

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JANUARY 16, 2012**

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
Kenneth C. Artz	Treasurer
Cheri F. Grumbine	Township Manager
Harold L. Easter	Chief of Police
Frederick Wolf	Henry & Beaver LLP

Also in attendance were Kathy Hackleman of the Lebanon Daily News and several other individuals. The meeting was called to order and the pledge to the flag was done.

Chm Miller announced that a moment of silence will be shared in memory of former Twp Supervisor Ammon Gibble. Mr. Gibble served as a Supervisor from January 1980 to December 1997 for a total of 18 years. He then served on the Zoning Hearing Board from January 1998 to December of 2007 after having served for a 10 year period.

**COMMENTS FROM THE PUBLIC**

There were no comments made this evening.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve minutes from the reorganization meeting of January 3, 2012. Motion was unanimously carried.

**APPROVAL PAYROLL and PAYMENT OF INVOICES**

**MOTION** was made and seconded to approve payroll, invoices for payment subject to audit. Motion was unanimously carried.

**FIRE CHIEFS REPORT**

Fire Chf Toby Gettler reported on the activities for the month of December. He reported a total of 229 hours and 3 minutes of volunteer response time for the month of December. The Supervisors questioned some of the various related equipment used to respond to calls. Chf Gettler talked about the amount of hose used for the month and some of the categories of calls responded to during December.

**2011 Year End Summary**

Chf Gettler gave a summary for all 4 Fire Companies for the year of 2011. A total of 5406 hours and 45 minutes volunteer man hours were offered in response to 629 calls in 2011. He mentioned the number of responses and the various equipment pieces used; 471 engine responses, 69 tanker, 21 attack, 138 squad and 45 tower responses.

---

**FIRE CHIEFS REPORT** (con't)

Chf Gettler told the Board that, for Ebenezer Fire Co, the calls related to the flooding in September were all lumped into 1 category due to the fact that some of the calls were repeat calls as well as follow up calls on several of the properties.

**CHIEF OF POLICE REPORT** – Chief Harold Easter**A.) Calls for Service – Month of December**

Chf Easter reported on the activities for the month of December 2011. There were a total of 575 Police-Citizen contacts in the month of December. The Chf next reported on some of the categories for these calls of service.

**2011 Year End Summary**

Chf Easter reported on the summary of all 2011 calls and contacts. There were a total of 8,613 Police-citizen contacts for the year 2011. The Supervisors briefly discussed some of the other categories that are usually reported by the Chief.

**Earl Roberts** questioned the Chief about WalMart activities or responses. He wanted to know if there is some sort of breakdown for the number of WalMart theft responses. Chf Easter replied he does not have the exact numbers but he could get the numbers for Roberts if he wished. Chief commented that the numbers have dropped significantly since the Twp's bad check policy had changed a few years ago. Mr. Roberts stated he was just curious about the number of calls regarding thefts. Chf Easter replied that WalMart has not been aggressive in the last few years in pursuing those incidents.

**TOWNSHIP MANAGERS REPORT** – Cheri F. Grumbine**A.) US EPA Letter Dated 12/28/11**

Mgr Grumbine provided the Board with copies of a letter received dated December 28, 2011 from the EPA stating that based on EPA's review, North Lebanon Twp has met the conditions of the Administrative Order and Section 308 Request for Information of the Clean Water Act issued to the Twp on March 31, 2010. The Twp had responded to EPA's March letter on June 30, 2010 with additional information forwarded on October 14, 2010. As stated in their December letter the Administrative Order and 308 Request for Information are officially closed. As approved at the last meeting, the Twp will continue to work with Steve Sherk at Steckbeck Engineering on the PAG-13 permit (PA General Permit) and fulfilling the MS-4 regulations.

Chm Miller asked Mgr Grumbine to clarify for him what this letter means. She explained that that the Twp is now in compliance with the first round permit for the MS4 stormwater program. The information that they had requested from the Twp was submitted a year and a half ago. This letter acknowledges that the Twp is now in compliance. The Twp has started working on preparations for the next permit process.

**B.) Approval of Initiation of Litigation & Filing of Complaint**

On Tuesday, January 11 Suv Miller and Mgr Grumbine had participated in a conference call with legal representation regarding the EIT over/under issue. The joint committee is ready to move forward with this litigation.

---

**Approval of Initiation of Litigation & Filing of Complaint (con't)**

It is necessary for the Board to take action to approve the initiation of the litigation and filing of the complaint on behalf of North Lebanon Twp by the legal representative, Pepper Hamilton, to authorize the signing of any necessary documents by Suv Miller and Mgr Grumbine as Board Secretary.

