.

MOTION was made and seconded to adopt ordinance 2-2023, amending the township zoning ordinance for 20.43-acres of land of the property known as 16575 Grace Avenue (a portion of the property) and 1.00-acres of land of the property known as 1677 Grace Avenue known as the Ridilla property. Motion unanimously carried.

The public hearing ended at 7:20 and the Board resumed their regular meeting.

ANNOUNCEMENTS: None

COMMENTS FROM THE PUBLIC

Arthur Arnold

Mr. Arthur Arnold discussed an incident that occurred at his property with a neighbor. This being a civil matter, there was no action required by the Board.

A.) Josh Weaber - Arnold Minor Subdivision Plan

Josh Weaber reviewed the Arnold Minor Subdivision Plan. He stated that Lot Addition “A” was previously approved but never transferred. The plan now encompasses this Lot Addition “A” and Lot Addition “B,” from the lands of Henry and Mildred Arnold (dec.) to the adjoining lands of Donald and Sandra Podjed. No land development is associated with this plan and a Planning Waiver and Non-Building Declaration is also being processed with these lot additions.

MOTION was made and seconded to approve the Arnold Estate Minor Subdivision Plan and the Planning Waiver and Non-Building Declaration. Motion unanimously carried.

B.) Josh Weaber – North Lebanon Storage-Final Phase 2

Mr. Weaber presented the latest submission of the NL Storage-Final Phase 2 to the board. He confirmed that Phases 2 and 3 were switched from the previous submission. He reiterated that Phase 1 was the first four buildings north of the existing facilities and Phase 2 is now the next four buildings on the north-eastern corner of the lot, along with the expansion of the stormwater facility. He confirmed to the board there will be paved access drives/vehicular use areas.

MOTION was made and seconded to approve the North Lebanon Township Storage-Phase 2 Final LDP, Developer’s Improvements Agreement and financial security in the amount of \$395,600.00, and Stormwater Management BMP Operations and Maintenance Agreement. Motion unanimously carried.

C.) Rep. Schlegel and Jaime Miller – Fishing Event

Rep. Schlegel and Jaime Miller approached the board to request approval to use the Lions Lake Park along with the pavilion on June 3rd, 2023. The event would be from 8:00 AM to 12:00 PM for the purpose of having a family fishing day. It is intended to be a legislative outreach and they would be there for families to fish. The plan is to have registration in the pavilion, with light refreshments, and then to have the family’s fish around the lake. A number of age-appropriate materials, secured from the state’s Fish and Boat Commission, would be made available for families. Rep. Schlegel stated they are expecting around one hundred people. The people working the event would get there around 7:00 AM. He also shared this event was brought before the Parks and Recreation Commission, and they are favorable to the idea.

Supv. Heisey asked if Rep. Schlegel talked to the Fish and Boat Commission about the stocked waters at Lions Lake. Jamie Miller responded that they did in fact reach out to the Pennsylvania Fish and Boat Commission, which is also an approval process. She is waiting to hear back from them.

Supv. Snook inquired if there was any licensure required for the event. Jamie Miller stated that children sixteen and under do not require a license to fish, however anyone seventeen and above does require a fishing license.

MOTION was made and seconded to approve the event on Saturday, June 3rd as requested from Rep. Schlegel at Lion's Lake for their family fishing event. Motion unanimously carried.

D.) Carly Rocque – Union Canal Elementary-Girls on the Run

Carly Rocque approached the board with her request to use Lenni Lenape Park on May 2nd as well as a request to waive the rental fee of the pavilion. Ms. Rocque is the head coach for the Girls on the Run group at Union Canal Elementary School. The girls in the program range from 3rd to 5th grade and are training for a 5k in Lancaster at the end of May. Ms. Rocque shared the group benefits from doing a practice 5k before the big event in Lancaster. It was stated that last year the Township allowed the group to use Lenni Lenape Park for the practice 5k with the use of the restrooms and the electricity free of charge and they are requesting to do the same this year. The event will start after the school day and go on till about 5:15 PM.

One of the board members inquired how many girls will be attending and Ms. Rocque affirmed that there will be around 16 girls participating in the practice 5k.

MOTION was made and seconded to approve the request Girls on the Run event on May 2nd at the Lenni Lenape Park and to waive all fees. Motion unanimously carried.

Dale Yoder

Mr. Yoder came to the board with his concern for the increased traffic that the rebuilding of the bridge on Route 72 is going to incur. He stated he spoke to Manager Grumbine on the phone about the location of the detour, but he believes no matter where the detour is posted, anyone with a navigation system is going to go through the Long Lane area. He requested, for the residents on Long Lane, an increased police presence in that area.

