

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
DECEMBER 17, 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 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.

Chairman Miller asked everyone to participate in a Moment of Silence in memory of the children and adults who were killed at the Sandy Hook Elementary School, Newtown CT this past week. This type of tragedy is difficult to comprehend and Chm Miller asked that our thoughts and prayers go out to those grieving families.

COMMENTS FROM THE PUBLIC

A.) Heffner/Care Lot Addition Plan – Rossi Road (off Long Lane)

The Heffner/ Care Lot Addition Plan is before the Board for consideration. The plan shows a small addition of land owned by Heffner be conveyed to the neighboring Care property. This will not be a viable building lot for any future use. A new deed will be recorded to show the addition of the lands. The Authority reviewed the plan and determined there are no new sewer issues involved. The Planning Commission and Lebanon County Planning have recommended their approval. Also submitted was the Planning Module Non-Building Declaration waiver. The Supervisors reviewed the details of this plan and indicated they were ready to take action.

MOTION was made and seconded to approve the Heffner/ Care Lot Addition Plan as well as the Non-Building Declaration Planning Module waiver. Motion unanimously carried.

B.) Martin Barondick – Water Street

Mr. Barondick mentioned a car accident that had occurred on Water St near Rockwood. He asked if it is true the car had hit an unattached manhole cover and that is what had caused the accident. Suv Brensinger agreed that was what he had been told. Barondick wanted to know if the Twp could be liable. Sol Wolf stated the insurance company for the contractor who is doing the project and the insurance company of the car owner is in communications about the accident. The Municipal Authority and the Township are not involved in settling this issue. A lengthy conversation was held on the various details of this project.

The next issue Barondick wanted to discuss was the inspections being completed at Lions Lake. He had heard there was a suspicion that there was an unidentified substance being dumped into the Lake via the storm water system. Suv Brensinger stated that County Hazmat was called out to inspect this residue floating on the Lake. It was found at 2 different locations: the cove at the northern end of the Lake (Water St side) and the spillway located closer to Rte 72. The Hazmat inspector reported it does not seem to be coming through the storm water system. Several samples were taken and the Twp will receive the results from these samples. Another lengthy discussion ensued about this residue issue.

APPROVAL OF MINUTES

MOTION was made and seconded to approve minutes from the meeting of November 19 and the minutes from the November 7th & 14th, 2012 Budget Work Shop. 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 CHIEF’S REPORT – Don Steiner, Sr - Weavertown Fire Co (absent)

Don Steiner was not present at the meeting. Chm Miller read some of the work details from a written report provided for the months of August, September and October of 2012. These reports are a summary of all 4 volunteer Fire Companies within North Lebanon Twp.

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

Chf Easter reported on the activities for the month of November 2012. Chief Easter mentioned some of the individual categories for these calls of service. He reported there was a total of 638 Police-citizen contacts for the month of November.

B.) Accident in Rockwood

Martin Barondick told Chf Easter he would like to again ask a question about an accident that had occurred in the Rockwood area. He wanted to know if it was true that an unattached manhole cover had been the cause of the accident. Chf Easter indicated that it appeared the unattached manhole cover was the reason the accident happened. When asked Suv Brensinger explained he had met with the contractor doing the work in Rockwood and suggested the road be closed and then repaired to a temporary condition safe for motorists. He also shared that the incident is being handled by the insurance companies for the vehicle owner and the contractor.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Resolution No. 21-2012; Declaration of Disaster Emergency**

This Resolution is the result of Storm Sandy. While dealing with the notifications to media during the Sandy it was noticed the contact information was outdated. Resolution No. 21-2012 updates all the contact phone numbers and some email information should we need to declare a Disaster Emergency in the future.

MOTION was made and seconded to adopt Resolution No. 21-2012 for the Declaration of a Disaster Emergency. Motion unanimously carried.

B.) Resolution No. 22-2012; Recalculation of Millage

As required by Code, Resolution No. 22-2012 provides recalculation of millage following the county wide reassessment of property values. The calculation provides the revenue neutral tax millage based on 2012 assessment values and millage rates. Mgr Grumbine reviewed some of the figures mentioned in the Resolution. North Lebanon Township has determined a tax rate of 1.13059 mills for general real estate tax and .187 mills for fire protection tax purposes on the base year 2012. The taxes will not exceed the amount of taxes levied in 2012. A conversation followed about some of the issues associated with the reassessment which was completed by the County.

