

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
MARCH 16, 2015**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the Municipal Building located at 725 Kimmerlings Road, Lebanon, PA with the following people present:

Edward A. Brensinger	Chairman
A. Bruce Sattazahn	Vice – Chairman
Richard E Miller	Treasurer
Cheri F Grumbine	Twp Manager
Harold L. Easter	Chief of Police
Attorney Amy Leonard	Henry & Beaver LLP

Absent	Solicitor Frederick S. Wolf	Henry & Beaver LLP
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Also in attendance was State Representative Russ Diamond and several other individuals. The meeting was called to order and the pledge to the flag was done.

**COMMENTS FROM THE PUBLIC**

**A.) Jack Keener – NE Swim Club; 8 Lots N 11<sup>th</sup> Ave**

Due to Attorney Tom Harlan being ill and Jack Keener not attending this evening, this issue was tabled until a later date.

**B.) Mike Swank, SESI – Dollar General**

Mike told the Board he had attended the Planning Commission meeting last week to update them on the traffic issues that have been discussed and the comments that have now been received from PADOT. A traffic study had been completed and the results forwarded to PADOT in order to hear any comments they might have about this proposed project. PADOT has indicated that all issues have been met regarding their requirements for this area. They have stated that NO turning lanes will be required for the Dollar General project. Also no restricted right in/right out will be required. PADOT has indicated they are satisfied with the redesign for building location and the access being located at the most northern portion of the parcel. At this point in time, applications have been submitted to PADOT for permitting. Approvals have been received from the Conservation District for earth moving activities and the Municipal Authority for the sewer design for this property.

Chm Brensinger asked about the sewer planning. He was curious what direction the sewer will be going. Mike said the Authority has asked that the design be directed to the rear of the property into Cloverfield Drive line and deposit in an existing manhole there.

Suv Miller spoke about the PADOT permitting. Mike Swank replied that the permitting has been applied for but not yet received. He is hopeful the permits will be received in time for the Planning Commission's April meeting so that a request for recommendation could be made at that meeting. He is hoping to come before the Supervisors at their April meeting with all requirements in place to ask for an approval for the Dollar General Plan.

**Thomas Hallowell** of the Deerfield North development spoke about his concerns regarding this whole project. He mentioned several reason why he thinks this project is not a good idea. A huge concern is the traffic problems that exist in this area already. Another concern is the high tension wires owned by Met Ed that run right through this property. Hallowell told the Supervisors he had told the Planning Commission that he felt this was “corporate predatory developing”. There is a Dollar General located just down the road in Jonestown not to mention at least 2 located in Lebanon City. The Lebanon Valley Mall has a large number of square footage available and ready to move right in. Hallowell told the Supervisors he is definitely not in favor of this project and is respectfully asking that they do the right thing when considering the safety of this intersection area. He is asking the Board to deny this project.

**Suv Brensinger** thanked Tom Hallowell for his remarks. He said he does understand Hallowell’s concerns. However when thinks about the number of Turkey Hill stores or Sheetz locations, he thinks that is “corporate predatory development”. Suv Brensinger said he does not pretend to know what Dollar General’s thinking is when it comes to the locations for their stores. This Board is looking to make sure that all the requirements are met before accepting the proposed project.

**Ann Pinka** of Cloverfield Drive told the Board she has been a resident on Cloverfield Dr for many years. She definitely is aware of the traffic, pedestrian and vehicular, that occurs on Cloverfield Drive. She is extremely happy that the idea of an access onto Cloverfield Dr has gone away for good. She stated she hopes it will not come back. Pinca told the Supervisors she also has many concerns about the traffic and safety issues for this intersection, as well as the Heisey Diner and Blouch traffic. While she understands that Dollar General is looking to their budget concerns, she is asking the Board to stress to Dollar General the need for safety concerns. The bottom line is that no budget should take precedence over the safety of the individuals living in and traveling in this area. She is strongly urging the Supervisors to encourage the Dollar General people to be a “good neighbor” and place safety at the top of their list by designing a center turn lane.