Supv. Brensinger noted Mr. Yoder's concerns. He stated he heard the project is on schedule. He agreed with Mr. Yoder that even though PennDOT tries not to use local roads when making a detour, drivers with navigation systems will take any route they believe is the quickest. Supv. Brensinger suspects there will be other roads with similar situations and the Township will have to keep an eye on the situation. Chief Knight noted the request and will speak to his officers about increasing patrols when the detour takes place.

Resident's Concern for Speeding

A couple of residents brought to the board their concerns about the excessive speeding that is happening in the Township, particularly near Grace Avenue. Chief Knight addressed the concerns and affirmed that he would do his best to keep his people out there to enforce the speed limit.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the meeting minutes from the 3/20/2023 (regular) Board of Supervisor's meeting and the 3/15/2023 (special) Board of 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 – Chief Mike Leonard, Ebenezer Fire Company

A.) Monthly Summary – March 2023

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

B.) Pertinent Matters –

Chief Leonard informed the Board that all four volunteer fire companies participated in training on April 16th, on stabilization. They will continue to hold these township-wide training events each month.

Chief Leonard also stated they are looking for more volunteer members for a variety of tasks pertaining to the fire company not just firefighters.

CHIEF OF POLICE REPORT – Timothy Knight, Chief of Police

A.) Calls for Service – March 2023

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

B.) Monthly Code Enforcement Report

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

C.) Monthly Fire Police Activity Report

Chief Knight reviewed his report on the NLT Fire Police Activity for the month of March.

D.) Junkyard License Renewal

Chief Knight told the board that the junkyard inspection of Reazer's Auto Salvage was conducted by Sergeant/Detective Behney. Sergeant/Detective Behney found everything was in compliance with the ordinance and recommends renewal of the license.

MOTION was made and seconded to approve the junkyard license renewal for Reazer's Auto Salvage. Motion unanimously carried.

E.) Chief of Police Tim Knight - Resignation of Connor Callaghan

Officer Connor Callaghan submitted his resignation effective April 28th.

MOTION was made and seconded to accept the resignation of Officer Connor Callaghan effective April 28th. Motion unanimously carried.

F.) Road Rage Incident

Chief Knight wanted to commend Officer Nick Gallese, Officer Himmelberger, and Sergeant/Detective Behney for tracking down the person who left a road rage scene, where shots were fired.

G.) Speeding Complaints

Chief Knight affirmed they are doing their very best with the speeding and aggressive driving complaints. There are a lot of complaints from different areas, and they are trying to take some off the list and address them.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine, Manager

A.) Res. # 15-2023 – Municipal Records Manual (revised)

Res. #15-2023 declares our intent to follow the latest Municipal Records Manual. An amendment was made on March 28, 2019.

MOTION was made and seconded to adopt Resolution #15-2023 declaring our intent to follow the Municipal Records Manual approved on December 16, 2008, as amended March 28, 2019, and any further amendments thereto. Motion unanimously carried.

B.) Res. # 16-2023 – Destruction of Records-Updated

At the March meeting, the Board adopted Resolution #13-2023, authorizing the disposition of certain public records. Unfortunately, an old records retention manual edition (1993) was erroneously referenced in the resolution. Resolution #16-2023 authorizes the disposition of the same records outlined in Resolution #13-2023 under the latest records retention manual edition.

MOTION was made and seconded to adopt Resolution #16-2023 authorizing the disposition of the listed public records. Motion unanimously carried.

C.) Greenways, Trails, and Recreation Program Grant Park & Recreation Commitment Letter

As part of the Greenways, Trails, and Recreation Grant application, the Township is required to provide a letter of commitment. The Township is also required to adopt a Resolution authorizing the submission of the grant application for the Greenways, Trails, and Recreation Program Grant.

MOTION was made and seconded to authorize the Manager to sign the GTRP Grant Application and Commitment Letter to DCED. Motion unanimously carried.

MOTION was made and seconded to adopt Resolution #17-2023 authorizing North Lebanon Township to make application for the Greenways, Trails, and Recreation Program.

D.) Notice of Intent to Award Halfway Drive Bridge Partial Superstructure Replacement

Bids for the Halfway Drive Bridge Partial Superstructure Replacement Project were opened on Friday, April 14th. A bid tabulation and recommendation is provided from Steckbeck Engineering. The low bid came in at \$249,106.20. The Township had budgeted 250,000.00, so the bid is within our budgeted figure. We also budgeted \$50,000 for engineering costs.

Supv. Heisey inquired how many companies participated in the bid. Manager Grumbine responded that six companies participated.

