

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JULY 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	Twp Manager
Harold L. Easter	Chief of Police
Solicitor Frederick S. Wolf	Henry & Beaver LLP

Also in attendance were Rick Bolt, County Engineer, Bob Sentz Ass't Director Lebanon County Planning Dept Kathy Hackleman of the Lebanon Daily and several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Sholly Avenue Residents – Swale Issue

The residents from the Sholly Avenue area had been invited to attend the meeting to discuss a problem with the approved storm drainage swale for their properties. During a recent inspection it was discovered the approved swale is now non-existent behind the townhouses. Discussions have taken place with several property owners to work towards a solution that would be least intrusive to them but complies with the recorded subdivision plan. The Board's original letter asked that the homeowners of the townhouse units work together to reconstruct the swale.

Rick Bolt, County Engineer, and Bob Sentz of Lebanon County Planning attended the meeting also. Both Rick and Bob had walked the swale area and spoken to some of the neighbors regarding the swale. The homeowners expressed their desire to try to maintain their backyard areas, as the areas are already somewhat small. The Twp has received a proposal for survey work that would be required and also engineering for re-design of the swale. The Board is looking to the homeowners for an assurance that if the Twp is going to invest \$4000 in survey and engineering fees that the homeowners will agree to complete installation of the less intrusive swale in coordination with their neighbors. Mgr Grumbine prepared a projection presentation so the public could follow the discussions. Roadmaster Ed Brensinger also had walked the area and took pictures of some objects that will need to be removed from the designated swale area to allow flow to the existing inlet. The pictures were also projected on the wall for everyone to see.

Sol Wolf repeated a brief summary of the meetings and contacts with the townhouse owners up to this date. He explained Rick Bolt, County Engineer and Bob Sentz from Lebanon County Planning Dept are in attendance to discuss solutions with the property owners. Rick Bolt stated he has met and talked to many of the property owners as well as a few of the neighboring properties. Mr. Bolt referred to the recorded subdivision plan which shows the dimensions of the approved swale. He explained his role in this issue is to help the residents protect their properties from any future flooding and water problems such as was experienced last fall.

Sholly Avenue Residents – Swale Issue (con't)

Mr. Bolt said he understands the homeowners desire to try to retain as much of their backyards as possible. He is interested in helping these people find a solution to this situation.

Many of the property owners voiced some of their concerns and resolutions for this problem. Mr. Bolt told the property owners he believes everything that is being said and his goal is to complete a redesign that will work for these property owners. Suv Brensinger told the property owners that the swale problem is with the townhouse properties. The single family lots do not have a swale issue but do need to address the obstructions that have been placed in the existing swale areas. Mr. Bolt explained the necessity of creating a redesign that will address the water runoff and carry it far enough away from the properties. When asked, he replied a swale can be redesigned for the townhouse properties that will still work effectively and save some of the yard space.

Mr. Lutz mentioned he had requested some estimates from a few contractors. He received only 1 reply with an estimate, which was approximately \$1250 per townhouse unit. The design he had provided to contractors was using the original approved, recorded plan. Mr. Bolt is discussing a redesign which would allow more yard space to remain. A question was raised pertaining to the single family properties. Obstructions in the swale area is being reported as the problem with the single family properties. One of the owners questioned at what time during this process would the single family property owners have to become involved and when would they find out what exactly the solutions would cost them.

Bob Sentz of Lebanon County Planning Dept introduced himself to the public. He stressed the importance of all the property owners being informed and working together toward a solution and then following it through until the end. He said time is not a huge issue. The issue is getting everybody to work together and get this problem resolved. Mr. Sentz informed the property owners that anyone who has questions or comments should feel free to contact himself or Rick Bolt.

Conversation followed about the time after the proposed work is completed and what types of guarantees there would be for the property owners that the swale will work effectively. Mr. Bolt said as an Engineer there are formulas that are used to estimate the 25 year rain events. There are other factors that are used to project water flow and the areas ability to handle the flow. He told the public there is no guarantee on anything. He cannot predict the future weather events and the amounts of rainfall that may occur. Mr. Bolt repeated he is concerned with considering all the factors but being able to maintain as much yard area as possible for the homeowners.

A question was raised from one of the owners about the number of property owners involved. She questioned how to get all the property owners coordinated and to agree on what is to be accomplished. She was told her property is not part of the swale redesign problem. Chm Miller said the idea was to get the information out to the property owners and have them involved in correcting this issue. The resident asked if the property owners will be informed with follow up information about this project. Rick Bolt said he would think there would be follow up meetings with all the property owners.

Dawn Hawkins – Mt Zion Rd

Ms. Hawkins stated she is not involved in this issue as a property owner. As she is listening to the conversation she is hearing there are townhouses that have a definite problem with a swale.

