

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
ORDINANCE WORKSHOP – SEPTEMBER 30, 2015**

The duly advertised ordinance workshop was held on Wednesday September 30, 2015, at 7:00pm at 725 Kimmerlings Road, Lebanon, PA. The following were present:

Edward Brensinger	Chairman
Bruce Sattazahn	Vice-Chairman
Richard Miller	Treasurer
Cheri Grumbine	Township Manager
Harold Easter	Chief of Police
Frederick Wolf	Township Solicitor

Also in attendance was Mr. Peter Edelman of Stevens & Lee, Financial Planners, and Bonnie Grumbine, Twp employee and Recycling Coordinator.

Following the Call to Order the Pledge to the Flag was done.

1. SOLICITOR REPORT (Attorney Fred Wolf, Henry & Beaver LLP)

A.) Ordinance 3-2015 – Refinancing the Municipal Authority Debt

Chm Brensinger stated he was turning the meeting over to Sol Wolf to conduct a Public Hearing concerning the refinancing of the Municipal Authority debt.

Sol Wolf said the Supervisors have been working with the Municipal Authority to refinance the Authority debt (2009 Series A [sewer] and Series B [water]). This is being considered in order to create savings to the rate payers. The term for repaying the sewer would go from 20 years to 15 years. Reduction in years to pay the sewer debt off is the goal of both the Supervisors and the Municipal Authority. In 2016 The Authority will be making a lump sum amount to lower the amount of the sewer loan. After that time, the Authority would be authorizing additional payments from the Reserve Fund to pay on the sewer loan for the first 10 years. By the time the loan is paid off the savings would amount to 3 million plus dollars for both loans. Sol Wolf continued on to explain some of the details involved with this refinancing. The Authority is also refinancing the water debt (2009 Series B Bond). The years will remain at 20 but payments will remove large bump up as shown with Bond B Series of 2009 for water.

Peter Edelman, of Stevens Lee Bond Council, is present to answer any questions the Board might have. He also drafted the Ordinance that is before the Board tonight. Sol Wolf said the Township would be involved as the Guarantors of the proposed loan. All water and sewer revenues would be handled by Barb Bertin, a Township employee, who is the sewer billing clerk. All information would need to be provided to DCED regarding any revenues paid on the loan to show no tax funds are being used to make payments. The amount of revenues collected for operations and debt services is what determines whether or not the Township is eligible for this type of self-liquidating account.

Mr. Peter Edelman told the Board he supports everything Sol Wolf has just shared with them regarding this refinancing issue. It is self-liquidating, which means the Municipal Authority will pay the loan and the Twp acts as guarantor for the Authority. The interest is at its lowest rate.

Suv Brensinger asked if he is correct that this is 2 different loans being discussed and will the time term still be 20 years. Sol Wolf reminded the Board at the time the water project was financed, the interest rates were set a certain rate and after a period of time the interest rates were set to double. That would mean the payment would increase from \$175,000 to \$300,000. At this time the interest rates are the lowest rates have been and the term would be for 20 years.

The Twp is not expecting any expansion projects which would bring new tapping fees. The already approved Crossings Plan is starting to move forward with their developing. However the moratorium on Kimmerlings Road is now 5 years. Sol Wolf stated there are no plans to do any type of sewer expansion unless there would be some type of mandate handed down, such as Rockwood had been.

Suv Miller said it is his understanding that the sewer debt will be paid in September of 2029 and the water debt will be paid in September of 2035. Does he have that correct? He was told, yes. Does a lower interest rate necessitate an increase in payments for the loan? Suv Brensinger voiced concern about the fluctuation of the interest rates.

Mr. Edelman stated that by adopting this ordinance tonight, the interest rate will be locked even though the changes will not become effective until September of 2016.

Suv Brensinger questioned the additional payment of \$100,000 for the first 10 years. Are additional amounts able to be paid without penalties being attached? He was told after September 2016 advanced payments may be made on the new loan.

Suv Miller inquired about any future expansion by the Authority other than The Crossings. He was told The Crossings, at this time is the only large developing happening in the Twp. The amount of tapping fees collected is dependent on how fast the development moves. The goal is to try to keep the current debt amounts the same for any new customers. Suv Brensinger said at the rate that The Crossings is going, he would expect phase 3 and 4 plans of The Crossings Land Dev Plan to be submitted in the near future. That should generate some additional revenue.

Suv Miller asked if the Board has an Ass't Secretary. Sol Wolf answered, no, Cheri is the Secretary. Suv Miller stated the term "Assistant Secretary" should be stricken from the documents and the term Treasurer added.

MOTION was made and seconded to adopt Ordinance 3-2015 for refinancing of the sewer and water debts, revising the documents striking the term Assistant Secretary and substituting the term Treasurer. Motion unanimously adopted.

B.) Various Ordinance Updates and/or New

Brake Retarder - Sol Wolf mentioned the research and review that had been done on the brake retarder topic that had originally been suggested during a Board meeting by a resident. A letter of request had been submitted to PADOT and they agreed the Township could post the signs according to their restrictions. The signs are proposed for posting within the area between Long Lane and Water Street. Sol Wolf asked do we adopt one overall Ordinance for the posting of these signs throughout the Twp or is it to be for this one particular area.

Ordinance Updates (con't)

Suv Sattazahn voiced a concern about the language in the ordinance. Who determines excessive noise and is it enforceable? Chf Easter replied that the term “excessive noise” is discretionary. The engaging of the retarder brakes is definitely enforceable. To determine noise level the officers would need to be equipped with proper equipment to measure the decibels. Training would also need to be done. Suv Sattazahn said he thinks the wording in the Ordinance needs to be revised. Suv Miller said he thinks we should ask PSATS to provide a model Ordinance for this type of issue.

Suv Brensinger stated he has a problem with purchasing and installing these signs. Especially if there is no enforcement for the ordinance. This is not 1 sign that is required but 4 of them. Chf Easter repeated if the ordinance is approved as is, it would be difficult to win a hearing judgement. Suv Brensinger said we have had a request from 1 individual for this area. What about the Heilmandale Rd request? We did not follow up on that request. Mgr Grumbine stated we did not pursue it with PADOT at that time. The other concern Suv Brensinger mentioned is the possibility of setting a precedence by adopting this ordinance. We could be posting areas all over the Twp. More signs to purchase and maintain and he has too many unanswered concerns to feel comfortable with this brake retarder ordinance. Suv Sattazahn was in agreement about the unanswered concerns involving the enforcement aspect of the ordinance. Suv Miller said he is fine with more review being completed before any ordinance is drafted. He asked Mgr Grumbine to contact PSATS for a sample ordinance and asked Chf Easter to do some checking with ISAP on samples also.

Corner Lots – The Supervisors all voiced agreement that a corner lot situation should be defined as having one frontyard. They were in agreement with what is proposed for the update.

Firearms – Sol Wolf told the Supervisors the Twp is able to enforce discharge control but not possession of firearms due to State and Federal laws.

Curfew – Chf Easter told the Board he feels the curfew ordinance needs to be modified and more clearly defined. The current language just is not what it should be for enforcement purposes. He said the phrase “responsible person” needs to be eliminated from the ordinance. A discussion about the penalty section was had. Sol Wolf and Chf Easter have recommended the current language for the penalty portion remain as it is.

Pawn Shops – Chf Easter explained that although NL Twp does not have any pawn shops currently, he can see it coming. His thought is to be prepared. His recommendation to have the shops provide regular reports, either electronically or hardcopy, to the Police Dept. The kiosks in the mall are already submitting reports as a courtesy, not because they are required. Suv Miller questioned the term “business week”. Sol Wolf felt that information would be defined in the form which is submitted to the Twp. Suv Miller said it doesn't matter to him where it is defined but he prefers it be placed in the information. He asked Sol Wolf if there would be opportunities to amend and/or add to this ordinance as we experience what might be needed for this topic. He was told the ordinances are reviewed for amendments routinely.

Open Burning – Bonnie Grumbine, Twp Recycling Coordinator and employee, told the Supervisors she is against residential burning. A power point presentation was provided for the Board outlining all the reasons burning should be restricted and the health considerations attached to the open burning. Chf Easter stated his recommendations would be to eliminate the burn barrel options altogether as well as the retention of recreational burn permits. The recreational burn involves only natural campfire wood. The burning of any other materials in the fire pits would be prohibited. The sample ordinance he used came from DEP. Bonnie told the Board that the prohibited burning should definitely be for residential districts, at the very least.

Open Burning (con't)

A lengthy discussion was held about the residential districts R1, R2 and RR. The current setbacks for placement of burn containers was discussed. Bonnie mentioned that if the RR district is to be permitted to continuing burning, the setbacks should be revised especially for those RR areas that border the R1 and R2 districts. Suv Miller agreed with this suggestion.

Sol Wolf questioned if the current regulations would now apply to the RR and Ag districts or are there revisions needed. Suv Miller agreed the current regulations could be used to establish the regulations for the 2 remaining districts. A conversation about setback distances was held. Also discussed was the criminal penalties and the civil penalties within the sample Ordinance. The Board agreed that they would be in favor of eliminating open burning in the R1 and R2 districts. However the regulations for burning within the RR and AG districts need to be worked on yet.

Signage @ New Walking Path – Conversation was held about the new signs to be posted on the N 8th Ave sports fields' new walking path, "No Motor Vehicles Beyond this Point". Suv Brensinger will be placing an order for the signs and will have them installed. Once included in the ordinances the signs will be enforced. Suv Miller mentioned the parking of vehicles around the curve of the Recycling building. The turning radius is impaired by the parked cars. Mgr Grumbine suggested line striping the area indicating "No Parking". Suv Miller agreed something must be done to fix the problem.

Parking of Recreational Vehicles on Public Streets - The Board talked about the parked boat on the street situation that has been corrected. However it is felt this ordinance needs to be reviewed and kept in the ordinances. Another situation with a parked camper on Melody Ln has now occurred. Mgr Grumbine said this ordinance had been adopted in 2002. It was not questioned until a retired State Police Officer challenged the ordinance. The Board had agreed to not enforce the ordinance but never took action to repeal or remove from the Twp ordinances. When the question of installed signage came up, Sol Wolf said that it may be addressed in the Zoning regulations. Suv Miller asked Mgr Grumbine to check with PSATS about a newer sample ordinance for this issue.

Intersection N 8th Ave & Weavertown Rd - A request had been received through the Twp website regarding the intersection at N 8th Ave and Weavertown Rd. The request was for a 4-way STOP. Chf Easter stated the problem is not the intersection, it is the motorists who use unsafe driving habits. He feels a 4-way STOP will not be helpful with the problem. The individual had been advised to contact PADOT as Weavertown Rd is a PADOT road. The response from PADOT was that a request must be received from the Twp to make any suggested changes to the intersection. Suv Miller said he feels we should contact PADOT about this area. Suv Brensinger stated if we are going to make contact with PADOT about N 8th Ave /Weavertown Rd then we should also include a request about a sign being posted near Weavertown Terrace asking "Is Turn Signal Still On?" as this seems to be part of the problem in this intersection with motorists turning onto Weavertown Rd from Maple St.

Chf Easter mentioned signage along State Rte 72 N also being addressed if we are going to communicate with PADOT. With the construction of the Dollar General Store in that area, he is requesting to post "NO PARKING" on both sides of State Rte 72 from Long Lane to Blouch's facility. Suv Brensinger informed everyone that the posting request is made to PADOT but the signage is the Twp's. We would need to include information in the Ordinances for enforcement. Mgr Grumbine asked for confirmation of what information is to be included in her letter to PADOT. Signage review is being requested for the Weavertown Rd/ N 8th Ave intersection, the turn signal sign to be posted in the area of Weavertown Terrace and the no parking signage for both the east and west shoulders of State Rte 72 N from Long Lane to Blouch's facility.

2.) MANAGER'S REPORT (Cheri Grumbine)

A.) Res 16-2015 – CDBG Project – E Old Cumberland St

Mgr Grumbine explained that the street in the east district recently renamed East Old Cumberland Street is in need of repair. This street is shared with S Lebanon Twp. S Leb Twp receives entitlement funds and would be able to receive their half of paving costs through that funding.

North Leb Twp is able to apply for funding through the County's CDBG. Suv Brensinger said NLT's estimated costs for paving would be \$21,000. Resolution 16-2015 is needed to apply for the CDBG funding.

MOTION was made and seconded to adopt Res 16-2015 approving application for the CDBG Grant to pave North Lebanon Twp's portion of E Old Cumberland St (King St to dead end @ railroad tracks). Motion was unanimously carried.

B.) Lighting and Met Ed Rebates for Governmental Facilities

Mgr Grumbine and Dave met with a representative from Met Ed to review the lighting throughout all the buildings on Twp property. Interior lighting and exterior wall packs that could be energy efficient (LED) were noted. The whole building was reviewed including the Crime Lab area. The estimated initial cost was \$34,243 with the incentive being \$6000 which now an additional incentive of 8¢ being offered would total \$10,000 rebate. A discussion was had about the monthly electric costs and the current fixtures that are being reviewed. Mgr Grumbine explained it is a conversion kit that is used for the fixtures. Suv Sattazahn asked if a comparison has been done to show what savings could be had by doing the switchover to LED. Mgr Grumbine replied she can ask Bonnie to complete information on our total electrical use. Dave would be able to report the cost of the constant ballast changes he is doing as well as how much of his time is spent completing that task.

Mgr Grumbine informed the Board that South Leb Twp and South Londonderry are in the process of completing the changeover. The contractor gets paid by us, which is less the rebate. The Contractor completes all the paperwork for submission to Met Ed. Right now the rebate is 19¢ per unit. However that rebate amount is ended when the funds that are set aside are expensed. Mgr Grumbine reminded the Board there is some EIT funds that we received over the last 5 years that could be used to pay for the project. She suggested they discuss this topic at the Oct 21 Budget Workshop meeting in consideration of the time deadlines involved with these rebates. Copies of all the information will be provided to the Supervisors for review.

C.) Chesapeake Bay Area Grant

Mgr Grumbine told the Board SESI had checked into receiving Grant money for the Twp using the newly constructed rain garden area located behind the expanded Yardwaste Facility and the new retention basin off N 8th Ave. It has been reported that the projects mentioned were not eligible because they are not located within the specified urban area. After hearing that information Mgr Grumbine and Dave discussed the possibility of the erosion problem at Lions Lake. A few years ago someone had designed a solution to fix the problem but the Twp has not had funding to move forward with it. Steckbeck has agreed to check into the eligibility of this project for Grant funds.