

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
AUGUST 17, 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 Brent McFeaters, of Matthew & Hockley Assoc, and several other individuals. The meeting was called to order and the pledge to the flag was done.

Chm Brensinger informed everyone that the Re-Hearing for the Liquor License Transfer request from Weis Markets has been rescheduled for Monday, September 14, 2015 @ 7:30pm. This information is on the Township website as well as advertised in the Daily News.

COMMENTS FROM THE PUBLIC

A.) Nauman Lot Addition – Sandhill Rd

This subdivision is located on the east side of Sandhill, south of Linden St. It proposes the conveyance of a lot addition containing 5,886 sq ft from lands owned by Debora Nauman to the adjacent lands owned by Suzette Chatterton. This lot is not to be used for as a separate building lot. A Planning Waiver and Non-Building Declaration is also being provided for the Supervisors' approval. Lebanon County Planning, as well as the NLT Planning Commission have recommended approval of this plan. Brent McFeaters, of Matthew & Hockley, explained some of the details regarding this submission. He asked the Board for any questions they might have. There were none.

MOTION was made and seconded to approve the Planning Waiver and Non-Building Declaration for the Nauman Plan. Motion unanimously carried.

MOTION was made and seconded to approve the Nauman Lot Addition Plan. Motion unanimously carried.

B.) Kercher Subdivision Plan – W Kercher Ave

This subdivision plan is located along W Kercher Ave, east of Grace Ave and west of Kenbrook Rd. The plan proposes a 2-lot subdivision and does not show any improvements. Proposed Lot #2 contains 50.582 net acres and is to retain the existing single family dwelling, a driveway onto Kercher Ave and the associated site improvements. Lot #3 contains 27.482 net acres and is to retain a single family dwelling, garage, driveway onto W Kercher Ave and the associated site improvements. A Planning Waiver and Non-Building Declaration is also provided for approval by the Board. Lebanon County Planning, as well as the NLT Planning Commission have recommended approval of this plan.

Kercher Subdivision Plan (con't)

MOTION was made and seconded to approve the Planning Waiver and the Non-Building Declaration for the Kercher Subdivision Plan. Motion carried by 2 votes in favor. Suv Sattazahn excused himself from the vote due to a professional relationship with the Kerchers.

MOTION was made and seconded to approve the Kercher Subdivision Plan. Motion carried by 2 votes in favor. Suv Sattazahn excused himself from the vote due to a professional relationship with the Kerchers.

C.) Paulette Hafer Lot Addition Plan

This subdivision plan is located off the east side of N 8th Ave, south of Kimmerlings Rd. This proposal shows 2 lot additions. Lot addition A is to contain 14,048 sq ft in space and is to be conveyed to the lands of Jonathan & Wendy Lister. Proposed lot addition B is to contain 42,460 sq ft and is to be conveyed from the lands of Ms. Hafer to the adjacent lands of Theodore & Tammy Wilburn. A Planning Waiver and Non-Building Declaration is also being provided for approval. Lebanon County Planning, as well as the NLT Planning Commission have recommended approval of this plan.

MOTION was made and seconded to approve the Planning Waiver and Non-Building Declaration for the Paulette Hafer Lot Addition Plan. Motion unanimously carried.

MOTION was made and seconded to approve the Paulette Hafer Lot Addition Plans. Motion unanimously carried.

D.) Lee Spencer – President of Ebenezer Fire Co; Siren Update

Mr. Spencer told the Supervisors some changes have occurred since the last meeting. He had visited the Director of the EMA and discussed the issue with him directly. It has been decided that the siren will be silenced between the hours of 9pm and 9 am. However during daylight hours the siren will be active. The issue of repeated siren activation is a little more difficult to control. Due to the setup of the software at EMA, some work will need to be done to control or override the established software. A timer will need to be installed to control the repeated activation for additional equipment and the securing of a fire scene, if the software cannot be corrected. Spencer said really after the initial activation he does not feel any more activation of the siren is needed. He had attended the County Commissioners meeting on August 6th to inform them about the issues with the EMA software.

Suv Miller questioned the timer that has been installed. Since the installation, has the timer interfered with the emergency calls in any way? Spencer said no there has been no interference at all. A call was received today for Henry Molded Products and there was no interference. Mr. Spencer also told the Board he had taken some time to meet with some of the people who had been mentioned at the meeting last month. According to the individuals they did not have any real issue with the siren being activated during the daytime hours. He said the fire company has met and made determinations on how these issues should be handled. It is not the decision of one individual rather a Fire Company decision.

Martin Barondick of New Street stated he wanted the siren silenced 24 hours a day. He sees no need for the siren to be active at all, with the exception of a weather emergency. Lee Spencer responded the Fire Company has made a decision to silence the siren during the hours of 9pm to 9am and remain active during the daytime hours.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the Supervisor meeting minutes of July 20, 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 – Wes Keener, Ebenezer Fire Co**A.) Monthly Report – July**

A summary report for the month of July was given. For the month of July the calls for service amount to 48, along with 8 training sessions attended. A total of 200 ft of hose was used. A total of 366:01 personnel hrs of which 195:15hrs was training time was logged for July.

B.) Internal Fire Study Committee

Mgr Grumbine told the Supervisors that Rural Security has appointed 2 members to sit on the Fire Study Committee. They are Allen Firestine and Darrin Heist. She is still waiting to hear back from the other 3 fire companies.

C.) Road Closures

Mr. Keener mentioned road closures. He asked if the Fire Companies could be notified of a road closure prior to the closing. Suv Brensinger stated that EMA had been notified as well as the secretaries in the Police Dept. Keener indicated he was not aware of that fact.

CHIEF OF POLICE REPORT – Chief Easter Absent**A.) Trick or Treat Night Announced**

Suv Brensinger announced that Trick or Treat will be observed on Thursday, October 29 with a rain date of Monday, Nov 2. The County Police Chiefs Association had met and determined the date which he asked the Board to announce.

MOTION was made and seconded to approve the date of Thursday, October 29th 6-8pm for Trick or Treat night with a rain date of November 2. Motion unanimously carried.

B.) Recreational Vehicle Parking

During the July meeting a discussion had been held about a boat that had been parked on Cedar Crest Dr for several years and was creating a problem for the neighboring properties. Mike Demmy and John Yalch were present to discuss the issue further. Mike Demmy reported that Chf Easter was able to get the owner of the boat to remove it from Cedar Crest Dr. The boat is now parked in the owners' driveway. He stated the neighborhood's gratitude to Chf Easter for accomplishing getting it moved.

John Yalch asked if the Board will be considering an Ordinance about the parking of recreational vehicles on the street. There is a neighbor who parks his camper on the street as opposed to parking it to the side of their residence. His concern is that although the boat issue has been resolved for now, other recreational parking issues will exist and new ones may arise.

Recreational Vehicle Parking (con't)

Mike Demmy asked if an ordinance is being worked on. Sol Wolf stated that the Supervisors have not had the opportunity to meet to discuss these proposed updates to various Ordinances. A workshop will be scheduled to hold discussions prior to any adoption of the Ordinance updates.

Sol Wolf said the best he can offer is to say that the Ordinance updates should be completed before the end of the year.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Engine Brake Retarder – Rte 72 N**

At the July meeting the Supervisors approved a letter to PADOT requesting permission to install Engine Brake Retarder Prohibition signs located on Route 72 from Jay St to Long Lane. A letter, dated July 21, was mailed to PADOT and a response had been received dated July 29. PADOT will be conducting a traffic study to determine what, if any, changes in the existing conditions should be made to the area, Route 72. The results from PADOT will be forwarded as soon as the studies are completed. The Twp should allow 30 days for completion of these studies.

Resident Martin Barondick asked the Board how they expect to enforce this even if signage is installed. He insisted there is no way that this type of ordinance could be enforced. He told Sol Wolf the Twp is opening the door to lawsuits. A discussion followed about various types of trucks and the acceptable use of factory installed braking systems. Suv Brensinger mentioned his doubts about posting signs throughout the Twp without having enforcement policies in place.

B.) Bridge Inspection Reports

The bi-annual bridge inspections for Halfway Dr and Water St have been completed by Wilson Consulting. Wilson Consulting met with Suv Brensinger and Mgr Grumbine to review the reports and discuss recommended improvements. The Twp has contracted with Wilson Consulting to perform inspections on Emma Rd and Long Lane bridges.

C.) 2014 – 904 Performance Grant Application

The 2014 904 Performance Grant Application has been prepared for the Board's approval. The anticipated amount is \$14,269. Mgr Grumbine is recommending the Board approve the application and authorize the Chairman's signature.

MOTION was made and seconded to approve the application for the 2014 904 Performance Grant and authorize the signature of the Chairman on the application. Motion unanimously carried.

SOLICITOR'S REPORT – Sol Frederick Wolf, Henry & Beaver**A.) Misc Ordinance Updates – Burning, Curfew, Pawn Shops**

Sol Wolf said Chf Easter has provided suggestions to the Board for consideration. A workshop will need to be scheduled for discussion. One of the ordinances being reviewed is the burn ordinance. The Chief has suggested a total "no burn" ordinance. He has tried to insure enforcement from the Police Dept on the current ordinance. It is difficult to enforce due to the fact that the Officer must arrive in time to witness the actual items being burned.

Martin Barondick stated that he thinks it is a shame that a few individuals will spoil it for everyone by burning unacceptable items and not following the ordinance as written.

Misc Ordinance Updates – Burning, Curfew, Pawn Shops (con't)

Suv Miller questioned Sol Wolf about his comment referring to farmers being exempt from the ordinance. We have The Right to Farm Act. Is the burning issue within that Act or is the Twp ordinance written to that effect? Sol Wolf replied the Twp has always recognized that farmers sometimes need the use of burning when dealing with their hedgerows and such.

Dawn Hawkins asked if the ordinance stating a “no burn ordinance” is the only burn ordinance the Board is willing to look at. Is the Board willing to look at variations to this particular suggestion the Chief has offered, such as restrictions in certain areas?

Suv Miller asked if there might be a “model” burning ordinance that we could review that would modify the current ordinance but not restrict burning totally. Sol Wolf replied it is his interpretation that the enforcement is the problem with the current ordinance.

Bonnie Grumbine, NLT Recycling Coordinator, said she has prepared a power point presentation to share with the Board once they have scheduled their workshop. She stated there are misconceptions about the whole burning issue. Conversations during the recent Board meetings indicate the problem is with enforcement of the existing ordinance. The enforcement is one portion of the problem. Through the years the office has taken many phone calls and had many conversations with the residents on this topic. There are other considerations than just the enforcement problems. This ordinance needs to be reviewed and considered carefully. She requested the Board grant her time during the workshop to share her presentation.

Dawn Hawkins questioned if this workshop would be open to the public for attendance. Chm Brensinger replied yes definitely.

B.) Letter to Developer – Phase 3 Homestead (8-3)

Sol Wolf stated that a letter had been sent to the developer of Homestead Acres regarding completing the required punch list so the paving can be accomplished. Mgr Grumbine received notification that the developer has contracted with someone to complete the required work. As this phase (3) had been bonded, the Twp should monitor the work to insure completion.

C.) Weis Markets – Liquor License – Reschedule Hearing

Sol Wolf stated that the Re-Hearing for Weis Markets has been rescheduled for Monday, September 14 @ 7:30pm. The regularly scheduled Supervisor meeting will be held that night also. The original meeting scheduled for September 21 will be moved to September 14th and will be advertised as such. The regular meeting will begin at 7pm.

Several reasons were considered which resulted in the rescheduling. Suv Brensinger will be unavailable on September 21st and it is important that all 3 Supervisors be present for this rehearing of the Liquor License Transfer. The regulations for the scheduling of the meeting state that the Re-Hearing must be advertised at least 2 times prior to the Hearing, a week apart. Also the second advertisement must be at least 7 days prior to the actual Hearing date itself.

COMMENTS FROM BOARD MEMBERS**A.) Suv Ed Brensinger – Update on Kimmerlings Rd Paving**

Suv Brensinger voiced his extreme disappointment in Met Ed not having accomplished the utility pole replacement and transference of their services to the new poles. The whole project hinged on Met Ed getting the task done.

Update on Kimmerlings Rd Paving (con't)

Communications began with Met Ed 4 years ago about this project and the importance of having this task done in order to get the paving completed while the school buses were not rolling. If this project moves forward at this point in time, there will be so many more frustrations to deal with. He has to question if it is possible to get this paving accomplished this season. During a recent meeting with the District Manager he was told Met Ed will do their best. Suv Brensinger stated he will try to provide updates if any movement by Met Ed is had.

With no more business to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George
Recording Secretary