

MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
April 27, 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
Solicitor Frederick S. Wolf	Henry & Beaver LLP

Also in attendance was Mike Swank, SESI, Bob Gates GBT Realty, and several other individuals. The meeting was called to order and the pledge to the flag was done.

FIRE POLICE INSTALLATION – Brenda Oves

Finding volunteers to serve as North Lebanon Township Fire Police are a continuing need. Chm Brensinger asked Brenda Oves to step forward to take the oath as a Fire Police volunteer. Ms. Oves repeated the Oath of Office and received appreciation from the Supervisors for offering her services to the Township.

COMMENTS FROM THE PUBLIC

A.) Jack Keener – NE Swim Club

Mr. Keener provided pictures to the Supervisors of the area that is currently the Northeast Swim Club and is under consideration for developing according to a previously approved subdivision plan. Mr. Keener is asking the Supervisors to waive the sidewalk ordinance for the east and west side of N 11th Ave. As the provided pictures show, he would be installing sidewalks that lead to nowhere.

Chm Brensinger told his fellow Board members he is familiar with the location that Keener is discussing. Although Mr. Keener is asking to have the sidewalk requirements waived, the curbing will be kept intact as it already exists. Suv Sattazahn stated he is also familiar with the area. Both indicated they understood Keener's thoughts when asking for this waiver. Suv Miller said he has no questions about this issue.

MOTION was made and seconded to waive the sidewalk requirement for the existing NE Swim Club area that will be developed with 4 dwellings on each side of N 11th Ave. Motion unanimously carried.

B.) Mike Swank, SESI – Dollar General Land Development Plan

Mike Swank started his remarks by reminding the Supervisors of the many discussions already held about this Land Dev Plan. This store is to be located along State Rte 72 N just south of the District Justice Office and north of the Valero store. The traffic issues and permits have already been approved and issued by PADOT. Lebanon County Planning Department has reviewed and issued a letter of recommendation for this plan.

Dollar General Land Development Plan (con't)

Lebanon County Conservation District, Lebanon Authority and the NLT Municipal Authority have also given their approval, as to this plan meeting all requirements. The NLT Planning Commission recommended approved the plan at their 4/13/15 meeting.

Chm Brensinger questioned a portion of land that was marked for a lot addition from this proposed Dollar General property to the Valero store property. Mike Swank told the Board that Suv Brensinger is correct. A portion of land is being added to the Valero property in order to clean up the properties boundary lines due to an existing shed placement. The lot addition is a part of the Land Dev Plan.

Suv Sattazahn mentioned a request he had asked be presented to the developer. The walking path that leads from the south side of the building to Cloverfield Dr and the continual maintenance of that area. Suv Sattazahn stated he would like to see it listed on the plan document. That way there is no mistaking what is expected to take place in winter season. He said it is reasonable to expect safe walkways be provided for any of the resident who are using the walkways as opposed to driving. Mike Swank agreed with his remarks saying there is no reason not to include this notation on the cover page under General Notes. Suv Sattazahn said he has no other comments regarding this plan.

Ann Pinca a resident of Cloverfield Dr said she felt it would be remiss of her to not repeat her remarks made in the past. Her concern is the safety of that existing intersection and problems that already exist there. With all the businesses already located in that area the intersection needs improvements. In light of the fact that there could be more development, the intersection will be even more impacted. She repeated her concern for the motorists traveling through this area. Chm Brensinger added his agreement to Ms. Pinca's remarks. He said the Supervisors hands are tied until PADOT's requirements warrant the turning lanes for this intersection. However he thanked Mrs. Pinca for repeating her concerns.

MOTION was made and seconded to approve the Dollar General Land Development Plan with the addition of a note on the plan regarding the winter maintenance requirement for the walkway leading to Cloverfield Drive. Motion unanimously carried.

C.) Denny Boyer – Signature Signs Re: Leshar Mack

Mr. Boyer introduced himself to the Board and explained the reasons for Leshar Mack's reasons for redesigning their signage. The Mack Company has adopted a new design for their logo and Leshar Mack is being asked to incorporate the new logo with their stand-alone sign. The signs on the building will not be any larger or wording any different. When speaking to LCPD Mr. Boyer was told the signage needed to be approved by the Supervisors as it did not meet the Ordinance criteria. He said he was confused by the determination.

Mgr Grumbine sated she had spoken with Song Kim this morning. Leshar Mack has the new freestanding sign that is being located outside the Penn Dot right-of-way. There are also multiple signs located on the building. Per the Twp Ordinance, only 1 wall sign is permitted. Thus you need to draw a box around these wall signs to determine overall square footage. The signs are not measured individually but rather the size of the box drawn around the signs is shown as 1 sign. This is the reason that they exceed the maximum square footage and why Leshar Mack is required, by Ordinance, to appeal to the Supervisors to grant approval for these types of situations and not the Zoning Hearing Board.

Signature Signs Re: Lesher Mack (con't)

Some discussion followed about the updated signage and new Mack logo. The Board indicated they were ready to take action on this issue.

MOTION was made and seconded to approve the requested waiver to the Twp's sign Ordinance and to allow Lesher Mack's proposed updated signage. Motion unanimously carried.

D.) Valerie Kaiser – E Brookfield Dr Re: Stormwater

Mrs. Kaiser told the Supervisors she has started the task of trying to clean out some of the debris, as well as pulled cattails, that has gathered in the storm basin located in their backyard. She explained to the Board that she has asked neighbors for their help but none was offered. Due to the difficulty of the task she is asking the Twp to assist them in the cleanup of this stormwater basin. Suv Brensinger asked Valerie to clarify exactly what she is asking the Twp to do. She replied, she is asking for help to remove the silt and buildup that has accumulated over the last 15-17 years. She said the Twp designed and approved this retention basin and should be willing to assist them in cleaning it up.

Suv Brensinger explained he is very reluctant to tamper with wetlands. He stated that in past years he has come under censor from DEP and Conservation District for tampering with the identified wetland areas. As Roadmaster he is reluctant to bring that down on the Twp again. He said he also is reluctant to try to fix something that is not broken. The system is working, even though it is not what Valerie would like to be there.

Suv Sattazahn said he recalled that the Engineer had told them that the facilities located on private property is not the Twp's responsibility. He feels it is a mistake to open that door. Every person who has a storm basin will want the Twp to maintain the storm basins.

Bill Kaiser joined the conversation saying that he cannot understand the Twp's stance on this issue. The Twp keeps saying it is private property yet the runoff from 2 Twp owned streets is directed into this basin as well as runoff from many neighboring properties. He said it is unfair and unjust to expect the property owners to maintain and fund the repairs for these facilities.

Sol Wolf said the information about the storm water basin should have surfaced at the time of the property transfer. A title search should have brought this information to light. If a property owner does not wish to be responsible for this type of maintenance they would be able to cancel the purchase of the property. Mr. Kaiser stated that this information was never, at any time, relayed to them in reference to maintenance issues of the stormwater facility. Sol Wolf replied that if the title search was completed correctly, this information would have been discovered. The discussion continued about title searches and how they are accomplished as well as what is relayed to a perspective property purchase.

Valerie Kaiser asked the Board exactly what her tax money that they pays to the Township is used for. Suv Brensinger replied that he is not sure if she is referring to her Municipal Tax or total taxes. Either way, he said she probably pays about \$300 to \$400 a year to the Twp. Out of those funds the Twp provides police protection, fire protection, snow plowing, street sweeping and a place to dispose of their yardwaste. That is to just a few services he can think of off the top of his head.

E Brookfield Dr Re: Stormwater (con't)

Mr. Kaiser repeated that it is an unfair expectation that the property owners should be subjected to the kind of expenses it would take to repair this stormwater facility should it malfunction. He repeated that the majority of the people who have these types of water basins on their properties are not aware of the maintenance responsibilities. Kaiser said he disagrees that the Twp is not responsible for shared maintenance. However he does not feel this discussion is going anywhere so, for now, the discussion is over. Mr. Kaiser stated that he did not want to hire an attorney but it is apparent that may be his only recourse.

E.) Rick Shauers – Harmony Hill Area Re: Burning of Trash

Mr. Shauers told the Board he is here tonight to request changes in the burning ordinances. He has a neighbor who is continually burning all sorts of trash, even recyclable items. The big issue is that he and his family cannot sit outside in the evenings to enjoy the summer weather. The smell is totally disgusting according to Mr. Shauers. The Police department has been called several times but have not been able to catch his neighbor in the act of burning unacceptable items

Suv Sattazahn questioned Chf Easter about the Twp having a burning ordinance. Chf agreed that Off Kline had been called on this issue. If Off Kline is not on duty, another Officer will respond. Also discussed was the limited types of items that are legal to burn. When Mr. Shauers mentioned that they do not understand why burning is allowed, Suv Sattazahn stated it is not allowed, not the types of items they report are being burned. He repeated that they need to call the Police Dept as soon as the neighbor starts burning. Chm Brensinger and Chf Easter stated that the Shauers should continue to monitor and call the Police as soon as the burning begins. Hopefully the Police Dept will be able to catch the neighbor in the act of burning unacceptable items.

F.) Tod Dissinger – Pothole on 25th St & Tunnel Hill Rd

Mr. Dissinger reported a large pothole at 25th St and Tunnel Hill Rd. Suv Brensinger reported he is aware of the problem already and it is on the list to repair.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the Supervisor meeting of March 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 - Les Keener, Ebenezer Fire Co**A.) Monthly Report – Feb & March**

Les Keener told the Board that Toby Gettler had a previous commitment so he is filling in for him this evening. He has the Feb and March summaries of the 4 Fire Companies to report.

FEBRUARY – In the month of February the calls for service amount to 36 with 5 training sessions attended. A total of 100' of hose was used with 100' of ladders raised when answering these calls. A total of 72:48 personnel hrs of which 43:00 hrs was training.

MARCH - In the month of March the calls for service amount to 39 with 14 training sessions attended. A total of 50' of hose was used with 208' of ladders raised when answering these calls. A total of 129:28 personnel hrs and 285:00 hrs of training.

Monthly Report – Feb & March (con't)

Appreciation was extended to the Fire Companies for their time and services to protect the Twp residents.

B.) Phantom Box Changes

Ebenezer Fire Co had submitted some Phantom Box revisions last month to be reviewed and approved by the Supervisors. Les Keener explained that County EMA had revised some of their call classifications. Due to the change some of the alarm boxes and units listed to respond had to be revised. The only other change was in regards to the Lebanon Valley Mall box. The changes to the boxes reflect EMA's revised classifications.

MOTION was made and seconded to approve the revised Phantom Box cards, identified as box 939-01 and 9-01 through 9-05 for the Ebenezer Fire Co. Motion unanimously carried.

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

Chf Easter reported on the activities for the month of March 2015 and mentioned some of the individual categories for these calls of service. Chf Easter reported there were a total of 580 Police-citizen contacts for the month of March with a total of 9488 miles logged on the cruiser cars.

B.) Law Enforcement Memorial Service Sponsored by FOP

Lebanon County will hold a Law Enforcement Memorial service on May 11 in the County Building located on S 8th Street at 10am.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) DEP Recycling Grant – Grinder Purchase**

The Township received official notification of our award from DEP in the amount of \$277,778 with \$250,000 DEP share and \$27,778 Township match. The maximum grant available by DEP is \$250,000 per applicant. The total cost of the grinder is \$294,908, leaving the additional \$17,130 the financial responsibility of the Township which will be taken from the Special Projects Fund. Page 5 of the Grant documents outlines the cost and project schedule showing completion within 12 months. The Board is being asked to take action on the Grant to accept and authorize required signatures by Board members and Secretary. Suv Sattazahn questioned if the amount owing reflects the trade-in amount. Mgr Grumbine confirmed that is including consideration of the trade-in amount.

Bonnie Grumbine, Twp Recycling Coordinator, explained how the Grant works. The Twp is only able to apply every other year because of being approved for the current application. Due to being approved in 2014 for the Grant, official notification was received in 2015 so the grinder will be ordered in 2015 and then in 2016 the Twp is able to apply for a Grant to cover the remaining amount of \$17,130, which is the Twp's financial responsibility.

MOTION was made and seconded to approve and authorize the 902 Grant and the signature on the 2014 Grant agreement. Motion unanimously carried.

B.) Tree Dedication Agreements

The Township has received additional signed agreements for Tree Dedications at Lenni Lenape Park. There is a total of 10 tree dedications for tonight. The Board is being asked to approve and sign these agreements.

MOTION was made and seconded to approve the 10 Lenni Lenape tree Dedication agreements. Motion unanimously carried.

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

The Board had received a Safety Manual Template that had been drafted using the Twp’s existing Safety Manual contents. The Safety Committee had also received a copy of this drafted Manual to review. During the February Safety meeting the manual had been reviewed and questions/ comments had been noted. A copy of the Safety minutes and this discussion was provided to the Supervisors. At the April Safety Committee meeting the Manual had been discussed and most of the Committee’s questions about the Manual have been answered. As Susquehanna Municipal Trust anticipates the Board’s action on adopting this Manual, Mgr Grumbine reminded the Board to review the Manual information and be ready to take action on it in May.

D.) County Liquid Fuels - \$11,429

The Twp has received our “Application for County Aid” in the amount of \$11,429, which is based on the 2010 population census. The Twp’s project is listed as the reclamation portion of the Kimmerlings Road repaving project. The Board is asked to approve the application and authorize signatures by the Board and the Secretary.

MOTION was made and seconded to approve signatures on the 2015 County Liquid Fuels Application for the amount of \$11,429. Motion unanimously carried.

E.) Low V Systems – Photo Sensor Add-ons

LowV has completed installation of heat sensors in the garage areas and pull stations located at each building exit. Also installed are annunciators throughout the building to warn all areas of a fire inside the main garage, storage building or recycling building area. A proposal of \$6982 for photo sensors in all office areas to detect smoke has been received. The Board is being asked to approve phase 2 of this project to install smoke photo sensors throughout the entire office/hallway areas.

MOTION was made and seconded to approve Phase 2 by installing smoke photo sensors throughout the office and hallway areas in the amount of \$6982. Motion unanimously carried.

F.) Municibid Items (2)

Two items were placed on Municibid for sale:

1. Old ambulance Bid of \$1450
2. Cube van – Park & Rec; Bid of \$7510

The Board is being asked to approve the sale of the cube van to the highest bidder, Bobby Gearhart and the old ambulance in the amount of \$1450.

MOTION was made and seconded to approve the sale of the 2 vehicles mentioned above to the highest bidders on Municibid. Motion unanimously carried.

G.) Pertinent Matters

1.) MS-4 Banner – The Lebanon County Clean Water Alliance had purchased 5 banners for its members to utilize. A banner has been issued to NLT to use in the Twp. The Park & Rec Board has suggested placing the banner on a scoreboard or along the home run fence.

MS-4 Banner (con't)

Pictures of the banner after being hung will be needed as well as an estimate of the number of people who have viewed the banner. These requirements are part of the educational component of the MS-4 Permit.

2.) Lenni Lenape Park – Natural Areas RE: Non-mowing – DCNR has directed that agricultural activities at the Lenni Lenape Park are prohibited. A meeting in mid-April was held at Lenni Lenape to discuss options for the open areas in order to cut down on the mowing activities. It was decided the area to the north of the last disc golf basket, starting at the high point, would be left in its natural state with no mowing. Also in the valley, the natural state would exist with an estimated 30' wide path maintained for those using the disc golf course. Suv Sattazahn stated that he remembers discussing a mower width around the boundary to delineate the park from the neighboring properties. Mgr Grumbine agreed with his remark. A small basin still needs to be constructed in a specified area. Once the basin completed the natural areas will again be discussed and determined.

Suv Brensinger said he does not disagree about the agricultural activities being prohibited but wanted to mention the reaction the Twp will receive from some of its residents. He is expecting negative remarks from the public about the Twp allowing weed growth when the private residents are mandated to keep their areas cut. Suv Sattazahn stated that the property had been used for Agricultural purposes previously but is no longer a permitted use. A decision should be made regarding the amount of mowing to be done.

Ann Pinca of Cloverfield Dr expressed her appreciation for the plans of natural growth. She said the wildlife and natural habitat are being diminished due to cultured landscaping and maintaining the groomed appearances of the landscaping. She is definitely in favor of what has been discussed. She was delighted that this park was planned to be a natural area as opposed to more ball fields.

Suv Miller asked for some time to visit the park and view the area that is being discussed. Suv Brensinger and Sattazahn agreed but warned him not to wait too long as you can “see” the grass growing.

3.) CAP Board Member Request – The Lebanon County Community Action Partnership (CAP) provides a range of services that have a measurable and potentially major impact on the causes of poverty in Lebanon County or those areas of the county where poverty is particularly an acute problem. DCED requires that Lebanon County CAP have an administration board of 15 members, 1/3 of which must be public representatives. They are asking if any NLT Board members are interested in serving on the CAP board. Discussion about this board and its importance was held. Suv Miller mentioned his possible interest and stated he would speak to Mgr Grumbine about the possibility.

SOLICITOR’S REPORT – Sol Frederick Wolf, Henry & Beaver**A.) Comcast Franchise Agreement Review - Update**

A draft of an agreement from the consultant has been received. Sol Wolf stated that he and Mgr Grumbine will be reviewing the information. Discussion with the other partnering municipalities involved with this issue will be held. Sol Wolf is hoping to have an outline of the proposed agreement to provide to the Supervisors by the May meeting. Suv Miller questioned any increase in the revenue. He had attended a class at the PSATS regarding revenues that could be sought.

Comcast Franchise Agreement Review (con't)

Sol Wolf stated that was the reason for hiring a Consultant to handle drafting this agreement. The Consultant, who specializes in this area, is aware of the possible sources for revenue.

B.) Firearms Industry Consulting Group

After a review of the Twp's firearms ordinances, there was really only one that needed to be considered for revision or elimination. The ordinance pertaining to possession of firearms will be reviewed.

C.) Misc Ordinance Updates

Sol Wolf reported to the Board and Chf Easter that a review of the Twp Ordinances is being completed to review for updates. If there are any ordinances that they feel need to be revised or looked at for any reason please provide the information to Mgr Grumbine.

Suv Brensinger questioned if the speed limit change on N 8th Ave (from Weavertown Rd to Lebanon City line) will be included. Sol Wolf confirmed it is included. Suv Miller stated that he has had comments made to him about Sholly Ave, in entirety, be declared as an emergency snow route. Chf Easter suggested the current ordinances about burning be reviewed. Suv Miller agreed saying, it appears some of the language needs to be looked at, such as a definition of what a burn barrel is and what regulations apply to "recreational burn" permits. The issue brought forward tonight is only one of several that the Board has heard about in the last few years.

Sol Wolf asked that the Supervisors and Chf Easter create their wish list and provide to Mgr Grumbine in order to be reviewed and considered for revisions.

D.) Background Checks & Child Abuse Clearances

Sol Wolf reported on the changes to the law regarding people and groups that have continual contact with children. The law requires a background check and Child abuse clearance every 3 years on anyone who has continual contact with children. He stated this would apply to the Fire Company members that conduct Fire Safety programs at the elementary school, as well as any Halloween activities the fire companies plan for the children. Mgr Grumbine mentioned there are some Twp employees who fit the criteria for having to complete this requirement. Suv Brensinger asked Sol Wolf who is responsible for conducting these checks, what agency? Sol Wolf stated that Lebanon County Child Welfare department is able to complete the processing of these applications.

COMMENTS FROM BOARD MEMBERS**A.) Suv Bruce Sattazahn – MS-4 & PADOT**

Suv Sattazahn mentioned a situation he had witnessed which prompted phone calls to Mgr Grumbine. Mgr Grumbine followed up with pictures and phone calls to DEP. He said he witnessed PADOT sweeping the street with an old broom style sweeper pulled behind a dump truck that merely pushes the debris to the side of the roadway. He did not see any attempt to come back and clean up the debris which had been pushed to the side of road near the storm inlets. The equipment was identified as PADOT. Suv Sattazahn referred to all the mandates placed on the Twp in regards to the MS-4 program and the storm water issues. It seemed that PADOT should be complying with the same mandates the Twp has to comply with. Mgr Grumbine was not able to get pictures of the equipment but was able to take pictures of the left over debris alongside the road and near the storm inlets. This information was forwarded to DEP. A response was had from DEP that assured Mgr Grumbine the issue would be dealt with.

MS-4 & PADOT (con't)

Suv Sattazahn said he felt his fellow Supervisors should be aware of this incident. Following the communication from DEP, Suv Sattazahn noticed that the debris still had not been removed from the roadside. Mgr Grumbine was requested to follow up with DEP.

B.) Suv Dick Miller – PSATS Conference

Suv Miller announced that the Supervisors, as well as Cheri and Sheila, had attended the annual PSATS Conference in Hershey. He stated he appreciates being able to attend the conference and discuss with other municipalities their situations and solutions to issues that might arise. The meet and greet opportunities with various political persons is also helpful. Every year there is useful information brought back to implement. Considering what was discussed, Suv Miller said he thinks NL Twp is ahead of the game. Suv Miller added he feels they are very fortunate to have a dedicated staff that deals with and provides services for the residents of North Lebanon Twp.

C.) Suv Ed Brensinger

Suv Brensinger said he would have to agree with Suv Miller's remarks regarding the value of attending the annual conference. Hearing how other municipalities deal with their situations and issues is something he finds helpful. He also agreed with Suv Miller's remarks about the Twp staff, mentioning the good job that Bonnie Grumbine did when preparing the Recycling Grant applications. It is a time consuming project and she always does a good job of pulling everything together for the final application.

Suv Brensinger reminded everyone that the Kimmerlings Rd project is moving along. Once school is out for the summer the project will kick into high gear and the public can expect delays and interruption in the traffic patterns.

With no more business to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George
Recording Secretary