Atty. Leonard stated she reviewed the bid bond and all the other related legal documents for the low bidder and found them to be in order. Supv. Heisey inquired about the credibility of the lowest bidder. Atty. Leonard assured him that Steve, our Engineer, did note in his recommendation letter the company is prequalified for this type of bridge construction by PennDOT and has completed numerous construction projects of this type. A list of other projects the company has completed is asked for and checked as a part of the process.

MOTION was made and seconded to find the bid acceptable and issue an intent to award the contract to DESCO Design and Construction as the low bidder in the amount of \$249,106.20 for the Halfway Drive Bridge Partial Superstructure Replacement Project contingent upon receipt of a performance bond, payment bond, certificate of liability insurance, and fully executed Agreement between Owner and Contractor. Motion unanimously carried.

A resident asked the Board how long the project would take until it was completed. Supv. Brensinger stated the project should be completed this coming summer before the winter season hits. The Township was warned there were back-order issues with certain materials, but the goal is to have the project completed before winter.

E.) Tire Collection – Increase Allocation

In checking with the Conservation District, Bonnie Grumbine, Recycling Coordinator, was informed the North Lebanon residents have surpassed our \$900.00 allocation with their pre-registration tire amounts. We are therefore recommending the board increase our allocation to \$1,400.00. Without the increase, the residents would still be able to drop off tires, but they would have to pay a fee per tire.

Supv. Brensinger commented he believes it is a bit easier this year to pre-register and that might be why the residents have surpassed our budgeted contribution. The board agreed that if the budget is not raised the likelihood of residents being unwilling to pay and leaving tires along the side of the road is high, and that is not something they support.

MOTION was made and seconded to authorize the increase of the Township's allocation to \$1,400.00 for the LCCD Annual Tire Collection Event on April 26, 2023. Motion unanimously carried.

F.) Arbor Day Event

The Lebanon County Clean Water Alliance (LCCWA) is sponsoring the 1st Annual Arbor Day Celebration at South Hills Park. The event is to take place on April 28th from 3:00 to 5:00 PM. The event features a program on tree planting and maintenance, information booths, and seedling giveaways. Food trucks will be available at 4:00 PM. The LCCWA is a coalition of government agencies and interested stakeholders providing leadership and the conversation, protection, and enhancement of water resources for the people for Lebanon County. The group was initially formed in January of 2011 and includes eighteen municipalities, County of Lebanon, Lebanon County Conservation District, and several non-profit organizations. LebTown provided an article covering the event.

Supv. Heisey inquired if the Township would take any part in the event because it is at South Hills Park. Manager Grumbine responded yes and shared that she is part of the LCCWA committee.

- Supv. Brensinger stated Steckbeck Engineering is going to do a presentation on the Stormwater Project. Manager Grumbine confirmed Steckbeck Engineering will be showing a video of the fly over of the Lebanon County Storm Water Consortium's 22nd Street Floodplain Restoration at Quittapahilla Mainstem (SQ1) project with pictures of the final design. The work is scheduled to commence shortly.

G.) Appointment to Planning Commission – Dave Leid

There is an open position on the planning commission with the term expiring 12/31/2024. After several interviews, the Board indicated they are ready to fill the position.

MOTION was made and seconded to appoint Township resident David Leid, to fill the open position on the Planning Commission. Term to expire 12/31/2024. Motion unanimously carried.

H.) Retirement Letter – Cheri Grumbine

After thirty-seven plus years with the Township, Friday June 30th will be Manager Grumbine's last day in the office. She will use up any remaining vacation days or personal days at that time, making sometime in July her official last day. Manager Grumbine stated she appreciates her time at the Township, its board members, employees, professional staff, and residents. They have all contributed to her personal growth. She expressed her gratitude for the trust and confidence provided in her as the manager. She knows the team at North Lebanon Township will continue to meet the level of service and responsiveness that the residents and the board have come to expect. She is confident that the Township is headed in the right direction with its current employees. She wished the Board and North Lebanon Township staff well in the future and mentioned that she will be available to assist with the transition and to answer any questions the Board or the management team may have after her retirement.

Supv. Brensinger reluctantly accepts Manager Grumbine's resignation. He knows there are a lot of people who complain about her but there are also a lot of people who compliment her accomplishments. He stated how much she has also done for the Lebanon County Association of Township Officials. She was very involved with the County Officials Group, and very active with Pennsylvania State Association of Township Supervisors (PSATS). He thanked her for her service and wishes her luck in the future.

Supv. Heisey said thank you to Manager Grumbine for helping him learn his role as a Board member.

Supv. Snook also said thank you to Manager Grumbine for helping him with the transition into his current position as Supervisor. He stated Manager Grumbine has been a wealth of knowledge and has always taken the time to help him get through things he was not sure about. He shared that she went above and beyond, and it did not go unnoticed.

MOTION was made and seconded to accept Manager Grumbine's retirement letter. Motion unanimously carried.

Sheetz Project

Manager Grumbine relayed to the Board she received a DocuSign email to sign for the proposed signal upgrades at N. 22nd Street and SR422 relating to the proposed Sheetz project. Sheetz is proposing to build on the North Cornwall Township side of 422. They will be upgrading the signal located at Route 422 at the Lebanon Valley Mall entrance. This signal is jointly owned by

North Cornwall, North Lebanon, and West Lebanon Township. All three municipalities must sign off on the permit. North Cornwall indicated the design was satisfactory to them, and they asked that she sign off for North Lebanon Township. Manager Grumbine reported she did sign the permit to keep things moving for the Sheetz project.

Supv. Heisey asked if the township will be paying anything towards this project and Manager Grumbine confirmed the Township will not be paying for the project nor be responsible for the operation and maintenance of the traffic signal.

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

A.) Request for Advertisement of Ordinances for Public Hearing

Solicitor Amy B. Leonard shared with the Board all the ordinances being brought before them tonight are first draft ordinances. She is bringing them before the Board to ask for approval to advertise. Public hearings would then be planned, and the ordinances would be considered at the May meeting for adoption.

1. **Ord 3-2023** prohibits the use of engine break retarders on certain roads in the Township. These are roads that PennDOT has already approved a few years ago. The prohibition would be in effect on Route 72 between Long Lane and Water Street and Heilmandale Road between Elias Avenue and Russel Road.
2. **Ord 4-2023** is for certain turning restrictions and truck traffic restrictions. Many of these restrictions have already been discussed and signage is in place, but there are traffic ordinances in the Township's Code of Ordinances that need to be updated to reflect these restrictions. There are also turning restrictions that would be formalized in the ordinance. Solicitor Leonard reviewed the traffic restrictions under Chapter 15, Part 2 and Chapter 15, Part 3 with the Board. Solicitor Leonard also reviewed changes under Chapter 22, Part 1 to update this section because of the township's previous adoption of a new Stormwater Management Ordinance.
3. **Ord 5-2023** will amend chapter 27. Zoning, Part 20, Section 27-2003 which will make variance criteria consistent with Section 910.2 of the Pennsylvania Municipalities Planning Code and Part 2, Section 27-204 which relates to uses not specifically permitted or prohibited, to clarify the procedure for proceeding under Section 27-204E and the criteria related thereto.

MOTION was made and seconded to authorize Solicitor Leonard to advertise a public hearing for Ordinance 3-2023, Ordinance 4-2023, and Ordinance 5-2023 with consideration by the Board to adopt the ordinances following the public hearing. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS

A.) Supv. Brensinger – Ord 1-2023, Curb & Sidewalk Ordinance Clarification

Supv. Brensinger wanted to clarify the intent of this Ordinance. The Board recognizes there are questions about the reason for this Ordinance. It is not the intent of this Ordinance to mandate the installation of new curbing and/or sidewalk in areas of the Township where they currently do not exist, except as may be required for new developments by the Lebanon County Subdivision and Land Development Ordinance. There are no plans, now or in the foreseeable future, to require such installation throughout the Township or in any one area of the Township. The Ordinance authorizes the Board, as allowed by statute under the PA Second Class Township Code, to give

notice to existing property owners for the repair of damaged curb and sidewalk. It also sets forth regulations for snow and ice removal as vegetation maintenance on existing sidewalks.

Supervisor Heisey also confirmed his agreement with this statement.

B.) Supv. Heisey - Police Regionalization Study between North Cornwall and North Lebanon Townships

On March 15, 2023, a special meeting, which was advertised, was held between the Board of Supervisors of North Cornwall and North Lebanon Townships. This meeting was to discuss the possibility of having a police regionalization study done through DCED to determine if combining forces would be beneficial. Supv. Heisey and Supv. Snook both agreed to visit other regional police departments which have gone through the process. One of the main reasons is the lack of manpower. It is difficult to find qualified people to fill vacant positions. After some research, Supv. Heisey believes it would be a good idea to have the study done to see if this were something that would even make sense to pursue. Supv. Snook agreed with Supv. Heisey that there is no harm in having the study done, which is free to the municipalities.

MOTION was made by Supv. Snook and seconded by Supv. Heisey to sign a letter of intent for the study. Motion passed with a 2-1 vote with Supv. Snook and Supv. Heisey voting yes and Supv. Brensinger voting no.

ADD-ON ITEMS IN THE LAST 24 HOURS

A.) None

With no further business to discuss, the meeting was adjourned at 8:37 PM.

Respectfully Submitted,

Elizabeth M. Pedersen
Recording Secretary