**MOTION** was made and seconded to approve the initiation of the litigation and filing of the complaint on behalf of North Lebanon Twp by the legal representative, Pepper Hamilton, to authorize the signing of any necessary documents by Suv Miller and Mgr Grumbine, as the Board Secretary. Motion was unanimously carried.

**C.) Waiver Request – Rapid Entry System – Allegheny Valley Schools**

A letter of request has been received from Allegheny Valley School regarding the Rapid Entry System (Ordinance 2-2010) requesting a waiver. The letter states that they consider themselves to be a single family residence serving (3) women with disabilities and not a nursing home/healthcare facility. The letter states the house has awake 24/7 coverage, so staff are available at the home around the clock. The Board is being asked to take a direction on this request.

Chm Miller asked Chf Toby Gettler if he has any comments he would like to make on behalf of the Fire Chiefs regarding this waiver request. Chf Gettler remarked that this particular address would be within Weavertown Fire Company's run district. He did not feel comfortable making any direct comments as he feels it should be addressed to Weavertown first. He did state a concern about granting waivers for the Knox Box Ordinance. Mgr Grumbine suggested emailing a copy of this request to all the Fire Chiefs. Chm Miller suggested waiting until there is feedback from the Fire Chiefs before making a determination on this waiver request. All Supervisors were in agreement to tabling this waiver request.

**D.) Non-Emergency Activity Listing – Fire Companies**

Per requirement by the Worker's Compensation coverage, the Board reviews an annual non-emergency activity list submitted by all four of the volunteer Fire Companies. After reviewing the list provided Suv Artz mentioned he was confused about at least 1 activity listed. The Board members discussed the difference between active fire fighting activities, which includes fundraising events, and what is considered a social event for the fire members. Chm Miller explained the Board's situation when reviewing this list and how these functions might impact the Twp if approved.

Chm Miller asked Chf Toby Gettler to offer any comments he might want to share with the Board. Chf Gettler replied to the question of Holiday parties being listed as an event. He informed the Supervisors this is actually a fundraiser activity. At one time it was called a "Quarter Jam" and the Fire Co had been told these activities are illegal. The event has been revised to a "Holiday party". He then remarked to the Board on some of the information that had been shared with the Fire Chiefs during a meeting with the Workers' Compensation Insurance representative. Some of the Chiefs were concerned about some of the "gray areas" concerning a lack of insurance coverage. Chf Gettler told the Board the Fire companies are very grateful for the funding awarded with this year's budget however all 4 companies find fundraising a must. Mgr Grumbine indicated Sheila Wartluft, Bonnie Grumbine and herself had been in attendance at the meeting Chf Gettler referred to. Suv Brensinger suggested that Mgr Grumbine contact the PSATS discussion group to find out how other municipalities with volunteer fire companies handle this issue.

**Non-Emergency Activity Listing (con't)**

After further conversation was held regarding this issue, Suv Brensinger asked if the insurance rep has ever reviewed the activity lists. He was told the checklist was created inhouse and the insurance company has probably never seen the list. Mgr Grumbine replied that the insurance company is becoming more stringent with their procedures.

Chm Miller suggested the non-emergency lists be approved conditionally pending a review, within the next month, with the Workers' Comp rep, a Fire Co rep and Mgr Grumbine. Suv Artz and Brensinger agreed to this suggestion. Chm Miller asked Chf Gettler to inform the other Fire Chiefs that a meeting will be scheduled to meet with the insurance carrier to review these lists. Gettler agreed to relay the message.

**MOTION** was made and seconded to conditionally approve the non-emergency activity lists provided by the four Fire Companies pending a review with a Workers' Comp rep, Fire Co rep and Mgr Grumbine. Motion unanimously carried.

**Pertinent Issues**

1.) CLSD Regional Comp Plan Update; Milestone #2- 2/16/12 @ South Lebanon Elementary. A draft of the minutes from the 1-05-12 Comp Plan meeting has been provided to the Supervisors. The Public Milestone Meeting #2 is tentatively scheduled for 2/16/2012 with a snow date of 2/23/12. The location for the meeting has been changed to the South Lebanon Elementary School. If the timeline goes accordingly, the draft plan would go before the Committee at the 3/01/12 meeting.

2.) Streetlights @ Rte 422/15<sup>th</sup> Avenue

Three of the streetlights at the intersection of Rte 422/15<sup>th</sup> Avenue which had been reported by Suv Brensinger at the last meeting have been repaired by the Twp's contractor, C.M. High and are now operational. The fourth streetlight which is on a Met Ed pole has been reported to Met Ed for them to repair.

3.) 2012 Renewal of Mobile Home Park Licenses

A memo was provided to the Board regarding 5 of the 7 mobile home parks who have submitted their renewal applications and their fees for 2012 as follows Green Acres, Lincoln Village, Northcrest Acres, Ridgeway, and Sandhill Mobile Home Parks.. The Board is being asked to approve the 5 renewal applications received and authorize signatures on the licenses.

**MOTION** was made and seconded to approve the renewal application for the 2012 licenses for Green Acres, Lincoln Village, Northcrest Acres, Ridgeway, and Sandhill Mobile Home Parks, that have been submitted to the office. Motion unanimously carried.

**SOLICITOR'S REPORT – Sol Frederick Wolf, Henry & Beaver LLP****A.) Rockwood Sewer Project Update**

The Penn Vest announcement for funding for Swatara should be made at end of the month. The Engineer has continued working on right-of-way agreements and some of the other preparation work before this project can actually get started.

**B.) Resolution 6-2012; IRS Required 457 Plan Amendments**

An IRS Plan is offered for the Twp employees who choose to participate. There have been some amendments to the process and the Twp was advised to review in the event that they may want to adopt some of the revisions. Mgr Grumbine had reviewed the information and was in contact with the administrator of the 457 Plan, Steven Goodhue of Edward Jones, to discuss with him. Sol Wolf and Mgr Grumbine reviewed the document with Dave Killick at Conrad Siegel who advised the Twp on the elections in the document. One revision refers to the use of the plan regarding insurance issues and was recommended that the Board not approve this particular amendment.

**MOTION** was made and seconded to approve Resolution 6-2012 regarding the amendments to the 457 Plan with the exception of Article 7 and an effective date of December 31, 2012. Motion unanimously carried.

**C.) 2012 EIT Agreement – Fulton Paying Agent**

This is a follow up agreement for the over/under municipalities/school districts regarding a paying agent of Fulton Bank. Within the agreement is the mention of 4 groups that have elected to pay the full amount and not do annual payments. Cornwall-Lebanon School District, Jackson Twp, Millcreek Twp and Palmyra Borough have all opted to pay their amounts in full.

Mgr Grumbine questioned Sol Wolf about Section 3 and the revisions that the 2 of them had discussed. Sol Wolf replied he had revised Section 3 to reflect what had been discussed between the 2 of them, which clarifies that only those paid in full will not have annual payments due.

**MOTION** was made and seconded to approve the 2012 EIT Agreement for the over/under issues selecting Fulton as Paying Agent. Motion unanimously carried.

**D.) Rezoning Petition; Mase/Fisher – Scheduling Public Hearing – April 16**

This request is to rezone lands from Agriculture to Residential. The submission had been received some time ago but was held until all the appropriate information was received. The plan involves public sewer and could impact the pumping stations and/or the Rockwood sewer project. Public water is available in the area. Lebanon County Planning, NLT Planning Commission and the NLT Municipal Authority have all been notified and provided with the information. This type of request requires a Public Hearing be scheduled and comments received from all the above listed departments. Notification to the surrounding neighbors and advertising of the Public Hearing is required by law. Posting of the proposed properties is also a requirement. Within the next months comments will be received and a Public Hearing will be advertised for April 16, which is the regular scheduled Board of Supervisors meeting. Sol Wolf will be handling the advertisement while the Twp prepares the written notifications and the posting of the properties.

**E.) The Crossings @ Sweet Briar Plan**

Sol Wolf reminded the Board of the conditional approval for Phase 1 of The Crossings. He informed the Board that he has now received the HOA documents from Landmark Builders. He is in the process of reviewing the documents and will pass on any comments he has to the Planning Commission and the Board to review.

**F.) Sahonic Water Issue - E Cumberland St**

Sol Wolf informed the Supervisors that the Sahonics have now located in a FEMA trailer.

---

**Sahonic Water Issue - E Cumberland St (con't)**

This is an issue that should not get forgotten until an agreement has been made with South Lebanon, North Lebanon and the Sahonics in regards to a possible purchase of their property. Mgr Grumbine will remain in touch with the Sahonics until they make a decision on this issue.

**COMMENTS FROM BOARD MEMBERS****A.) ASA Committee Progress – Suv Artz**

Suv Artz reported he had been in contact with the majority of the Committee and the committee is intact. Judy Atkins has resigned as Chairperson but has indicated would like to remain on the Committee. Once the other 2 members are contacted by him, Suv Artz stated the Committee would be meeting to organize.

**B.) Suv Dick Miller**

Suv Miller expressed some sentiments regarding Ammon Gible and the time of service as well as the man himself. He expressed condolences on behalf of the Twp to the Gible family.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George  
Recording Secretary