MOTION was made and seconded to adopt Resolution No. 22-2012 for the re-calculation of the real estate tax rate. Motion unanimously carried.

C.) Resolution No. 23-2012; Final 2013 All funds Budget & Tax Rates

The Preliminary Budget was adopted by the Board during the November 18 meeting and had been advertised for inspection by the public as required.

Resolution No. 23-2012 (con't)

The general purpose millage is 1.24 and fire protection is now .20 for a millage total of 1.44. The Board is asked to take action on the 2013 All Funds Budget. Resolution 23-2012 establishes the real estate taxes and special levies for the year 2013. The Board is being asked to adopt Resolution 23-2012.

MOTION was made and seconded to adopt the 2013 budget and Resolution No. 23-2012 establishing the real estate taxes and special levies for 2013. Motion unanimously carried.

D.) Resolution No. 24-25-26 2012; Pension Plan Items for 2013

According to Act 205, the Board is required to adopt Pension MMO's by December 31 reflecting budgetary obligations. Mgr Grumbine has prepared Resolutions 24, 25, and 26 based on information received from Actuary Conrad-Siegel. After some discussion the Board decided to act on all three of the Pension Resolutions in one motion.

MOTION was made and seconded to adopt Resolution 24-2012 – Requirements for Non-Uniform employees. Motion unanimously carried.

MOTION was made and seconded to adopt Resolution 25- 2012- Requirements for Uniform Employees. Motion unanimously carried.

MOTION was made and seconded to adopt Resolution 26-2012 – Police Officers contribution of 4%. Motion unanimously carried.

E.) Resolution No. 27-2012; TCC Delegate & Alternate Appointments – EIT

According the Inter-municipal Agreement the Board is to make appointments for the 2013 Lebanon County Tax Collection Committee (TCC). For 2013 the CLSD Municipal representative is James G. Loser with Cheri F. Grumbine being the alternate. By adopting Resolution 27-2012 the Supervisors are appointing these individuals.

MOTION was made and seconded to adopt Resolution 27-2012 appointing James G Loser and Cheri F Grumbine as the CLSD Municipal representatives and alternate to the TCC. Motion unanimously carried.

F.) Request for Street Light at Rte 343/Mechanic Streets

A request had been received for the placement of a streetlight at the intersection of Rte 343 and Mechanic Street. This had been discussed during the November meeting and the Board had tabled the issue until they could visit the site at night time. Currently there are 2 large billboards, one on each side of the intersection. The individual who had made this request suggested if not a streetlight maybe a reflector to signify the Mechanic Street entrance. Mgr Grumbine told the Board she had gone to this intersection after their Joint Meeting last week. She informed the Board she felt the intersection is already very well lit. Chm Miller asked if there were any plans to make any future improvements on Mechanic Street so that this might be an option to include. Suv Artz added that he felt the area around the intersection had plenty of lighting to be able to navigate it without difficulty. Suv Brensinger stated that when Mechanic Street gets repaved the intersection may get widened slightly but not significantly. Suv Brensinger stated new line striping to take place after repaving will assist the night time traffic. The Board was in agreement that an additional streetlight is not needed for this area.

G.) Pertinent Issues (Non Action Items)

1. CLSD Regional Comprehensive Plan Update – Mgr Grumbine told the Board that she does not have any new information about the Regional Comprehensive Plan. She had received information from the consultant that she would be finished with revisions by this past Friday. The next step is to schedule the Joint meeting for Supervisors, Commissioners/ Council members. Suv Brensinger shared his thought that February would not be a good time for this Joint Meeting to be scheduled. Mgr Grumbine said she would share that concern with the consultant.

Earl Roberts – W Kercher Ave asked to make a few comments regarding the Comprehensive Plan. There are few items mentioned in the comp Plan that he would like to make the Supervisors aware of which he feels needs some consideration.

A.) The area that is known as the “Smutzy”. In the Comp plan it is identified as Ag but abuts an Industrial area which is located in the City of Lebanon. Given the resources located within this area should it not be mentioned that it could be an Industrial site? Suv Brensinger commented that the City has approved tax relief for the area located along Maple Street which backs against the Smutzy. He agreed there are all types of valuable natural resources within this area. However as long as he can remember this has always been designated as Ag land. Martin Barondick stated that the Smutzy is pretty much a case of “what it is, it is”. It would be difficult to try to accomplish anything with this land. Barondick stated that as a child he had been told the Smutzy has no bottom, it is a bottomless pit. Roberts replied the area is still a valuable area for natural resources and since the Com Plan is used a “guideline or an outline” he feels the mention of its value should be contained in the plan.

B.) Mr. Roberts referred to the 12 maps contained in the Comprehensive Plan. Recently the Supervisors held a Public Hearing in regards to a Zoning Amendment request for several tracts of land off Water Street. The request was for the development of what is currently zoned Ag. The request was denied. However Roberts said he is sure the owners will be back with another request. With all this being said there is no mention of this request or the area anywhere in the Comp Plan. He questions why that would be.

C.) Referring to the maps again, Mr. Roberts mentioned the proposed Tenaska site off W Kercher Ave. He questions this being included in the Plan because Tenaska has submitted absolutely nothing for any type of activity at all. They have not applied for a zoning change, or submitted any type of Land Development Plan or any type of request at all. However the Tenaska site is mentioned in the Comprehensive Plan. Mgr Grumbine read the email response from the consultant Michelle Brummer. Mr. Roberts asked the Board to keep his comments in mind when reviewing the plan.

2. Lebanon Valley Mall Knox Box Update – An update for the Lebanon Valley Mall Knox Box was provided to the Supervisors. Due to the fact that this facility is different than most sites the Knox Box was handled slightly different. The Mall ordered one very large Knox Box and had all the vendors within the Mall provide 1 key that provides access into their respective businesses, which was placed in the Knox Box by Chief Gettler. To date there are only two stores that have not complied with this plan. The original letter provided a deadline of November 31, 2013. Mgr Grumbine is suggesting the Board give their approval to her for working with the Solicitor to prepare a letter to the corporate offices of these two businesses to bring the whole Lebanon Valley Mall into compliance. After some discussion the Board agreed with Mgr Grumbine that this issue be pursued to completion.

3. Lebanon County Bicentennial Celebration – Municipal Officials within Lebanon County have received an invitation from the County Commissioners to attend the official “kick off” celebration honoring the 200th birthday of Lebanon County. Booths are available free to non-profit organizations. The event is scheduled to be held at the Lebanon Expo Center on Saturday, February 16th from 11AM to 5PM. After some discussion the Supervisors were in agreement to pass on this offer.

4. Age Wave’s Community Forum on Senior Housing – A Community Forum on Senior Housing will be held on Tuesday, January 8th. Age Wave will be hosting the forum at the HACC Lebanon Campus from 8:15 to noon. Age Wave initiative will work towards preparing Lebanon County for the projected demographic growth of the senior population. The goal is to advocate, educate and plan for adequate, accessible and affordable housing, transportation, education, training, health care and long-term care services at home and other residential settings. Discussions will include zoning, planning and financing. Mgr Grumbine told the Board that if any of them are interested in attending she would make the RSVP for them.

5. Expiring Terms – 2013 Appointments – Mgr Grumbine had provided the Supervisors with a list of the appointed individuals on the various Boards and/or Commissions. Several terms will expire at the end of 2012. The Supervisors are asked to review the list and contact the people to see if they are interested in a re-appointment or if other individuals should be contacted. These appointments must be made at the January 7th meeting.

6. November 2012 EIT Collection – The Board had previously agreed to Keystone deducting the Out of County Claims in order to take care of NL Twp's obligation. Keystone has now completed the deductions and we should begin to see money released that was on hold with these Out of County collectors until payment was received. Mgr Grumbine told the Board she does have the exact figures with her but the money out and the amount taken in is close to a "wash".

7. Auditor General Pension Plans Audit Report – The Township Pension Plans were audited earlier this year for compliance by the Auditor General's office. An official copy of the reports for both funds reported the Administrative aspects were completed in compliance with the applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies.

8 Municibid Items - Radio related items were placed on the Municibid website. The Board was asked to award the items to their respective high bidder.

MOTION was made and seconded to award the respective items on Municibid to the highest bidders. Motion unanimously carried.

9. Recycling Tech Assistance Grant – This Grant involved the assistance of an Engineer coming to our location and designing what would be most effective for the enlargement of the Yardwaste Facility. This design was then submitted to DEP to be attached to our current grant application under review. Suv Brensinger stated that he thought there was misprint on page 3. Suv Miller questioned if this would mean the loss of the upper baseball field. Suv Brensinger confirmed if we get the Grant approved for expansion of the yard, the baseball field would be eliminated. Suv Miller questioned why would we do that? Suv Brensinger stated there will be another ballfield constructed somewhere, probably the Lenni Lenape Park.

10. County Liquid Fuels – Mgr Grumbine informed the Supervisors that we have been approved for additional County Liquid Fuels in the amount \$20,000 which would be applied to the costs of the Mechanic Street stormwater construction. The Board is being asked for approval to submit the application for the additional Liquid Fuels.

MOTION was made and seconded to authorize Mgr Grumbine to process the application for additional County Liquid Fuels. Motion unanimously carried.

11. Farm Show Invite – Mgr Grumbine told the Supervisors they had received an invitation for Public Officials Day at the Farm Show. It is scheduled for Jan 10-2013. Suv Brensinger told the Board he would RSVP for all of them if they want to attend.

SOLICITOR'S REPORT – Sol Frederick Wolf

A.) Appointment of Pension Investment Advisor for 2013 Act 44 Compliance

Sol Wolf reported he and Mgr Grumbine have been working on meeting with the firms that had responded to the advertisement for Bids. He told the Board there is a specific outline provided for them that must be followed when interviewing these firms. The information should be ready to present to the Supervisors at the January meeting in order to award.

B.) Personnel Manual – Executive Sessions in January

The Personnel Manual is still on hold until January when the Board will review in executive sessions. .

C.) Act 37 – Ambulance / Service - Memo for December Meeting

The issue of changing the box cards for Emergency response areas has been on the agenda for several months. Sol Wolf had reported on some research he had done and had provided a Memo to the Supervisors outlining points of information. Chm Miller asked his fellow Supervisors if it is time for the Board to move on this issue. He shared that he had spoken to the Police Dept and the Fire Depts. They all indicated that the system being used is working and there is no need to change it. Suv Artz and Suv Brensinger indicated their agreement to Chm Miller's remarks.

MOTION was made and seconded to approve the box card system remain as it currently is and to make no changes to it without first coming to the Board for approval. Motion unanimously carried.

D.) Letter to Sahonics – Inspection December 13; Set up Settlement in December

An inspection had been completed at the Sahonic property by ABI (Associated Building Inspections Inc) in regards to any problems with mold or unsafe conditions. The inspection report stated there was no sign of unsafe mold conditions and the Sahonics will be permitted to go in and retrieve their personal possessions. Following settlement the employees working on the demolition will also be safe to enter structure. Sol Wolf reported Mgr Grumbine has made contact with the Sahonics in regards to scheduling a settlement date by the end of 2012. As that time is fast approaching Sol Wolf said he will make contact with them to tell them the selected settlement date. Suv Brensinger asked if South Lebanon Twp was made aware of the date as they are involved in this agreement. Mgr Grumbine acknowledged she has been in contact with the Manager at South Lebanon Township.

E.) Canvassers and Solicitors Ordinance Update

This Ordinance is one that chief Easter has drafted for Sol Wolf to review. The West Lebanon Attorney is being asked to review the Ordinance also as it will be adopted by both NL Twp and WL Twp. A meeting is scheduled for Sol Wolf, Chf Easter, and WL Twp's attorney for Tuesday, December 18th.

F.) Knox Box Compliance

Sol Wolf had been given a list of several businesses that were not in compliance with the Ordinance. A letter had been sent to each of the facilities by Sol Wolf encouraging them to contact the Twp office and place their Knox Box orders. All but 1 business is now in compliance or in the ordering process for their Knox Boxes.

COMMENTS FROM BOARD MEMBERS**A.) Suv Ken Artz**

Suv Artz wished everyone a Merry Christmas and safe Holiday season. Suv Miller and Suv Brensinger agreed with these sentiments.

B.) Suv Dick Miller

Suv Miller reminded his fellow Supervisors that we had originally appointed ABI as out IPMC inspector until year-end. They will need to consider re-appointment at the January meeting. Chm Miller spoke about the Sandy Brook incident and the tragedy of the whole situation. He asked that everyone remember these unfortunate people who have to deal with this situation.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary