

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
AUGUST 20 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 was Bob Swanson 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 at 7:15PM a Public Hearing has been scheduled pertaining to the renewal of the Ag Security Area for North Lebanon Twp. At 8PM a Public Hearing pertaining to Ord 3-2012, the Intermunicipal Agreement for the Rockwood Project, will begin.

COMMENTS FROM THE PUBLIC

A.) Ensminger Lot Addition Plan – Kimmerlings Road; Mike O’Donnell, Engineer

Mgr Grumbine explained this plan shows a lot addition being added to the lands of Samuel S. / Dawn I. Heilman and being subdivided from the Ronald N. / Lena F. Ensminger property. Once the plan is approved and recorded the Heilman property will be deeded showing as one parcel. The Ensminger property will also be deeded as one parcel. The Municipal Authority, NLT Planning Commission and Lebanon County Planning Dept have all reviewed and recommended approval for this lot addition plan.

The Municipal Authority has also reviewed the non-building declaration and Planning Module waiver submitted for the Ensminger plan. They have approved the documentation signed by Gordon Sheetz, County SEO, and NLT Planning Commission Chairperson, Darlene Martin.

MOTION was made and seconded to approve the Planning Module waiver and non-building declaration as well as the Lot Addition Plan for the Ensminger/Heilman plan. Motion unanimously carried.

B.) Long Lane Sports Fields; Baseball/ Football Associations – New Scoreboard

Steve Beard, Ebenezer Baseball Assoc, and Shawn Rambler, Ebenezer Football Assoc, were present to request authorization for the placement of a new scoreboard on the Midget baseball/ football field. Steve Beard told the Supervisors the cost of a new board would be \$8000, which would be funded by the 2 associations. The Associations are also in agreement that maintenance costs would be their responsibility. The lighting would consist of LED lights and the electric source would be tapped from the current concession stand. Beard stated that all the work would be completed by the Association members. Beard said a Memorandum of Understanding regarding the responsibilities would be signed between the 2 associations.

Baseball/ Football Associations – New Scoreboard (con't)

Chm Miller questioned if the Park & Rec Board had discussed this request and offered any recommendations. Beard told the board that Dwayne Elder, who sits on the Park & Rec Board, is in favor of the new scoreboard. Elder is also a member of the Baseball Association. Ass't Mgr Sheila Wartluft said the Associations had missed attending the Park & Rec meeting for August. However they are in a time crunch situation. They would like to purchase, receive and install this new scoreboard by the first of September. Chm Miller asked Sheila Wartluft to communicate this information to the Park & Rec Board so that they are aware of the scoreboard install and if they have any comments to communicate them to Mgr Grumbine. Sheila indicated she would do so.

Suv Brensinger discussed the maintenance of the scoreboard. Beard repeated the Associations would be responsible for the maintenance issues. Suv Artz mentioned the older scoreboard that is not in operation at this time. Beard replied the current scoreboard is located on the Teener field and will be worked on to get it operating this fall.

MOTION was made and seconded to approve the installation of the new LED scoreboard purchased by the Baseball/Football Associations along with an agreement between the Baseball and Football Associations in regards to the future maintenance of the board. Motion unanimously carried.

APPROVAL OF MINUTES

MOTION was made and seconded to approve minutes from the meeting of July 16. 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 July**

Chf Easter reported on the activities for the month of July 2012. Chief Easter mentioned some of the individual categories for these calls of service.

B.) Code Enforcement - Contracting Services; Randy Maurer – ABI, Inc

Chf Easter told the Board he has reviewed the information regarding the services provided by ABI, Inc. (Associated Building Inspections). Randy Maurer is the President of the business that offers Code Enforcement services. He is recommending that the Board appoint ABI, Inc. to perform Code Enforcement for North Lebanon Twp. Chm Miller questioned Chf Easter if he is satisfied with what the company offers. Chf Easter replied that he is satisfied with the services offered by this company. Chm Miller suggested that ABI be appointed on a trial basis until the end of the year. An evaluation can be done at that point in time to determine whether or not to continue with their services.

MOTION was made and seconded to appoint ABI, Inc. as Code Enforcement for North Lebanon Twp on a trial basis until the end of the year. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Penny Lane Mailboxes**

Mgr Grumbine received a phone call which was followed up with an email containing pictures regarding Penny Lane. Penny Lane is a townhouse community located off Narrows Drive and contains cluster mailboxes for the residents. The complainant stated that several people continually park in front of the cluster mailboxes making it difficult to access the mail. The postmaster accesses the back of the mailboxes. However property owners access from the front, making it difficult when a vehicle is parked at this location.

Chf Easter was asked about any suggestions he might have concerning the parking issue. Chf Easter suggested painting the curb area and line striping with yellow hash marks the length of the mailbox area. After some discussion the Board voiced their agreement to try the yellow paint markings that would be done by the Highway crew.

B.) Award of Bid – 2003 Cruiser

The 2003 cruiser was listed on Municibid with an expiration date of 8/16 at noon. The high bidder was Bernard Wojciechowski with a bid of \$1395.67. If the board finds that amount acceptable, Mgr Grumbine is asking the Board to award the bid to the highest bidder.

MOTION was made and seconded to approve the bid from Bernard Wojciechowski in the amount of \$1395.67 for the 2003 cruiser car. Motion unanimously carried.

C.) Bidding of Access Road Paving – Lenni Lenape Park

Due to the steep grade (8%) Roadmaster Brensinger is recommending that we pave the access road to the new park this year rather than wait and include with the Twp's paving projects for 2013 as originally planned. Chm Miller questioned the change in the paving schedule. Suv Brensinger explained that if the paving is put on hold until next year, we are risking erosion and finding mud and debris washing down unto Narrows Drive. The erosion could create quite a problem. Bid specifications have been prepared and the Board is being asked to approve advertising for bids. The approval should be conditional on DCNR's approval of the bidding specifications before being released.

MOTION was made and seconded to authorize the advertising for bid specifications for the paving of the entrance to Lenni Lenape Park in 2012 as opposed to 2013 conditional on approval from DCNR. Motion unanimously carried.

D.) Tenaska Letter Dated July 13, 2012

A letter dated July 31, 2012 was received from Tenaska Pa Partners which serves as a notification that they are submitting a plan approval application for the construction of a new Greenfield power generation facility in North Lebanon Township. The site will be fueled by pipeline quality natural gas and could operate 8,760 hours per year. In addition to power blocks, Tenaska is proposing to install various associated equipment which may include a cooling tower, auxiliary boiler, emergency generator, fire pump and fuel gas heater. All sources of air contamination for the proposed new facility will be covered under this plan approval application.

Mgr Grumbine informed the Board a 30-day comment period began upon receipt of this notification (8/01/2012). She has provided to them a copy of Kris Troup's letter to Tenaska. Mgr Grumbine told the Board they do not need to take any action. This is informational at this time other than any comments the Board might like to have forwarded.

Tenaska Letter Dated July 13, 2012 (con't)

Earl Roberts asked if the contents of the LCPD letter could be shared. Chm Miller provided Mr. Roberts his copy of the LCPD letter.

7:15 PM – Public Hearing Ag Security Area (ASA) Program
Resolution 15-2012

Sol Wolf outlined the history of the Ag Security program for North Lebanon Twp. The current Ag Security is a renewal of the existing program, which is mandated by law to be completed every 7 years. The Twp has an Ag Advisory Committee. Their task was to contact everyone who had properties listed in the current Ag Security program and confirm their wishes to maintain their properties in the program. A second task was to reach out to any other property owners who might wish to include their lands in the program. The Twp staff started to verify all current information regarding acreage and ownership. Letters were mailed to property owners who were asked to respond. All responses from current property owners were noted and listed. The list of properties is part of the Resolution which will adopt the renewal for the Ag program.

Advertising was done in the Lebanon Daily News for the tonight's Public Hearing. A total of 5 postings, on various farm properties, were completed. A copy of the Resolution was posted in the main office for the public to view. All of these actions and responses will become part of the record for the renewal process. Questions and/or comments were invited from the public at this point.