Sholly Avenue Residents – Swale Issue (con't)

However there are some of the townhouse property owners who do not wish to do any type of corrective measures. Ms. Hawkins said she is hearing about using Twp funds to pay for a redesign of the townhouse backyard areas. She wanted to be on record as being opposed to Twp funds being used to force these townhouse property owners into a redesign they do not want to complete.

Earl Roberts – W Kercher Ave

Mr. Roberts explained that until an actual topographical study is completed, the scope of the project is unknown. The land elevations and flow must be known and made available for contractors before any actual costs could be estimated. The contractor who quoted \$1250 a unit was offering a guess without knowing any of the particulars.

The Supervisors discussed the many different issues involved with this situation. A discussion was held as to whether or not the Twp should be responsible for costs of a redesign for the area. What if some of the property owners decide they do not want to be involved in the redesign? Chm Miller asked his fellow Board members their opinions. Suv Brensinger said he is not in favor of the Twp becoming involved financially in this type of project. Suv Artz stated he would be in favor of helping these residents due to the events that lead to this situation. Conversation on this issue continued between the Board members.

Chm Miller suggested this issue be deferred for now. Suv Brensinger stated at the very least he would want a definite commitment from all 8 townhouse property owners. Without a commitment from all of them, he would not agree to any Twp financial costs for this project.

After some discussion on this topic later in the meeting during the Manager's Report, it was decided to mail a letter from the Twp to each of the townhouse property owners. The letter will explain that the Twp will make a financial assist only after a written commitment is received from all 8 townhouse property owners to complete the work project according to the topographical study as dictated. Mgr Grumbine suggested she work with Sol Wolf to draft a letter to the 8 property owners along with a written commitment form to be signed and returned to the Twp.

MOTION was made and seconded to authorize Mgr Grumbine to work with Sol Wolf to draft a letter to the 8 property owners and a required written commitment response to be signed and returned to the Twp before the Twp agrees to any financial assist on this swale project. Motion unanimously carried.

B.) Frank Sahonic – (Old) Cumberland Street Property

Mr. Sahonic stated he wanted to discuss the maintenance issues for E Cumberland Street which was formerly E Lehman Street. At a previous meeting the Board approved snow removal for this area. Sahonic is now questioning why more maintenance work is not being completed. Sahonic was told that the area is not on the Liquid Fuels map and will not be maintained by the Twp until it becomes part of the Liquid Fuels program.

Mr. Sahonic also wanted the Supervisors to be aware of the reassessment information he has received in regards to his property. Sol Wolf explained that the reassessment process may not have been informed about the extenuating situation with the Sahonic property.

Sahonic – (Old) Cumberland Street Property (con't)

When Mr. Sahonic questioned what he has to do with the reassessment papers, Chm Miller suggested that he take a copy of the appraisal paperwork the Twp had completed while working with the Sahonics to solve their issues after the flooding in Sept of 2011 along to the hearing at the Assessment office. Mr. Sahonic said he has a hearing scheduled with the Assessment Board. Mgr Grumbine asked the Board if they wanted her to attend the assessment hearing, as equity owners of the Sahonic property.

Mr. Sahonic then asked about the water runoff pipes along the railroad tracks. Suv Brensinger explained the pipes in the area and where everything flows to. Discussion continued about the debris blockage in the pipes and what the next several steps will be in order to be able to complete videoing the pipes.

APPROVAL OF MINUTES

MOTION was made and seconded to approve minutes from the meeting of June 18, 2012 after correcting the attendance list. Ken Artz was not in attendance at the June 18 meeting. 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.

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

Chf Easter reported on the activities for the month of June 2012. There were a total of 741 Police-Citizen contacts in the month of June. Chief Easter mentioned some of the individual categories for these calls of service.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Approval to Advertise Sale of 2003 Cruiser**

A new Police cruiser has been added to the Twp fleet. Authorization is being asked to advertise the 2003 cruiser on Municibid with an award to take place at the August 20th meeting.

MOTION was made and seconded to authorize advertisement for sale of the 2003 cruiser on Municibid. Motion unanimously carried.

B.) Reazer's Junkyard License Renewal For 2012

Lt Wengert has been working with Mr. Reazer for compliance of the regulations for Junkyards. Ron Miller, Assistant Fire Chief for Ebenezer Fire Co, has completed inspection of 2 items that Lt Wengert had requested. A copy of the confirmation letter from Ron Miller and initialed by Lt Wengert has been provided for the Board's review. The Board is being asked to approve and issue the renewal license for Mr. Reazer.

MOTION was made and seconded to approve the renewal of Robert Reazer's junkyard license and authorize the Chairman's signature on the license. Motion unanimously carried.

