

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
FEBRUARY 18, 2013**

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:

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

Absent: Richard E. Miller Chairman

Also in attendance was Kathy Hackleman of the Lebanon Daily News, Fire Chief Brian Vragovich of Glenn-Lebanon Fire Co., Ron Miller and Dave Kreider, NLT EMA Coordinators and several other individuals. The meeting was called to order and the pledge to the flag was done.

It was announced that a Public Hearing will begin at 7:30 PM for Ordinance 1-2013.

**COMMENTS FROM THE PUBLIC**

**A.) Ron Miller – EMC; Dave Kreider-Deputy EMC; Emergency Plan Update - NARMS**

Ron Miller, NLT Emergency Coordinator, and Dave Kreider, Deputy Emergency Management Coordinator told the Supervisors they were here to provide the Board with some information about certain emergency practices and preparations the Twp should consider completing.

Ron informed the Board that Dave Kreider, Mgr Grumbine and he had participated in a webinar sponsored by PSATS regarding emergency programs that each municipality should have in place. He said the webinar provided a lot of very helpful information and highlighted some of the issues that North Lebanon Twp still has to accomplish. During the building expansion several years ago, future planning was done for an emergency operations center. The west wing of the building was assigned to become an Emergency Operations Center should a situation arise. Some of the necessary preparations have been started but there are still some items that need to be addressed for this Center to operate successfully during an emergency situation.

Ron told the Board one of the suggestions made was to appoint a Supervisor to act as liaison in order to review/ update information with the EMC & Deputy. Another suggestion was that the EMC and/or Deputy attend Board meetings regularly. This could be monthly or quarterly or whenever is determined for attendance.

Another outstanding issue that needs to be addressed is the idea of an NLT Emergency Operations Plan. In doing some checking Ron and Dave discovered that 90% of the municipalities in Lebanon County have adopted the County EOP. Ron stated this is the most sensible suggestion to him. When considering an emergency it is reasonable to expect that County EMA would be the agency we would look to for assistance.

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**Emergency Plan Update – NARMS (con't)**

PEMA has indicated it wants to shift attention and efforts away from the static written plan and have a more fluid document. The idea is to move toward a more meaningful and comprehensive planning process that includes a set of checklists and a more detailed “notification and resource manual (NARM).

The NARM (Notification and Resource Manual) lists facilities/persons that may need special notification during an emergency. Also equipment and personnel who may be needed to help during an emergency response should be listed. It is recommended that the NARM be updated at least monthly, if not weekly.

Ron stated he would like to emphasize his feelings that the Twp really should consider adopting the County EOP. As a Twp we could then work on creating a NARM and keeping it as up to date as possible. We would be responsible for providing updates to the County EMA in order to keep the County Plan current with up to date information. He explained the need for uniformity throughout the County. A lot of the resources that would be needed in the time of emergency could be provided by other municipalities and parts of the County. It would be unnecessary to try to follow NLT’s EOP when County has a County wide plan established. He told the Board he would really like to encourage them to consider adopting the County EOP and then move toward creating an NLT NARM to work hand-in-hand with the County EOP. Ron said he knows he has thrown a lot of information at the Board for consideration and asked for any questions they might have.

**Suv Brensinger** questioned if the County Plan lists all the schools, daycares and businesses that might need immediate response during an emergency situation. The Twp’s EOP calls out each business and school location. Does the County EOP provide that? Ron explained the County Plan would contain the information in the Plan that is submitted to them from the Twp. So yes it would have that information.

Suv Brensinger next questioned what is still needed to expand the Emergency Operation Center in the Twp’s emergency wing. Ron reminded the Board of the winter weather situation at the end of 2012. The Center had been semi-activated and some of the “kinks” became obvious. Ron said fortunately we did not have to continue the Emergency Declaration any further. However it provided a good insight as to what still needs to be accomplished to create a functioning Emergency Operation Center. Since that time a basic radio service has been activated in the Center along with some other minor installations that will increase the function aspect of the Center. Dave Kreider added that there had been Police participation during that particular exercise which worked smoothly.

Suv Brensinger’s last question pertained to drills. Does the County exercise drills to determine where there are “weak” spots to be ironed out? Ron stated that there are specific drills that County conducts periodically. He had the opportunity to participate in one of the drills conducted and was impressed with the coordination. Suv Brensinger thanked Ron and Dave and stated he has no more questions.

**Suv Artz** said he would like to have a copy of the County EOP so the Board could review the plan and be familiar with its contents. Ron told The Supervisors he would provide copies for them to review. The Supervisors indicated they had no further questions.

**Emergency Plan Update – NARMS (con't)**

Ron told the Board he feels the Supervisors should consider appointing a liaison from the Board to work with Dave and himself. Dave repeated they already have assistance from the Police Dept. Suv Brensinger replied he is looking forward to moving out on this topic and suggested that, as Suv Miller is not in attendance this evening, a meeting be scheduled to meet with Ron, Dave and the Board members within the next week or so. Ron indicated his agreement and thanked the Board, on his behalf as well as Dave's, for their time and attention to this important issue.

**B.) Lebanon Community Library – Michelle Hawk**

Michelle Hawk introduced herself to the Supervisors. She explained she is in attendance tonight as the Director of the Lebanon Community Library. Michelle proceeded to outline many of the services offered by the Library to the people of Lebanon County, including North Lebanon Twp residents. Last year the Library received a Grant to create "Senior Spaces". It is a program offered for 55 years and older and provides a quiet meeting space for the seniors to meet and interact. She explained the Library depends heavily on sponsors to be able to continue the various programs offered.

Michelle introduced Bill Smeltzer who serves as President on the Library Board. Mr. Smeltzer explained to the Supervisors the funding cuts that are limiting the Library's ability to keep up with all the services it now offers. He added his request for any type of financial contributions that could be provided.

**Martin Barondick** asked Mgr Grumbine if North Lebanon makes contributions to the Library. He was told the Twp has been contributing \$6000 a year to the Lebanon Library.

Suv Brensinger thanked Michelle Hawk for taking the time to attend and providing information about the many services the Library offers to the public.

**APPROVAL OF MINUTES** – Joint Meeting minutes from the Municipal Authority/ Board of Supervisors which was held on December 13, 2012 and the January 21, 2013 meeting minutes are ready for action from the Board.

**MOTION** was made and seconded to approve minutes from the Joint Municipal Authority/ Board of Supervisors meeting of December 13, 2012 and the Supervisor meeting of January 21, 2013. 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 – Brian Vragovich – Glenn-Lebanon Fire Co****A.) Monthly Summary for NLT Fire Companies**

Brian Vragovich of Glenn-Lebanon Fire Co gave a summary of activities for all 4 Fire Companies for January of 2013. There were a total of 230 feet of various sized hoses pulled during January. The property damage amounts are not available at this time. A total of 48 calls for service were logged with a breakdown of some of the responses as follows: 18 emergency calls, 10 assists, 13 trainings and 7 mutual aid calls.

**B.) Morrissey Fire – 1730 N 7<sup>th</sup> Street**

Suv Brensinger and Brian discussed the Morrissey fire which had occurred on a Saturday afternoon when weather conditions were very poor. Brian told the Board he was so frustrated by that call. At first response the fire did not seem to be very involved. However after realizing the structure had multiple roof lines and one of them being metal, the fire quickly took the worst kind of turn. It was a battle of the weather conditions, the structuring of the dwelling and the fatigue of the fire fighters who were on scene. Brian stated this was one of the worst scenarios for a fire and he found it to be very frustrating. He remarked the fire “played with them”. Suv Brensinger stated he witnessed the cooperative efforts between the 4 NLT fire companies and neighboring companies who were called in to assist. He praised the precision and the unified processes that were utilized throughout the ordeal. Suv Brensinger praised the fire fighters for doing what they could to save this property. The Supervisors had no further questions for Chf Vragovich.

Suv Brensinger stated it is now time for the Public Hearing on Ordinance 1-2013 regarding Peddling and Solicitation in the Township.

**PUBLIC HEARING 7:30 PM; Ordinance 1-2013 – Canvassing & Soliciting – Sol Wolf**

Sol Wolf started the Hearing by explaining that the Ordinance had been advertised as required and was posted in the Township office for Public viewing prior to the Hearing date. This Ordinance pertains to the Peddling permits and solicitation done within the Twp and is an update to the existing Ordinance. Chf Easter and West Lebanon Twp’s attorney were involved in reviewing several other Solicitation Ordinances and reviewing what would be needed for North Lebanon Twp as well as West Lebanon Twp. As NLT Police are contracted by West Lebanon, this Ordinance will be offered for adoption and enforced by both municipalities. Sol Wolf mentioned this Ordinance has already been adopted by West Lebanon Twp.

To summarize the Ordinance Sol Wolf read the purpose portion of the Ordinance. He mentioned that if residents who live within NL Twp do not want solicitors knocking at their door, they have the option of posting the door with “No Soliciting”. If that message was violated the individual could call the Police for assistance. Solicitation permits are required and are received from the Police Dept prior to selling any products or services. If the Ordinance is violated the peddling/solicitation permit could be removed and all privileges removed from the peddler. Sol Wolf explained this Ordinance, if adopted, repeals the existing Solicitation Ordinance on the Twp books.

**Martin Barondick** questioned if this Ordinance pertains to phone calls also. He was told no, it does not. Mgr Grumbine said there would be a segment regarding nuisance phone calls and options to deal with them on television the following evening on WGAL.

**Suv Brensinger** spoke to Chf Easter asking if the Ordinance is satisfactory to him. He knows Chf Easter helped review the Ordinance but wanted to make sure it covers everything that needs to be considered. Chf Easter indicated he was satisfied with the proposed Ordinance.

**Public hearing ended at 7:37 pm.**

**MOTION** was made and seconded to adopt Ordinance 1-2013 dealing with Peddling and Solicitation. Motion unanimously carried.

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**CHIEF OF POLICE REPORT – Chief Harold Easter****A.) Calls for Service Report – Month of January 2013**

Chf Easter reported on the activities for the month of January 2013 and mentioned some of the individual categories for these calls of service. He reported there were a total of 526 Police-citizen contacts for the month of January with a total of 8000+ miles logged on the cruiser cars.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) Diesel Fuel & Paving Bid (Streets and walking path at Lenni Lenape)**

The paving bid specifications for the 2013 paving project have been prepared that includes Miller Street, Mechanic Street and the walking paths at the Lenni Lenape Park. Also being advertised would be the diesel fuel. The Supervisors are asked to authorize the advertisement of the bids with opening of bids to occur March 13<sup>th</sup> and awarding to take place during the March Supervisor meeting.

**MOTION** was made and seconded to authorize advertisement of the 2013 Diesel Fuel and Paving Bid specifications with the bid opening to occur March 13<sup>th</sup> and awarding to occur during the March Supervisor meeting. Motion unanimously carried.

**B.) Resolution No. 8-2013 – Recognizing Swatara Sojourn**

The Swatara Sojourn is celebrating their 25<sup>th</sup> anniversary. This Resolution recognizes the Swatara group and shows North Lebanon Twp's support for the Group's efforts. The Swatara group performs this cleanup canoe trip every year. The Board is being asked to adopt Resolution 8-2013.

**MOTION** was made and seconded to adopt Resolution 8-2013 supporting the Swatara Sojourn. Motion unanimously carried.

**C.) Municibid Items Sold – Action to Award Items**

Additional Police items have been sold on Municibid as well as a used WAM tractor. The Supervisors are being asked to review the list and award to the highest bidder reported. Mgr Grumbine explained that some of the items were old items that have been sitting on a shelf collecting dust. Suv Artz questioned the WAM tractor bid that had been received from another municipality. He asked if the price that had been bid is a fair price for the equipment. Suv Brensinger replied it is more than double what was offered on a trade in amount.

**MOTION** was made and seconded to approve and award the highest bidder for each item offered on Municibid. Motion unanimously carried.

**D.) Rural Security Non-Emergency List Additions**

Rural Security Fire Company has submitted 2 additional fundraisers to the list of Non-emergency activities. A Community yard sale to take place in June (date to be announced) and a bus trip to Atlantic City on September 8<sup>th</sup>. The Board is asked to approve these events so they can be added to the list for insurance coverage.

**MOTION** was made and seconded to approve the additions of a yard sale in June and a bus trip on September 8<sup>th</sup> as fundraisers for Rural Security Fire Company. Motion unanimously carried.

**E.) Oleoresin Capsicum Policy (Pepper Spray)**

The Twp administrative office has received a canister of pepper spray to be used for emergencies. Prior to any use of this spray, a policy should be put into place. Chf Easter has worked with Mgr Grumbine to establish a policy for the Board's consideration. Mgr Grumbine stated that training will have to be completed by all women in the office before any use of the canister could be considered. This training is to be performed by Chf Easter and is outlined in the proposed policy. This spray would be used as a last resource after all other avenues of resolving the situation have been tried.

**Suv Brensinger** questioned Chf Easter if this pepper spray would incapacitate an individual. Chf Easter responded it would not incapacitate a person but it would definitely derail the person from their current activity. Their eyes, nose and throat would be affected immediately. A sense of choking occurs. The use of the spray would limit the individual and allow enough time for an Officer to respond.

**Martin Barondick** said he is curious why the employees would need to use pepper spray. Also is it for all employees use? Mgr Grumbine replied that it would be for use in the main office although it would only be used in the most extreme situation. The training that was mentioned would need to be completed before anyone could use the spray. Barondick said he does not understand why there would be a need for pepper spray to be used. Suv Brensinger told Barondick about a few times when he had been sitting in the lunchroom and heard raised voices in the main office. There had been one situation when the men left the lunchroom and went into the office just to see what was transpiring. There was a situation where the Police had to remove an individual from the office because the individual refused to calm down. That particular situation was involving snow plowing and the women did not have anything to do with why the individual was upset. It is unfortunate that the time has come that we have to take into consideration such measures for protection. Barondick asked Mgr Grumbine if she is in favor of this. She replied she did not think she would ever see the day but that day has now come. The protection measures should be available in the event it is needed. It is hoped the use of the spray will never be needed.

**Earl Roberts** asked if there had been any specific incidents that would have brought this topic to light. He was told there have not been any recently but the recent events in the news has now presented the questions about what if.

Barondick questioned Chf Easter if this particular spray is the same content as the spray used to control unruly situations such as Officers use to control a situation. Chf Easter replied the contents is the same but the consistency is different. The spray to be used in the office is a stream while the Officers use a gel or foam consistency. The effect is the same. It will subdue the individual enough to make them refrain from disturbing behavior.

The Supervisors discussed their options for adoption of this procedure. It was decided to adopt this policy and complete the required training. After training is completed if the policy is still adequate, a Resolution could be proposed and then inclusion of the Resolution in the Personnel Manual.

**MOTION** was made and seconded to adopt the Pepper Spray policy contingent on the adequate approved training being completed by the appropriate individuals. Motion unanimously carried.

**F.) Pertinent Issues**

1. Regional Comp Plan; Public Hearing Scheduled March 7<sup>th</sup> – During the 1/21/2013 meeting the Board received the Regional Comprehensive Plan (dated 12/19/2012) for review. Maps were provided that same week. A joint meeting for all Boards/Commissioners has been scheduled for March 7<sup>th</sup>, time to be announced when it is determined. Mgr Grumbine reported that the availability of the South Lebanon Elementary School is being checked into. The meeting will be conducted in the same format that had been used for the Planning Commissions. The Boards/Commissioners will be able to discuss and question the plan. Following that the Public will be given the opportunity to comment. Once the time and place is definite, the information will be posted on the Twp website.

**Martin Barondick** asked the Board if they are aware of the United Nations Agenda 21. Mgr Grumbine replied she is aware of it and has researched the subject quite a bit. Barondick disagreed saying this plan is another example of government interference. Mgr Grumbine replied no, the plan is a guideline for future planning. It is not an ordinance or regulation. Barondick stated that it is used to determine future requests for land use. Suv Brensinger stated the plan is used as a tool and guideline but it is not a regulation or law. Mr. Roberts agreed with Suv Brensinger's remarks about the Comp Plan being a tool and guideline.

**Earl Roberts** told the Board he plans to repeat the comments that he has made throughout this whole process. He feels he has not received what he considers to be an adequate answer to his question. Mr. Roberts finds it hard to understand why a map showing a parcel of Agricultural land showing a proposed power plant (with no plan submission made to date) is shown in this Comprehensive Plan and other proposals made by property owners that had been made to the Twp have not been mentioned at all. He does not understand property owners who have followed the established process receive no mention and a company who has "shown an interest" but submitted nothing is mentioned in the plan. Does a reference in the plan make a commitment for future use of this land? No one has provided an adequate answer whenever he has discussed his query. He told the Supervisors he plans to discuss this comment at the March 7<sup>th</sup> meeting.

Suv Brensinger told Mr. Roberts that the power plant would have to apply for Special Exceptions or a Rezoning before submitting a Land Development Plan. Roberts said he knows the process that the power plant will have to follow. He just cannot find a reason why this power plant discussion should find its way into an official Comprehensive Plan when there have not been any official submissions of anything to date. There has been property owners who have applied for zoning changes and been denied those have not been mentioned in the plan.

2. Municipal Authority; 2012 Annual Activity Report/Attendance - Mgr Grumbine referred to the Municipal Authority 2012 Year End Report. It outlines the various projects the authority addressed in the year 2012. Also provided is an attendance chart for the Board's information about appointee's attendance at the meetings. Some of the projects were discussed with Rockwood being the largest one.

Suv Brensinger questioned the work Abel Recon is doing for the Authority. He referred to a demonstration the Supervisors had seen and the process of grading the lines that needed to be completed. Has the idea changed from the original idea of starting with the worst and move on to the least deteriorated?

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Municipal Authority; 2012 (con't)

Sol Wolf explained some of the maintenance issues the Authority is dealing with when maintaining the clay lines. He told Suv Brensinger that he feels Scott Rights, Engineer for the Authority, would be the best person to answer some of his questions. Scott works closely with Mike Kneasel and should be able to prepare a report for the Supervisors.

3. Park & Rec Board; 2012 Annual Activity Report/Attendance – This yearend report outlines the park and recreation projects for the year. The Lenni Lenape Park was a big project for the year 2012 and continues on with future projects. An attendance chart for the Park & Rec Board has been provided as part of the report. There was a vacancy on this Board that was filled in October of 2012. Some of the other projects were reviewed.

4. Safety Committee – 2012 Annual Activity Report /Attendance – The Safety Committee has provided their yearend report. The MSDS information is a continuing project for the Committee as the chemicals and materials brought into the building are a source of constant change. The safety laws and required safety equipment is an issue that is reviewed by the Safety Committee on a continual basis. Right-To-Know training is scheduled annually for all employees as well as the annual training the Safety Committee is required to complete.

5. LCPD – 2012 Zoning Administration Annual Report – The Lebanon County Planning Dept has provided a summary report of the zoning and building permits issues for 2012. When looking over the previous year's totals, it is evident that the economy has not yet begun to come around. A total of 15 permits for single family dwellings in the past year is not a good indication of a rebound.

6. Right-To-Know Requests – 2012 Annual Request Report - The last summary provided to the Board is the Right-to-Know requests for the year 2012. Mgr Grumbine stated that the requests for Police information are always handled by the Police Dept and then the response letters are prepared in the Twp office.

**SOLICITOR'S REPORT – Sol Frederick Wolf****A.) Resolution No. 9-2013; Appointment of Pension Board Committee & IPS**

Sol Wolf reviewed the Pension Administration changes that have been made within the recent months. Resolution 9-2013 establishes a Pension Board Committee. The Committee consists of a Supervisor, administrative members and a Police representative. The Resolution also contains an Investment Policy Statement. The Supervisors are being asked to take action on Resolution 9-2013.

**MOTION** was made and seconded to approve Resolution 9-2013 creating a Pension Board Committee and an Investment Policy Statement. Motion unanimously carried.

**B.) Resolution No. 10-2013 – Approval of 457b Agreements**

1. Administrative Services Agreement – Conrad Siegel Inc
2. Custodial Agreement - Charles Schwab

Resolution 10-2013 approves the acceptance of Conrad Siegel to conduct Administrative Services regarding the 457(b) for any Uniform and Non-Uniform employee who wishes to participate. It also approves Charles Schwab to act as Custodian for these same employees.



**Resolution No. 10-2013 (con't)**

**MOTION** was made and seconded to approve Resolution 10-2013 awarding Conrad Siegel the 457(b) Administrative Services Agreement and awarding Charles Schwab the Custodial Agreement and the Supervisors executing the Agreement. Motion unanimously carried.

**C.) Personnel Manual; Executive Sessions - April**

Sol Wolf announced this was just an informational reminder about the April sessions to be scheduled for the Personnel Manual.

**D.) Sahonic Settlement Date – March 15, 2013**

Suv Brensinger asked Sol Wolf if there is any type of update on the Sahonic Settlement. Sol Wolf stated that his office is ready to proceed on March 15<sup>th</sup> as scheduled. He told the Supervisors that he had learned the Sahonics are working with someone to locate a property for them to purchase. Mgr Grumbine and Sol Wolf agreed that a reminder letter will be mailed to the Sahonics.

**COMMENTS FROM BOARD MEMBERS****A.) Yardwaste Recycling Grant – Suv Brensinger**

Suv Brensinger announced that the Twp has received a 902 Recycling Grant Award in the amount of approximately \$221,000. These funds, if the Grant is accepted, would be used to expand the YardWaste Facility, purchase a grapple bucket, a leaf loader box, roll off containers and reimbursed for recycle bins. The Twp's match for this Grant would be in the amount of \$24,540. Suv Brensinger stated that the Board would need to take action to accept the Grant in order to receive the funds.

**MOTION** was made and seconded to accept the 902 Recycling Grant Award in the amount of \$220,852 from DEP and to authorize execution of the contract. Motion unanimously carried.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George  
Recording Secretary