When the issue of a center turn lane was brought up again, Mike Swank stated that PADOT has determined that it is not warranted and therefore not required for this project. Suv Miller questioned the daily traffic load for Dollar General. Bob Gage, GBT Realty, stated that the study show 10 cars per hour with a peak being between the hours of 4-6pm with 25 cars per hour.

### **C.) Rep Russ Diamond**

Chm Brensinger recognized Rep Russ Diamond. Rep Diamond said he wanted to attend to say hello and give a face to the name. Also an offer of anyway that he might be able to assist the Twp, he wanted the Board to know his office is available.

### **APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the Supervisor meeting of February 16, 2015. Motion was 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 was unanimously carried.

### **FIRE CHIEF’S REPORT**

There was no representation from any of the Fire Companies tonight.

**Phantom Box Changes**

Chm Brensinger said there were some Phantom Box revisions that were to be discussed. The Supervisors were in agreement that the issue should be tabled until someone is present to discuss the changes with the Board.

**CHIEF OF POLICE REPORT – Chf Harold Easter****A.) Monthly Report – February 2015**

Chf Easter reported on the activities for the month of February 2015 and mentioned some of the individual categories for these calls of service. Chf Easter reported there were a total of 486 Police-citizen contacts for the month of February with a total of 8593 miles logged on the cruiser cars.

**B.) West Lebanon Twp Contract**

Suv Miller asked Chf Easter about the patrolling service for West Leb Twp. Chf Easter replied everything is going well. Suv Miller asked about the expiration of the current contract. Chf Easter replied that negotiations will begin next year for the 2017 contract with West Lebanon.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) Awards of Bids – Reclamation, Paving and Fuel**

Opening of bids for reclamation, paving and fuel took place Thursday, March 12<sup>th</sup>. A tabulation had been prepared for the Board. The low bid for Fuel was Meyer Oil at \$2.11 a gallon (tax exempt). The low bidder for Reclamation was EJ Brennan (Berks County) at \$43,670.50. The low paving bid came in from Pennsy in the amount of \$628,162. The paving actually had 2 projects listed; project 1 and project 2. Chm Brensinger explained due to high amount of the bidding for project 1, project 2 has been eliminated from the use of Liquid Fuels funds for 2015. Project 2 contained a scratch coating for Jay St in the area directly in front of the Mobile Home Park. Suv Brensinger told his fellow Board members there are alternatives to take care of this area, as it is in such bad condition. He said the project will be completed in-house because it simply cannot be ignored.

Suv Miller asked Chm Brensinger's opinion of the company who came in as low bidder for Reclamation. He responded they are a good outfit. The pricing received from Martin's Paving was way out of the ballpark. He can only assume they did not need the work. He is comfortable with the companies that came in as low bidders.

**MOTION** was made and seconded to award Meyer Oil as low bidder for Fuel @\$2.11 per gallon; EJ Brenneman as low bidder for Reclamation @ \$43,670.50 and Pennsy as low bidder for Paving of Item #1-Kimmerlings Road @ \$628,162. Motion unanimously carried.

**B.) Tree Dedication Agreements**

The Board had reviewed and approved the program for tree dedication at Lenni Lenape and have received 2 payments for dedication at this time. A third agreement has been submitted with the promise of payment (Supv. Miller). The Board is being asked to approve the 3 agreements.

**MOTION** was made and seconded to approve the 3 agreements submitted in regards to the Tree Dedication for Lenni Lenape. Motion unanimously carried.

**C.) Safety Program Template – Susquehanna Municipal Trust; 2 Resolutions**

A Safety Manual template has been provided to the Twp by Susquehanna Municipal Trust. Sheila had shared this template with the Board and the Safety Committee using the current Safety Manual to insert information from our current policies where noted. The template showed some policies that the Township does not have in place and will need to be reviewed and decided upon by the Board.

The Safety Committee completed a review of the template and noted their questions during the February meeting. Mgr Grumbine provided a draft of the Safety Committee meeting minutes to the Board, showing these questions as a reference while reviewing the template. Mgr Grumbine stated there are some policies that the Susq. Mun Trust is requesting that we do not currently have a written policy in place. She said the Lockout /Tagout program is one of those policies. Although there seems to be an unwritten procedure for these situations, we do not have a written policy to be followed uniformly by everyone. That is one policy that will have to be addressed and she would recommend that we have Mr. Whipple from SMT meet with township maintenance employees, admin staff, and the Supervisors to draft a policy for the township.

Chm Brensinger told Mgr Grumbine he just wants to confirm that the Manual they are reviewing will be the only Safety Manual needed for adoption by the Supervisors. Mgr Grumbine agreed saying that Sheila had taken portions of the current Twp Safety Manual and retrofit it into the template which had been provided. The Supervisors are being asked to review the Safety Manual provided for adoption when they are ready to approve it.

The Manual also contains 2 different Resolutions that will need to be adopted and included. The first Resolution is stating the Supervisors accept responsibility for adopting and enforcing the Accident and Illness Prevention Program. The second Resolution is appointing a member of the Safety Committee, Sheila Wartluft, as a permanent member and the coordinator of the Safety Program for North Lebanon Twp. She told the Board no action is needed tonight but they should begin reviewing the Manual.

**D.) Northwest Bank**

Mgr Grumbine stated we received a notice from the Northwest Bank in regards to signatures for CDs. Currently Ken Artz and Cheri Grumbine are listed as the signatures. The Board agreed to appoint Cheri Grumbine, Twp Manager/Secretary and Dick Miller as Treasurer to be the signatures for CDs.

**MOTION** was made and seconded to authorize Dick Miller and Cheri Grumbine as signatures for Northwest Bank CDs. Motion unanimously carried.

**SOLICITOR'S REPORT – Attorney Amy Leonard, Henry & Beaver****A.) Comcast Franchise Agreement Review - Update**

Attny. Leonard reviewed the history of the Comcast Agreement and the consultant, Cohen Law Group, hired by 4 municipalities to negotiate the next contract with Comcast. A response to our draft agreement has been provided by Comcast. The terms of an agreement are now being worked out by the Consultant Group and Comcast Attorney. Once that is completed the municipalities will receive a copy to review.

**B.) Firearms Industry Consulting Group**

Attny. Leonard reported that a recommendation was provided to the Board by Solicitor Wolf. She also relayed information regarding the latest court case involving the new Firearms legislation. The court case confirmed that State law pre-empts any local Ordinances from regulating possession of a firearm but could regulate the discharging of a weapon in parks. Most municipalities are now taking a look at the Ordinances that are on their books for possible revisions. The township needs to review the recommendation outlined from Solicitor Wolf and this recent court case to determine what changes they want to make to their current ordinances relating to firearms.

**COMMENTS FROM BOARD MEMBERS****A.) Generator Hookup for Storage Building**

Suv Brensinger reviewed what had been discussed at the last meeting in regards to a portable generator being purchased and assigned to the storage building for just that use and not being removed for any reason. He reported he had several catalogs for his fellow Supervisors to look at and make a decision on what they feel will work best for this situation.

**MOTION:** was made by Supv. Sattazahn and seconded by Supv. Miller to authorize Ed Brensinger to purchase an adequate size generator to be used solely for the purpose of the separate storage building for power outages. Motion unanimously carried.

**B.) Appointment of EMA Coordinator**

Chm Brensinger said they have “kicked” this issue around and discussed it long enough. He feels the Board should move on this subject.

**MOTION** Supv Sattazahn said he agreed and for that reason he would make a motion to appoint Dave Lauver, as our EMA Coordinator for North Lebanon Township. He feels that he has the necessary background to fill this position.

Suv Miller stated his strong disagreement with this suggestion. He repeated his earlier argument that Dave Lauver is a Police Officer in the capacity of Detective. He does not feel an officer should be pulled away from those duties in the time of an emergency or crisis situation. While he agrees that Dave is to be commended for his work on pulling the EOP Manual together, he is not in favor of appointing him as the Coordinator.

Chairman Brensinger reviewed the list of training required for an EMA Coordinator and said Dave Lauver has most, if not all, of the required training. For that reason he agreed to second the motion.

**MOTION** Ed stated that he has a motion to appoint Dave Lauver as North Lebanon Twp EMA Coordinator and a second. Supv Ed Brensinger and Supv Bruce Sattazahn voted in favor and Supv Dick Miller voting nay on the motion. Motion carries by a 2 to 1 vote.

Suv Sattazahn asked Mgr Grumbine if this then goes to the County before going to the Governor for the appointment. She replied yes the County gets notified of the recommendation and then it goes to the Governor for his action to make the appointment.

**C.) April Meeting – April 27; 4<sup>th</sup> Monday**

Suv Brensinger announced the April meeting will be held later than the usual 3<sup>rd</sup> Monday of the month. The meeting will be scheduled for April 27<sup>th</sup> due to the annual State Convention held in Hershey. The Supervisors and Twp Manager as well as the Ass't Twp Manager will be attending the convention.

**D.) Executive Session with Municipal Authority**

Chm Brensinger announced that the Board of Supervisors and Municipal Authority had met last Thursday in executive session to discuss some personnel matters. The Municipal Authority will be announcing the discussion at their next meeting.

**E.) SWIF – State Worker's Insurance Fund**

Suv Miller stated he has an issue to present which he feels has gone on way too long already. He is suggesting that the Twp compose a letter addressed to the Governor of PA and copy the following people; former Rep Rose Marie Swanger, Kathleen McGinty-Chief of Staff, Sharon Minnich-Secretary of Administration, Teresa Miller-Insurance Commissioner, Senator Mike Folmer, and Rep. Russ Diamond. The subject of the letter would be the State Workers Insurance Fund (SWIF) and their total lack of attention to any claims made on behalf of Firefighter George Gettler. Suv Miller stated that Gettler has donated his time for the last 4 decades in the service of firefighting and various related activities. This month it will be 1 year that Gettler had been diagnosed with cancer and at this point in time not one response has been made to Gettler or his family in regards to his illness from the Twp's Insurance carrier. Suv Miller said he feels this is totally unacceptable and unconscionable on the part of SWIF to totally ignore this man and his family. He feels enraged that the Twp's insurance premiums have all but doubled and we are now paying \$22,000 a year for this insurance and are not getting any type of response for this family.

Suv Sattazahn stated his agreement with the idea. He knows the Gettler family has already incurred thousands of dollars in debt at this point with no help at all from the insurance company. The Twp is required to carry this insurance but receives nothing back from it, not even a response. Suv Brensinger said he agrees with everything that has been said. He appealed to Rep Diamond to see if there is something he could think of to help. Rep Diamond said he and Rep Frank Farry had recently met to draft a letter for the Gettler family. He said he is familiar with the George Gettler family and their situation. He asked that he and Rep Farry be included on the copy list of whatever letter is drafted by the Twp. Rep Diamond said he thinks another letter would be a good idea. He said he will suggest to Rep Farry that they meet to work on an amendment on the bill regarding the "Presumption Act" with a time period requirement for response.

Suv Sattazahn said week after week the Twp hears about how difficult it is to get citizens interested in volunteering their services. The Fire Companies are always reporting the dwindling numbers. The Board told Rep Diamond they would appreciate any help he can provide on this situation with the firefighters.

With no more business to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George  
Recording Secretary