Tom Seyfert E Cumberland St - Mr. Seyfert stated he had received a letter from the Twp. He did not send the response back to the Twp. He is questioning whether his property is included in the ASA or not? Also what are the benefits to being in the program? An explanation was given as far as removing lands from the Ag Security program. Mgr Grumbine replied that his property is still listed from previous years. Should he wish to remove it from the program, he would need to let us know tonight.

Marie Hill Strack Drive mentioned the postings. She said she did not notice any signs on her property. Mgr Grumbine stated that 5 postings are required. Not all of the properties were posted. Ms Hill said that was her only concern.

Earl Roberts W Kercher Avenue commented on the areas located within the Ag Security. He noted that lands currently owned by Tenaska, formerly owned by the Hains, lists 126 acres for inclusion. The Hain property consisted of at least 200 acres. His question was in regards to the 70+ acres not listed. It was explained that a response form had been received after a telephone conversation with the Tenaska representative. The response form from Tenaska had listed 126 acres. Not all of the former Hain property is located within North Lebanon Twp. A portion is located within Swatara Twp. Any comments received from the property owners were noted in the renewal information for the Ag Security Program. Mr. Roberts stated he did not know that a portion of the Hain property was located in Swatara.

Chm Miller asked if there were any more questions before the Board acted on the adoption of Resolution 15-2012. There were none.

PUBLIC HEARING ENDED

MOTION was made and seconded to adopt Resolution 15-2012 renewing the Ag Security program for North Lebanon Twp. Motion unanimously carried.

TOWNSHIP MANAGER’S REPORT (con’t)

E.) Knox Box Question – Residential Alarm

A question was raised by a property owner who is installing a “fire alarm” at a residential property. Is he required to install a Knox Box on his property also? After a review of the Ordinance Mgr Grumbine’s interpretation is that a box would be required due to the “fire alarm” being installed. This would aid the Fire Company should they need to respond and the family would be away and unaware of the incoming alarm. Mgr Grumbine emailed the Fire Chiefs requesting their recommendation on this issue. The Supervisors discussed and indicated they were all in agreement with the Fire Chiefs’ and Mgr Grumbine’s interpretation. A Knox Box would be required according to the Ordinance.

F.) Park & Recreation Appointment – Kay Spannuth

The Park & Rec Board is recommending the appointment of Kay Spannuth to the Board to fill a vacant position. The term will run until 12/31/14. Suv Brensinger questioned if this was the only applicant to volunteer for this position. Mgr Grumbine answered that the Park & Rec Board had reviewed any applicants and had recommended Kay Spannuth. Suv Brensinger said he is not in agreement with this process. As Supervisor he feels the Board should receive all the information on any applicants. The Board makes the final determination and if only one name is presented there is only the option of yes or no.

Chm Miller asked Suv Brensinger if he is suggesting tabling this appointment until the Board receives copies of any other applicants. Suv Brensinger agreed yes that is his suggestion. Suv Artz voiced his agreement to table this appointment until next month after the Board receives information from all applicants.

G.) Municipal Authority Appointment – Vacant Position

The Board has also received a recommendation from the Municipal Authority to appoint Jeffery Edwards to the Authority Board. This term would expire 12/31/2015. Suv Miller asked if this was the only applicant. He was told yes it was the only volunteer form submitted. Suv Brensinger told his fellow Board members he thinks the Board should have the right to approach individuals about an open board position. Although he has not received an answer as of yet, he has approached a few individuals regarding this vacancy. Chm Miller mentioned he did not even know there was a vacant position. Suv Brensinger said he thought they would be aware of it from reading the minutes. Both Suv Miller and Artz said they do not receive the minutes from the Municipal Authority. Chm Miller said this will need to change. The Supervisors were all in agreement that this appointment should also be tabled until next month. As Mr. Edwards was in attendance, Suv Brensinger told him this was not an offence directed toward him. Chm Miller apologized to Mr. Edwards for the inconvenience this evening.

H.) Safety Committee Recommendation – Memo Dated 8/17/2012

The Board has received a recommendation from the Safety Committee in regards to a request made by Chf Easter. The Police Officers have reported a continual conflict while police cruisers exit the garages and the motorists that are driving through the same area to access the park areas. In order to reduce the potential for accidents the Safety Committee has recommended yellow line striping in front of the garage area and placement of signs on the garage doors warning motorists of emergency vehicles exiting this area. A quote of \$250 was received for the line striping.

Safety Committee Recommendation – Memo (con't)

No quotes were received for the signs. The Board members all indicated their agreement with the suggestions from the Safety Committee.

I.) Dates for Budget Workshops

A Memo had been provided to the Supervisors regarding some possible dates for Budget workshop meetings. Suv Artz told Mgr Grumbine that they will have to discuss the dates as he already has a conflict with some of the proposed dates. All 3 Supervisors agreed they would need to discuss scheduling the dates before advertising the chosen dates.

J.) Pertinent Issues

1.) CLSD Regional Comp Plan Update; PC Joint Meeting October 4th – The CLSD Regional Comp Plan draft will be discussed at the September NLT Planning Commission meeting. The joint Regional Planning Commission meeting for all five Municipal Boards to make a recommendation is scheduled for October 4th at the South Lebanon Elementary School for 6:00 PM.

2.) GLRA Annual Picnic – September 5th @ 6:15 PM – The annual GLRA picnic is scheduled for Wednesday, September 5th @ 6:15PM. An RSVP is requested by Monday, August 27th.

3.) Met Ed Right-of-Way @ Lenni Lenape Park – Mgr Grumbine told the Board we have finally received the paperwork to complete for a right-of-way agreement with Met Ed to install lines at the new park. After a signature from the Supervisors she will then return the document to Met Ed and the installation can be scheduled.

MOTION was made and seconded to approve signing the right-of-way agreement with Met Ed to service Lenni Lenape Park. Motion unanimously carried.

4.) Union Canal Tunnel Park – Historical Society; Meeting Room Dates – A representative from the Historical Society stopped in the Twp office to ask about the possibility of holding a public meeting in the meeting room. Mgr Grumbine informed the Board that the meeting would be scheduled at a time when the meeting room is not in use by any of the Twp Boards. She wanted to make sure the Board was in agreement with her thinking on this subject. All 3 Supervisors agreed they did not have a problem with this request. Communication with the Historical Society to schedule their date will be done by the Twp staff.

5.) CoStars Change Over - CoStars has informed us we will no longer be using the Voyager cards for fuel purchases. We will be receiving new cards to distribute which will read Wright Express Sunoco. This change will be effective September 30, 2012 and is determined by CoStars.

SOLICITOR'S REPORT – Sol Frederick Wolf**A.) Rockwood Sewer Project Update JOAO & Bradley Construction – Bethlehem, PA**

Sol Wolf reviewed some of the previous information concerning this project. At this point the goal is to move to the deadline date of closing with PennVest which is scheduled for the first week in September. JOAO & Bradley Construction was accepted as low bidder on the project. The company has submitted all required documents to be reviewed before awarding of the project could be completed pending all required approvals.

Rockwood Sewer Project Update JOAO & Bradley Construction (con't)

A possible pre-construction meeting is being scheduled for next week. Mgr Grumbine, as well as Roadmaster Brensinger will be asked to sit in on this meeting as Twp representatives. The specs outline Twp road restoration requirements and highway cut permits will need to be issued. Once restorations of the roads are completed Roadmaster Brensinger will be doing the final inspection.

B.) Personnel Manual

Sol Wolf said he thinks Mgr Grumbine has done a good job with the proposed revisions to the Personnel Manual. The Supervisors have received a copy to review and comment within the next 30 days.

C.) Act 37 – Ambulance Service; Memo to Board 6/12//12 – Visitation to Sites by Manager

Mgr Grumbine visited both the First Aid and Safety Ambulance and Central Medical facilities to see them in operation. It was suggested that the Board members should visit the facilities to gain a better understanding of how each operates.

D.) Sholly Avenue Swale Issue

Sol Wolf reported that a letter has been drafted to the townhouse property owners. The letter outlines the requirements that must be met by all 8 property owners before the Twp will agree to consider paying Engineering costs. All 8 townhouse owners must commit to an agreement to hire a contractor for installation of the designed swale area. Sol Wolf directed the Supervisors to submit any comments they might have to Mgr Grumbine in order to be included in the letters to the home owners.

Bruce Sattazahn questioned the Twp being involved in paying any costs for a project such as this one. Does it not make sense that the Twp is setting precedent by agreeing to this project? Sol Wolf replied not necessarily. This issue is not a normal situation. Most of these home owners are a “victim of circumstance”. They are not the original property owners. The situation with the swale (or lack of it) was already in existence when they purchased the home. Sattazahn stated that he has come across situations, in his line of work, where the new owner of a property wants the swale area partially filled in because they require more yard space. In his opinion the home owner should be held accountable for the non-compliance. He feels the Twp should not be held accountable financially for this type of situation.

Earl Roberts said he thought there had been only 1 property owner who has lived in one of the townhouses the entire time. The property owner reported during a previous meeting that the swale had not been installed according to plan since the beginning when the townhomes were first constructed. The homeowners contend the swale area was never installed according to the approved elevation from the beginning.

E.) Ag Zoning Classification – Dale Brubaker Farm – Long Lane

Sol Wolf reported that Dale Brubaker has purchased a farm located on Long Lane zoned Ag. Mr. Brubaker had met with Mgr Grumbine and members of LCPD to discuss constructing chicken houses on the property which would make it an Intensive Ag operation. LCPD has asked for information and an opinion letter from Sol Wolf explaining what state requirements and any additional requirements will be needed for a Land development Plan.

F.) Draft of Resolution; Tax Collector Rate of Compensation and Duty Requirements

Mgr Grumbine had prepared an outline of duties and compensation rates that would be available should anyone decide they would like to pursue being Tax Collector. This information is for the Board to review and comment directly to Mgr Grumbine. The Resolution will be on the agenda at next month's meeting.

G.) Code Enforcement Collections

Sol Wolf explained the collection process that is used by the Twp to collect outstanding invoices regarding Code Enforcement inspections. Bonnie Grumbine works with the invoicing and collections for the Twp. Monthly she meets with Sold Wolf and Mgr Grumbine to review any situations that may need to be turned over to Sol Wolf to initiate lien proceedings. When the situation reaches this point the property owner receives a 30-day time period to bring the property into compliance before the lien is actually placed on the property.

There are times when certain circumstances make collection of the fees impossible to collect such as the one outlined tonight on the listing report. Sol Wolf is asking the Board to agree to allow a write-off on this outstanding balance and agree that any future balances deemed "uncollectible" by Sol Wolf, Mgr Grumbine and Bonnie Grumbine may follow this same procedure. The Board was in agreement with this policy.

8 PM – ORD 3-2012 - ROCKWOOD INTERMUNICIPAL SEWER AGREEMENT

Sol Wolf explained this agreement is regarding authorization for the NLT Municipal Authority to enter into agreements with Swatara Twp. It authorizes the Municipal Authority to own and operate the Rockwood sewer project. The billing process would also be completed by North Lebanon Twp. The Authority has already signed the agreement to submit to PennVest dependant on the Supervisors signing this intermunicipal agreement. Suv Brensinger told his fellow Board members the Authority had to keep moving forward with the submission of the agreement due to specified time deadlines. Chm Miller asked the public if there were any questions pertaining to the Intermunicipal Agreement. There were none. Public Hearing ended.

MOTION was made and seconded to adopt Ordinance 3-2012; the Intermunicipal Agreement between the Board of Supervisors and the Municipal Authority regarding the Rockwood Project. Suv Brensinger and Artz voted yes with Suv Miller voting no. Majority vote passes the motion.

COMMENTS FROM BOARD MEMBERS**A.) Suv Dick Miller**

Suv Miller spoke to Mgr Grumbine asking her to prepare a memo to the Municipal Authority Board asking that all minutes be provided to the Supervisors from this date forward. The Supervisors would also like to be informed when there is a vacant position on the Board and would like to be informed within 5 days after the vacancy occurs.

Mgr Grumbine agreed to prepare a memo per his request.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary