

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JUNE 19, 2017**

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:

|                      |                    |
|----------------------|--------------------|
| Richard E. Miller    | Chairman           |
| Edward A. Brensinger | Vice – Chairman    |
| A. Bruce Sattazahn   | Treasurer          |
| Harold L. Easter     | Chief of Police    |
| Frederick Wolf       | Henry & Beaver LLP |

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| Absent | Cheri Grumbine | Township Manager |
|--------|----------------|------------------|

Also in attendance was several other individuals. The meeting was called to order and the pledge to the flag was done.

Chm Miller asked for a moment of silence in honor of Otto Wambier who had passed away today a week after being returned to the United States from North Korea.

**RECOGNITION BY BOARD**

**A.) Lee Spencer – Ebenezer**

Mr. Spencer is being recognized for his awareness of Twp property being damaged. He witnessed a truck hitting a traffic signal pole at Rte 72 & Long Lane traffic light intersection. Spencer proceeded to follow the individual until an opportunity presented itself for him to speak to the individual. Due to his diligence Spencer saved the Twp \$23,500 in costs for replacement of the traffic signal pole located on the corner of the intersection. Insurance information was received from the individual who caused the damage and the expenses were paid by the insurance company.

The Supervisors thanked Lee Spencer for his awareness and quick thinking regarding getting the information that was needed after witnessing this incident.

**B.) Elmer Weaver – Twp Employee**

The Board is also recognizing Elmer Weaver, a Twp employee who works as maintenance person at Lions Lake. Weaver, twice, displayed alertness and awareness in handling situations that required action on his part. Weaver discovered a young woman, who was obviously disoriented, asleep under some bushes at Lions Lake Park. He could assist the young woman by getting the Police involved and getting her some help. On a separate occasion, Weaver assisted a woman who had fallen into the lake. She had had trouble when trying to board her inflatable boat off the boat ramp. In both situations Weaver showed his awareness and quick reactions to assist people in need.

The Supervisors thanked Elmer Weaver for being a valuable employee and good citizen.

**C.) Jay Snavelly – Former Employee and Park & Recreation Board Member**

The Supervisors displayed a plaque which is honoring Jay Snavelly who had been an employee for many years until his retirement.

**Jay Snavely – Former Employee & P&R Member (con't)**

After retirement, he continued his service by serving on the Park & Rec Board until his passing. A tree in the Community Park is being dedicated in memory of Snavely. Suv Brensinger spoke about how valuable Jay had been to the Twp and his involvement in getting the Community Park established. He said he hopes it will give Jay's family some satisfaction to see the tree and the memorial for him.

**COMMENTS FROM THE PUBLIC**

There were no comments from the Public this evening.

**APPROVAL OF MINUTES**

The minutes from the Board of Supervisors meeting held May 15, 2017 are ready for action

**MOTION** was made and seconded to approve the Board of Supervisors minutes from May 15, 2017. 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 was unanimously carried.

**FIRE CHIEF'S REPORT – Brian Vragovich, Glenn-Lebanon****A.) Monthly Report – May (Partial Report)**

Chf Vragovich stated he is reporting for 3 of the 4 companies as he did not receive any information from 1 of the companies. Chf Vragovich reported there had been 32 calls for service from the 3 volunteer Fire Departments in the month of May. Vragovich told the Board he will have a complete report at next month's meeting.

**B.) Fire Convention – June 24, 2017**

Chf Vragovich said he wanted to commend Ebenezer and Rural Security Fire Companies for taking several awards at the parade on Saturday. The awards were for equipment they own in specific classes. Lee Spencer stated the awards this year were cash awards. He said he felt the companies appreciated the cash awards.

**CHIEF OF POLICE REPORT – Chief Harold Easter****A.) Calls For Service – May**

Chf Easter reported on the summary of activities for the month of May. A total of 669 citizen/Police contacts were completed along with 8,452 miles on the cruisers.

**B.) Police Services for Jonestown Borough**

Chm Miller questioned how the Police services are going with Jonestown Borough. Chf Easter reported he had received notification from Jonestown that they are very pleased with the part-time services being rendered from NLT Police Dept.

**TOWNSHIP MANAGERS REPORT – Prepared by C Grumbine, Twp Manager (Read by Chm Miller)****A.) County Liquid Fuels Allocation - \$11,429**

The Board is being provided with the application for 2017 County Liquid Fuels Allocation in the amount of \$11, 429 (based on the 2010 population). The funds will be used for the 2017 Paving Project.

**MOTION** was made and seconded to approve that application move forward to Lebanon County. Motion unanimously carried.

**B.) Stormwater Fee Study – SESI Proposal**

The Twp has requested a proposal from Steckbeck Engineering & Surveying Inc. (SESI) to perform a fee study in conjunction with the 2018 MS-4 Permit/PRP requirements. As previously discussed, the cost for the Township to meet the requirements (10% reduction of sediment) under the new permit for the Pollution Reduction Plan (PRP) is just over \$1M. These projects must be completed in the 5-year permit cycle. NLT has joined with 5 other municipalities to complete the Lebanon Area Regional Pollution Reduction Plan and created the Lebanon County Stormwater Consortium to reduce our costs.

The cost of this study is \$12,000 and will need Board approval for SESI to proceed, Scott Rights reviewed this study with Ed Brensinger and Mgr Grumbine. N Cornwall and S Lebanon Twp, and Cleona Borough have had similar studies performed by SESI.

The amount of & \$18,000 had been budgeted for 2018 for MS-4 Stormwater Permit Costs. However, it was very difficult to determine related costs for the newly required PRP. Overall costs have been reduced by participating in the Regional Consortium. The amount of work associated with this new permit has been greater than expected. It is anticipated that it will cost North Lebanon Twp \$19,500 - \$21,000 as our share of the PRP costs, which is only a part of our MS-4 permit renewal application. These costs do not include the annual MS-4 Report required to be filed with DEP by June 30, of each year or our other MS-4 stormwater related work throughout the year. The Board is being asked to act to approve SESI performing this stormwater fee study at the cost of \$12,000.

A discussion followed about the difficulties of meeting the guidelines from DEP regulating the process the municipalities most follow to accomplish the mandated regulations. The unfortunate issue is that it is another unfunded mandate the State is laying on the municipalities. Suv Brensinger reminded the Board members that a resident had attended the Joint Meeting last week to urge the Supervisors to also include private stormwater facilities in any fees that are adopted. He said that is a determination that the Board will have to make soon. Part of what this study will cover is the number of impervious surfaces there are in relation to the remaining lands. Steckbeck will create or use a formula to do these calculations. The idea is to adopt a stormwater fee to help cover the huge expense of dealing with these different stormwater facilities. Suv Brensinger said the farmers will be receiving regulations from DEP that will affect the operation of their farms.

Suv Sattazahn questioned the \$19,500- \$21,000 mentioned. Suv Brensinger said it is his understanding that is the anticipated amount NL Twp will be paying as a member of the consortium to accomplish some of the items the group members had listed as priority issues.

**MOTION** was made and seconded to approve Steckbeck Engineering & Surveying, Inc to complete the Stormwater Fee study, not to exceed \$12,000. Motion unanimously carried.

**C.) Lebanon County Stormwater Consortium Member, Alternate Member - Agreement**

As part of the July Board meeting a Public Hearing will be held for the Board to adopt an Ordinance approving Inter-Municipal Agreement for this Consortium. Sol Wolf has been working with other Solicitors for the advertisement and review of the Inter-Municipal Agreement, which is scheduled for the 7.17.2017 Board meeting.

**Lebanon County Stormwater Consortium Member, Alternate Member – Agreement (con't)**

As part of the Stormwater Consortium with 6 participating members, the Board will need to appoint a primary and alternate member to attend these meetings on behalf of the Supervisors. This Consortium member will review projects to meet the goals outlined in the final PRP submitted to DEP. Ultimately this primary member (and alternate member) will be responsible for determining what projects provide the most credits toward 10% reduction of TSS (sediment) vs. costs to accomplish this goal. As discussed previously, the Twp needs to determine if stormwater fees will be financing these projects and working with other non-municipal groups for a common goal (Watershed Groups and private partnerships). The Board had previously approved the listing for North Lebanon Twp projects, which will be combined with projects from other member municipalities and prioritized by the Consortium.

The Supervisors will be asked to make these appointments at the July meeting along with action on the Inter-Municipal Agreement.

**D.) Limitation of One YardWaste Facility Card per Property**

A letter has been received from a resident requesting purchase of 2 Yardwaste cards per property. The existing policy allows only 1 card per property and has been our policy from the beginning. It is recommended the existing policy remain intact. Suv Brensinger said he agrees it should remain 1 card per property. The Supervisors indicated their agreement.

**MOTION** was made and seconded to retain the rules about 1 card per property for YardWaste Facility access. Motion unanimously carried.

**E.) Park Vandalism – Lion’s Lake Bathroom/ Soccer Field/ Equipment**

Following the Board’s direction from the May meeting, proposals for surveillance cameras at the park bathroom near the rental pavilion at Lion’s Lake have been obtained. Three proposals have been received: 1.) Arnold Electric; 2) Choice Communications (current provider of admin office and yardwaste surveillance cameras (Hikvision); 3) Reeds. Per the Park & Recreation Board’s recommendation they preferred changing the locks, so that the coaches would have keys to lock and unlock, similar to our procedure now with the Long Lane bathrooms.

During the May Department Head meeting it had been discussed placing a push plate on the bathroom doors and provide a key for the dead bolt to the athletic association to open/close for practices and games. The bathrooms for rentals would be open and the renters would be asked to close and lock the bathrooms, leaving the key inside the kitchen area for Dave or Elmer to collect the next day or Monday morning.

Suv Brensinger mentioned the Park & Rec Board’s recommendation. He feels the change in keys should be considered instead of cameras being installed. He feels this would be a good start. If cameras are needed in future, it can be reconsidered. Changing the locks and providing the Athletic groups with keys should be the first step.

**MOTION** was made and seconded to approve changing the locks on the restrooms and issue the keys necessary to the Athletic groups. Motion unanimously carried.

Theresa George, Twp employee. questioned the keys being distributed. Is the Board saying every coach will be provided with a key or each sports team will receive 1 key? Someone will be tracking key distribution and a decision should be determined how many keys are distributed.

**Park Vandalism – Lion’s Lake Bathroom/ Soccer Field/ Equipment (con’t)**

Suv Brensinger said he thinks only younger age soccer and girls’ softball play at the fields at Lions Lake. He said the coaches of the teams that utilize these fields as home fields should be the ones who receive a key. Communication with the sports associations will need to be done. One key per team will be provided and the associations will need to decide who is responsible for the key and reporting the information to the Twp office.

**F.) Appointment of Zoning Hearing Board Member and Alternates (By Resolution)**

The Municipalities Planning Code states appointment of up to 3 alternate ZHB members is permitted. Currently North Lebanon has one alternate member, Dean Cover, who does not wish to become a regular member as he has conflicts with Tuesdays. Should Steve Morris decide to resign, a regular member will need to be appointed. Mgr Grumbine is suggesting 2 additional alternate members be appointed at this time to eliminate any problems with having 3 members present for any hearings. We are required to hold a hearing within 60 days of receiving any petition.

Expiration dates for alternate members would be:

1 for 12/31/2017

1 for 12/31/2019

Dean Cover’s expiration term is 12/31/2018. This allows for staggering of expiration of terms. Should an appointment be necessary to replace Steve Morris, that term would expire the end of this year, 12/31/2017.

The Supervisors discussed the fact that the third member of the Board has not offered a resignation. Suv Brensinger said he had spoken to William Potters, Janet Ave, who is interested in serving as an alternate for the ZHB. Potters is a resident, is retired from the VA and has worked in the construction field for many years. Suv Miller said he would like to offer resident, Craig Griffith of Kimmerlings Rd, as the second alternate for the ZHB. Suv Brensinger suggested if a resignation should be submitted, one of these alternate appointees may wish to take on the full-time member position. At that time, another alternate could then be appointed.

The importance of having enough members to attend these advertised, scheduled meetings was stressed. Once an application is received, the Twp is on a time clock to get the hearing accomplished. The Supervisors indicated agreement about the 2 names offered.

**MOTION** was made and seconded to appoint William Potters and Craig Griffith as alternates to serve on the Zoning Hearing Board for NL Twp. Motion unanimously carried.

**G.) Tree Dedication Agreement – Community Park**

A signed tree dedication agreement (#16 Pacific Sunset Maple) along with payment has been received for Community Park. The Board is being asked to approve the signed agreement.

**MOTION** was made and seconded to approve the signed Tree Dedication Agreement with the Abernethy family. Motion unanimously carried.

**H.) Semi-Annual Allocation to Fire Companies**

Direct deposits have been established for all 4 NLT Fire Companies. The Board is being asked to approve the first release of \$24,000 to each Fire Company, as per the 2017 Budget.

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**Semi-Annual Allocation to Fire Companies (con't)**

All 4 financial reports have been received from the Fire Companies.

**MOTION** was made and seconded to approve the first release of \$24,000 to each NLT Volunteer Fire Company as per the 2017 Budget. Motion unanimously carried.

**I.) Beers-Hoffman Proposal – Roofing Bid Documents Proposal**

A proposal from Beers-Hoffman has been received to prepare the formal bid for the Twp's roofing project. The scope of services is outlined in their proposal and include:

- Survey existing conditions
- Document on CADD
- Construction documents (detailed in proposal)
- Bidding phase service
- Structural engineering (design and sizing required for infill of existing openings in roof)

The proposal is for \$6750. Mgr Grumbine is asking the Board to approve this proposal. Suv Brensinger told his fellow Board members that the State has guidelines for pricing of projects. This project exceeds the \$25,000 ceiling; therefore, an Engineer is required to draft the bid documents and prevailing wage will have to be followed for the project. He said it is just another financial burden placed on the municipalities.

**MOTION** was made and seconded, with great reluctance, to approve the proposal from Beers-Hoffman in the amount of \$6750 to prepare roofing bid documents for the replacing of a portion of the Twp roof. Motion unanimously carried.

**J.) Stenographer Fee for Appearance at ZHB Hearings**

Following the direction of the Board, a stenographer will now be present at ZHB hearing. The cost of the stenographer is to be split between the Twp and the petitioner (per the MPC). The stenographer cost is \$100 for the first hour and \$75 for each additional hour or portion thereof. It has been determined that a minimum fee should be set at \$87.50 (50% of 2 hours) with a refund due to petitioner should the hearing only take one hour (or less). Should the hearing last longer than 2 hours, the applicant would be billed for half the remaining stenographer cost.

The Board is being asked to approve the stenographer fee to be charged each applicant that petitions the ZHB at the minimum of \$87.50 with any remaining funds to be refunded and additional fees to be billed accordingly. This standard fee information will then be added to the annual fee Resolution prepared in January.

**MOTION** was made and seconded to approve stenographer fee for ZHB cases be added to the Fee Schedule in the amount of \$87.50 (plus or minus as needed) per applicant. Motion unanimously carried.

**K.) Pertinent Issues**

1. Dissolution Notice of Lebanon County EIT Bureau. The Twp has received a MEMO from Mike Kuhn, Chairman of the Lebanon County EIT/TCC stating that they have received from each of the 6 school districts of Lebanon County a notice of withdrawal and dissolution of the Lebanon County EIT Bureau. The Bureau shall be dissolved effective June 30, 2017.

2. Ebenezer Fire Company 5-Year Contract. Lee Spencer, President of the Ebenezer Fire Company, has provided notification that a 5-year contract has been signed with First Aid and Safety Patrol (FASP). The contract will run from July 1, 2017 through June 30, 2022 and provides for the ambulance to be housed in the Ebenezer Fire Station to better serve the area residents.

Lee Spencer stated that this arrangement had been a trial run for a year, starting last year. Half way through the year it became evident that the arrangement was a win-win for all.

3. Appointment as Alternate Member – Sewage Advisory Committee. Administrative Assistant, Lori Books, has been appointed as an alternate member of the Sewage Advisory Committee representing PSATS. James Wheeler will serve as the primary member. The term is from April 1, 2017 and expires March 31, 2019.

### **SOLICITOR’S REPORT; Sol Fred Wolf -- Henry & Beaver**

#### **A.) Letter of Intent – AGL Dispensary Permit; Grower/Processor Interest**

Application to the State has been made by Advanced Grow Labs (AGL) to operate as a dispensary for medical marijuana. After the permit is received, AGL has indicated they would provide a fee to the Twp after the first 2 years of operation in the amount of \$10,000, after 2 yrs in operation \$15,000 and then \$25, 000 until the operation terminates. Sol Wolf contacted PSATS to get a determination of whether it is legal for the Twp to accept the financial gifts from this type of business operation. PSATS stated it is legal for the Twp to accept the donations. However, it is important that the Twp make it known payment is not required by the Twp but it is acceptable to receive. He told the Supervisors there will be a variety of opinions about this type of business being permitted in the Twp and the Board allowing it to locate in the municipality. Sol Wolf advised the Board members to search their feelings on the subject.

Suv Brensinger confirmed this is just a dispensary, not a growing facility. Sol Wolf confirmed the request is for a dispensary only. He said the application for permit also listed 2 other locations for dispensaries in other municipalities. It is possible NL Twp will not be chosen.

**MOTION** was made and seconded to approve the Letter of Intent for Advanced Grow Labs dispensary request after State approval of the permit. Motion unanimously carried.

#### **B.) Ordinance Updates; Holding Tanks/ Parks & Rec Regulations**

Sol Wolf told the Board at the next meeting (July) there will be a hearing scheduled for updates to the Ordinance on holding tanks and changes to our Park & Rec Regulations. The Supervisors will be provided with the information within the next week to review before the July meeting.

#### **C.) E Old Cumberland St -Curb/Sidewalk Update**

The curb/sidewalk project planned for E Old Cumberland St is to be funded through the Lebanon County Redevelopment. The Twp is currently waiting to receive the required notices from the Redevelopment Authority to mail to the property owners.

#### **D.) Pension Resolution 12-2017, Trustee Appointment**

Lori Books is being proposed to fill the position of Pension Trustee vacated by Sheila Wartluft. Resolution 12-2017 appoints Lori Books as a Trustee.

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**MOTION** was made and seconded to adopt Resolution 12-2017 appointing Lori Books as Pension Trustee effective 6/19/2017. Motion unanimously carried.

**E.) Draft MOU – Fire Company Cap Reserve Fund**

A MEMO of Understanding was drafted outlining the specific requirements pertaining to the newly proposed Capital Reserve Fund for the Fire Companies. Sol Wolf stated he is waiting for Board comments. Following receipt of the comments the MOU will be finalized and shared with the four Fire Companies for review and discussion with the Board.

**F.) Appointment of Code Enforcement Officer – Resolution #14-2017**

Sol Wolf said John Brenner, who has Code inspection experience, has offered to act as Code Enforcement for the Twp. He will act under the direction of Chf Easter. No specific compensation has been requested. Any compensation will be set by Resolution which would be adopted setting the amount. Resolution 14-2017 is appointing John Brenner as Code Inspection Officer for NL Twp.

Suv Brensinger asked for confirmation from Chf Easter that Randy Maurer also serves as Code Inspection for NL Twp. Is it necessary to have both Randy Maurer and John Brenner? Chf Easter agreed saying the Twp will evaluate and then use the services of which ever meets the needs of the situation.

**MOTION** was made and seconded to adopt Resolution 14-2017 appointing John Brenner as Code Inspection Officer for NL Twp working under the direction of Chf Easter. Motion unanimously carried.

**COMMENTS FROM BOARD MEMBERS**

**A.) 24<sup>th</sup> & Union Canal Dr – Request for All-way STOP Sign Traffic Study; Blinking Lights & Reflective Strip on Post**

Suv Brensinger reminded the Supervisors that a property owner in W Leb Twp had attended the May meeting. His garage was the one destroyed by the ABF tractor trailer truck. He requested that something be done at the intersection of 24<sup>th</sup> St and Union Canal Dr to draw more attention to the STOP signage in place there. Suv Brensinger said a 4-way STOP is not advisable for this location as the intersection does not meet the criteria for 4-way STOPS. Reflective red strips have already been placed on the posts of the existing STOP signs. There will be thermo-plastic STOP bar applications placed at the intersection when the Twp does that project. At this point, there will be no flashing red lights placed on top of the signs. Suv Brensinger said he is hesitant to overuse that particular tool. He feels the reflective strips on the posts and thermo-plastic applications, along with increased enforcement, the problems should decrease. It is unfortunate the Officers will have additional work but the fact is the truck traffic will be increasing with the opening of the Lebanon Cold Storage business. The truck traffic is something that will need to be monitored and enforced more strongly.

**B.) Purchase of Computer and Software for Camera (Golden Equip Co) (60/40 Split with NLTMA)**

Suv Brensinger reminded the Supervisors that the Twp and the Authority agreed to purchase a camera with a 40% (Twp) – 60% (Authority) split. At that time, he had told the Board a computer and software would need to be purchased. The time has come to make that purchase. As it is now the camera can be used to see into a pipe but no reports or information can be gathered.

**Purchase of Computer and Software for Camera (con't)**

The computer software will enable the reports to be generated. Suv Sattazahn questioned how long the software will be of value to the Twp before it becomes outdated. Suv Brensinger answered there is no way of answering that question because it is unknown. Suv Sattazahn asked what the Twp portion of the cost would be. He was told the Twp amount would be approximately \$8,000. Suv Miller questioned if there will be other programs available on this computer, such a Word, Excel and email programs etc. Suv Brensinger said he is not sure of the answer to that.

**MOTION** was made and seconded, with great reluctance, to approve the Twp's 40% portion of the purchase of computer and software for the camera that had been previously purchased. Motion unanimously carried.

**C.) Ash Tree – N 7<sup>th</sup> St – Proposal to Take Down**

A proposal for the removal of an old Ash tree located near the Twp salt barn close to N 7<sup>th</sup> Street is before the Board. Suv Brensinger said the tree is old and needs to be removed. Suv Sattazahn offered his agreement that the tree is large and should be removed. Suv Brensinger said if the Twp had the proper equipment to drop the tree, we would. However, this removal will require equipment the Twp does not have. The proposal from Bowman Tree Services is in the amount of not to exceed \$2500. The Twp will be assisting with traffic control and cleanup during this project.

**MOTION** was made and seconded to approve the proposal from Bowman Tree Services in the amount of not to exceed \$2500 for removal of an Ash Tree located on Tw[ property. Motion unanimously carried with 2 votes in favor. Suv Sattazahn recused himself from a vote because of his friendship with the Bowman staff.

**D.) Letter to PADOT allowing Fire Convention Parade at Ebenezer**

Suv Brensinger said the Ebenezer Fire Co will be hosting the Lebanon County Fire Convention in 2018. A Committee has already begun the planning for the various events, one of which is a parade. Route 72 will be utilized for the parade on Saturday, June 16, 2018 from 1pm to 3pm. A detour will begin at N 22<sup>nd</sup> St and continue north ending at Long Lane for road closures. Formation of the parade will be on Jay St and proceed north to Long Lane and will disperse on Ashton Dr. PADOT is requiring a letter from the Twp stating the Twp's awareness of the planning for the parade and road closure as well as the Twp's approval. Suv Brensinger is suggesting Mgr Grumbine prepare and sent the letter to PAODT stating the Twp's approval for the parade planning for Saturday, June 16, 2018.

**MOTION** was made and seconded to authorize Mgr Grumbine preparing a letter to PADOT stating the Twp's approval for the Lebanon County Fire Convention parade being planned by Ebenezer Fire Company and listing requested road closures. Motion unanimously carried.

With no further business to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George  
Recording Secretary