C.) Award of Item Sold on Municibid

A bid of \$200 for the ESCO Super V Rock Teeth (5) has been received through the Municibid website. The highest bidder was Dale Bechtold of Bethel, PA.

Award of Item Sold on Municibid (con't)

The Board is being asked to approve the bid so the items can be released from the Twp inventory.

MOTION was made and seconded to approve the bid of \$200 received from Dale Bechtold for the 5 ESCO Super V Rock Teeth advertised on Municibid's website. Motion unanimously carried.

D.) Non-Emergency Activity Listings – Fire Companies

During the May 2 meeting when our insurance agent had met with Fire Company Representatives and the Board, revised non-emergency activity listings were asked for from the companies. The lists have been submitted from the 4 Fire Companies. Due to insurance purposes, specific information has been added to the lists. The Board is being asked to review the information that has been added and determine which activities will be covered under the Twp's workers compensation insurance. Any listed activities not approved by the Board should be stricken from the lists before a copy is provided to the insurance agent showing what activities have been officially approved by the Board of Supervisors.

The Supervisors discussed some of the notations that have been added to the listings from the fire Companies. Chm Miller said the only item he would question is the fireman's picnic that is listed. Due to the fact there is not anyone present to answer any questions, he feels the lists could be approved with the exception of the fire Company picnic. Suv Brensinger stated he thinks the annual appreciation dinner would also be exempt. He said the coverage would be picked up by the Fireman's additional insurance.

MOTION was made and seconded to approve the non-emergency activity lists for all 4 Fire Companies with the exception of the annual Fire Company picnic scheduled for Sept 16, 2012 and the annual appreciation dinner hosted by Glenn-Lebanon Fire Company in February. Motion unanimously carried.

E.) Lester Martin – 2300 Weavertown Road; Animal Waste Storage Facility

An application for an Animal Waste Storage Facility for the property located at 2300 Weavertown Road has been received. Lester Martin is the applicant. As the Twp has a Memorandum of Understanding (MOU) with Lebanon County Conservation District to review these applications on the Board's behalf, LCCD is recommending the Board's approval for this storage facility.

MOTION was made and seconded to approve the Animal Waste Storage Facility for Lester Martin at the 2300 Weavertown Road property. Motion unanimously carried.

F.) Addressing Rte 72 North (W Maple St) & Old Cumberland St (E Cumberland St)

Jamie George of County GIS Department had attended a previous meeting to discuss some addressing issues.

In regards to W Maple Street addressing, Jamie provided a map with a spine reference of projected addresses and only those properties affected. If the Board is in agreement addresses will be assigned for those particular properties based on the location of their driveway access.

Addressing Rte 72 North (W Maple St) & Old Cumberland St (E Lehman St) (con't)

Jamie George has suggested retaining the addressing for the homes on W Maple Street (properties along Coleman Park area). The businesses along W Maple Street (Pansy Hill area State Rte 72 N) will be receiving new addressing. The numbering will be suggested from the GIS department and the Supervisors are being asked what name will be applied to the street, such as State Rte 72 North. The properties that have driveway access off Hill Street will remain the same. A total of 6 business addresses will be changed.

The area of E Cumberland Street (formerly E Lehman Street) was also discussed. The properties that access of this street will retain the numbers in their address but will become Old Cumberland Street as opposed to East Cumberland Street. Any properties that have driveway access from 15th Avenue or Cumberland Street will remain the same. The properties from 11th Avenue to Cedar Grill will be affected. The Dairy Queen may not have to be changed as they have access from Cumberland Street. South Lebanon Twp will also have to approve the changes. Once S Leb Twp indicates their agreement, notices will be mailed to the residents, Police Dept/Fire Companies, County offices and Post Office.

MOTION was made and seconded to approve the re-addressing for East Cumberland Street to Old Cumberland Street and West Maple Street to State Rte 72 North areas as discussed. Motion unanimously carried.

G.) Pertinent Issues

1.) CLSD Regional Comp Plan Update; PC to Review by September – The Comprehensive Plan is now posted on the website at Cornwall-Lebanonplan.com. A tentative date of Oct 4 is being scheduled for a Joint Planning Commission Meeting. Once comments are received from all Planning Commissions the meeting will be scheduled. NLT Planning Commission is being asked to discuss and give a recommendation for the September BOS meeting.

2.) GLRA Recognition & Achievement Awards Program – July 10 – Mgr Grumbine had attended and accepted NLT's award for recycling. North Lebanon received a third place award for recycling efforts made in the year 2011.

3.) Auditor General Closing Report – Mgr Grumbine reported to the Board that an auditor from the Auditor General's Office had been auditing the Pension files pertaining to the last 3 years (2009, 2010 & 2011). The Auditor will conduct her exit conference to Mgr Grumbine on Wednesday, July 19th @ 11:00 AM. She informed the Supervisors if they would like to attend they are welcome to do so.

SOLICITOR'S REPORT – Sol Frederick Wolf**A.) Rockwood Sewer Project Update & Intermunicipal Agreement w Swatara; Pennvest**

The bids have been released for this project. Monday night will be a special Authority meeting to review and possibly award the bids. All information will be submitted to PennVest for approval once the Authority has decided on the awarding of the bids.

B.) Personnel Manual

Mgr Grumbine previously provided the draft of the revised Personnel Manual to the Board and Sol Wolf. Sol Wolf has received a copy to review as PennVest has mandated certain items be included in the Manual. Suv Brensinger suggested to his fellow Supervisors that they take the time to read and review the revised Manual.

Personnel Manual (con't)

If they do not have the original copy he advised them to ask for one so they can see what is being revised. He does not wish to “rubber stamp” this Manual. He stated that some of the revisions need to be carefully considered.

C.) Act 37 – Ambulance Service; Memo to Board 6/12//12

A letter dated June 13 to Steve Lyle, area Federation, has not been answered. Sol Wolf informed the Board he will be contacting Mr. Lyle again. Mgr Grumbine will be setting up an appointment to meet with both Central Medical and First Aid and Safety to tour their facilities and see how they operate when responding to calls for service. Sol Wolf suggested the Supervisors might want to accompany Mgr Grumbine once the appointments are made.

D.) Resolution No. 15-2012 – Public Hearing Aug 20, 2012; ASA Renewal

A Public Hearing has been scheduled for Aug 20, 2012 to hear the details about the NLT Ag Security Program. The Twp is required by law to review/ renew the Ag Security every 7 years. The Ag Advisory Committee, NLT Planning Commission and Lebanon County Planning Dept will be offering comments as well as receiving any comments from the public. Mgr Grumbine stated that all property owners who had been listed in the current ASA have responded with only 1 individual deciding to remove his property.

E.) Resolution No. 17-2012; Bidding for Professional Service–Pension Plans; Approve Policy

Resolution 17-2012 outlines the Twp’s process for choosing a qualified firm to handle the Twp’s Pension plans both Uniform and Non-Uniform. The Resolution also provides for future amendments to the process as needed. During the recent Pension Audit, the Auditor was asked to review the Resolution and the guidelines in order to offer an opinion. The Auditor stated our guidelines do meet the requirements of Act 205. A discussion was held about the reasons for this change in the procedure. Chm Miller asked if the Twp is able to retain Edward Jones as their fund administrator or would the Twp be forced to follow this established process and accept the bidding results as the final determination. The discussion turned to the current procedure used by the Twp. Sol Wolf explained this Resolution is adopting the outline for the process but does not mean the Twp will change its existing procedure for Pension Planning.

MOTION was made and seconded to adopt Resolution No. 17-2012 establishing an outlined procedure for the choosing of a Pension Plan administrator according to Act 44-2009. Motion unanimously carried.

F.) Addendum to Park & Recreation Agreement – The Crossings At Sweet Briar to Sweetbriar Land Group Inc.

An Amendment was provided to Landmark Builders original Park & Rec agreement as the name of the company has changed since the original agreement had been signed. To date Sol Wolf has not heard back from Landmark. Sol Wolf stated he would be making contact with them to find out what the holdup is as it has been at least a month.

G.) Shipley Oil – Non-Conforming Use for Property on Rte 72 North

Shipley Oil owns the property along Rte 72 which had been occupied by Roberto’s Towing. Shipley is in the process of seeking a new tenant or a possible sale of the property. The non-conforming use that applied to this property is being sought by Shipley for the future use of the property.

Non-Conforming Use for Property on Rte 72 North (con't)

Sol Wolf stated he would generate a letter to Shipley telling them they have 180 days to process information with LCPD that they have a new tenant or a purchaser for the property.

H.) Zoning Issues - Ag & Intensive Ag Districts

A request to place chicken broiler houses in an Ag district has been received. Currently the Ag district does not allow the placement of chicken houses as it would be considered an intensive Ag operation. Sol Wolf explained there are state laws in effect that might suggest the Board should take a serious look at the Twp zoning ordinances.

A review of the Right-to-Farm Act needs to be completed in order to know how to respond to this request. He told the Board that he and Mgr Grumbine will be reviewing this request and the state law.

COMMENTS FROM BOARD MEMBERS**A.) Line Striping**

Suv Brensinger reported that there will be line striping completed within the Twp tomorrow. He reminded everyone that when the sign says “Wet Paint” it means wet paint.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary