

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
APRIL 15, 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:

Richard E. Miller	Chairman
Kenneth C. Artz	Treasurer
Cheri F Grumbine	Twp Manager
Solicitor Frederick S. Wolf	Henry & Beaver LLP

Absent:	Edward A. Brensinger	Vice – Chairman
	Harold L. Easter	Chief of Police

Also in attendance were several other individuals. The meeting was called to order and the pledge to the flag was done.

Chm Miller conducted a moment of silence to remember the innocent victims at the Boston Marathon and the tragedy that had occurred there today.

**COMMENTS FROM THE PUBLIC**

**A.) Harold Heim – Briar Lake**

Mr. Heim had attended the last meeting to report on an issue with wild ducks and geese in the Briar Lake community. The Board had granted his request to use blanks and a rifle to startle the ducks into leaving the property. Mr. Heim reported he had used the “shooting” technique twice to scare the ducks away from his home. He informed the Board it appeared to be effective as the ducks have left. However he voiced his concern that after “nesting season” is over the ducks might return. He requested permission to repeat the “shooting” technique should the ducks return to his home after the “nesting season”.

Chm Miller asked Mr. Heim if he had contacted EMA prior to the shooting as had been directed. He replied yes, both times he had placed a phone call to EMA to alert them of his intentions. Heim also reported there had not been any complaints from his neighbors, unless they had called the Township to complain. His concern is that the ducks will return. Chm Miller indicated he felt that issue should be dealt with should it happen. He is not comfortable granting Mr. Heim’s request to continue the “shooting” at this moment. Mr. Heim asked Chm Miller if he is saying that he would have to attend another meeting should the ducks return to his property. Chm Miller said he would like to him to stop at the Twp office to inform the Board before he starts any activity. Mr. Heim thanked the Board for their time.

**B.) Thomas McCarthy – Briar Lake; Bylaw/Declaration Changes**

Mr. McCarthy was in attendance to discuss with the Supervisors some revisions the Briar Lake Association would like to make to the current Bylaws/ Declaration. Chm Miller asked Mr. McCarthy what it is he is asking from the Board. McCarthy stated he was told that before any revisions could be made to their Bylaws, the Association must have approval from the Board of Supervisors.

**Briar Lake; Bylaw/Declaration Changes (con't)**

Sol Wolf explained the process that was determined when the subdivision plan was originally approved for this community. Due to the fact there are common areas and walking paths, it was felt the funds must be provided to maintain these areas. Therefore before any revisions are made to the Bylaws/Declaration approval must be received from the Board of Supervisors. Sol Wolf questioned Mgr Grumbine if the Twp has received any financial statements from the Association to date. She replied she has not received any reports as of now. A member of the Briar Lake Assoc replied he was not aware that this was required and he would gladly take care of providing the required statements to date.

The Supervisors reviewed the suggested revisions Article by Article and made their suggestions. Bylaws, Article VIII 8.3 and Declaration, Article XII 12.4 were the 2 revisions the Board of Supervisors did not agree with. Chm Miller told Mr. McCarthy after hearing Sol Wolf's explanation about the reasons this process was established, he felt the approvals from the Township should be continued.

**MOTION** was made and seconded to approve the revisions to Bylaw Articles II 2.2, II 2.4(d), III 3.8, III 3.9, IV 4.7, V 5.2, and V 5.3.1, and IX 9.1, and Declaration Article IX 9.1. Motion unanimously approved.

**MOTION** was made and seconded to deny revisions to Bylaw Article VIII 8.3 and Declaration Article XII 12.4. Motion unanimously carried.

**C.) Richard Moore – Lebanon County Farmland Preservation Board**

Mr. Moore told the Board he is a member of the Lebanon County Preservation Committee and he is here to recognize North Lebanon Twp's continuing participation in the Ag preservation program. He explained how the dwindling financial support is affecting the program. Moore said however with donations such as the one they receive from NLT allows the program to survive. Mr. Moore provided some statistics regarding the number of Ag acres preserved within the County and within North Lebanon Twp itself. North Lebanon Twp has approximately 1205 acres preserved. A Certificate of Appreciation was presented to the Board by Mr. Moore.

**D.) Steve Beard – Ebenezer Baseball Association**

Mr. Beard introduced himself to the Supervisors and gave them a brief summary of the various age groups within the baseball program including, pony, midget, teener, softball and T-ball. 119 kids are on the roster for the baseball program. Beard thanked the many sponsors that have stepped forward to sponsor the Association's teams. He mentioned a special activity planned for May 11<sup>th</sup> which is in honor of "Salute the Veterans Day". A variety of games will be played at various sports fields to assist the program of getting the WWII Veterans to DC to visit the Memorial in their honor. Beard also mentioned that he is appreciative of the cooperation the Baseball Assoc receives from the Twp staff. Without cooperation from everyone the baseball program would not be running as smoothly as it is.

**E.) Brad Meyer – Ebenezer Road; Water Runoff Issues**

Mr. Meyer started his comments by telling the Board he owns a property at 341 Ebenezer Rd that borders the Ebenezer Cemetery. He stated the property is one that has been in the family for at least 3 generations, so it has been a long time. There has been an existing problem with water runoff from the cemetery for a lot of years. Years ago the directors for this cemetery made an effort to work with the property owners but that situation has changed.

**Ebenezer Road; Water Runoff Issues (con't)**

The man that is the maintenance or caretaker for the cemetery grounds is unwilling to work with anyone in the area. Meyer explained the landscape that is in the area and some of the neighboring properties. Another fact that Meyer pointed out is that the sewer box owned by the Municipal Authority is located in the alleyway that runs along the north side of his property. He outlined the events that happen when there is rainfall and water runoff issues. Mr. Meyer told the Supervisors he is not able to deal with the caretaker for the cemetery so he felt he should address the Supervisors. Meyer repeated that as the sewer box located in the alleyway is taking on a portion of this water runoff, he would think the Twp would have an interest in what is happening there.

Meyer informed the Board he has had other issues with this caretaker at the cemetery regarding the alleyway itself. Several years ago this person threatened to close off the alleyway. At that time Meyer had obtained a copy of a letter addressed to him from the Twp, outlining his responsibilities for shared maintenance of this alleyway. Meyer told the Board he was hopeful the Twp would be able to help him with this water runoff issue as he really does not want to consult a lawyer to deal with the cemetery association. Mr. Meyer told the Supervisors he has used up all of his patience trying to deal with continual damages caused by this water situation and the attitude of the caretaker for the cemetery.

Chm Miller asked Sol Wolf his opinion. Sol Wolf said this matter must be researched to see what if anything was done with this situation previously. He said it seems this is not the first time this situation for this same area has come before the Board. After having a talk with the Road Master and doing some research, he suggested this topic be placed on the Agenda for next month.

**Bob Huffman – 329 Ebenezer Road**

Mr. Huffman also owns property being affected by the water runoff. He told the Supervisors that he agrees with everything that Brad has told the Board. He described to the Board what happens when the water runoff flows down toward his property. After it passes his property the flow continues down to the property owned by Jim Steiner. Huffman described the frustration of trying to resolve this issue with the cemetery caretaker. The Directors for the cemetery are difficult to make contact with as they are volunteers and he refuses to deal with the caretaker. Huffman said he would like this issue to be placed on the Agenda for next month and a resolution for this problem to be found.

**Ashton Drive - Parking**

Mr. Huffman told the Board he would like to know who is responsible if an accident should occur on Ashton Drive where No Parking signs are posted and cars are parking there almost every evening. The curve of Ashton Drive at the baseball field located along Ashton Drive is the street Huffman was talking about. Chm Miller stated that the parking issue will be looked into.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve minutes from the Supervisors meeting of March 18, 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.

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**FIRE CHIEF'S REPORT – Brian Vragovich (absent) – Glenn-Lebanon Fire Co****A.) Monthly Summary for NLT Fire Companies – Read by Mgr Grumbine**

Mgr Grumbine gave a summary of activities for all 4 Fire Companies for March of 2013. There were various sized hoses pulled during March. A total of 32 responses to calls for service were logged with a breakdown of some of the responses as follows: 17 emergency calls, 5 assists, 7 trainings and 3 mutual aid calls. A total of 413 volunteer hours/minutes were logged.

**B.) Phantom Box Changes**

Mgr Grumbine told the Board they have been provided with some Alarm Box revisions from Glenn-Lebanon Fire Company which the Supervisors must approve before the revisions are submitted to EMA. After looking over some of the information the Supervisors agreed to the revisions.

**MOTION** was made and seconded to approve the Phantom Box Changes submitted by Glenn-Lebanon Fire Company/ Station 42. Motion unanimously carried.

**CHIEF OF POLICE REPORT – Chf Harold Easter (absent); Report read by Chm Miller****A.) Calls for Service Report – Month of March 2013**

Chm Miller reported on the activities for the month of March 2013 and mentioned some of the individual categories for these calls of service. He reported there were a total of 225 Police-citizen contacts for the month of March with a total of 9,645 miles logged on the cruiser cars.

**B.) 1008 Smaltz Street – Request for Burn Barrel Placement**

A letter of request was received from the resident at 1008 Smaltz St for placement of a burn barrel. Barry Kendall of the Rural Security Fire Co has visited the site and has indicated no objection. Chm Miller stated that Lt Wengert has not submitted any objections so he sees no reason to deny this request.

**MOTION** was made and seconded to approve the request received from resident at 1008 Smaltz Street for a burn barrel. Motion unanimously carried.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) TCC Correspondence of 3/26/13 – 2008 Protocol OOC**

A Memo had been received from Tom Baum, TCC consultant regarding an update to the previously approved Protocol for Out of County Claims. The wording in the previous agreement mentions “pre-2008” and must now be revised to include the 1<sup>st</sup> and 2<sup>nd</sup> quarter 2008 collections. Therefore the wording must include the year 2008. The Board is being asked to approve the changes to the verbiage to include 2008.

**MOTION** was made and seconded to include to include the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2008 Out of County Collections validated claims protocol. Motion unanimously carried.

**B.) CDBG Program – Public Hearing April 17th**

The County Development Block Grant Program funding letter was received from the County for 2013. At this time Congress has not yet adopted the 2013 budget. However it is estimated the County will receive \$300,000 for eligible projects and that these funds will be available late 2013 or early 2014.

**CDBG Program – Public Hearing April 17th (con't)**

Municipalities may submit their proposed projects to be considered for inclusion in the County's 2013 program. Mgr Grumbine stated she will be attending a meeting on Wednesday, April 17 at Swatara Twp and will ask various questions regarding any possible projects for North Lebanon Township. Official Municipal approval of the project must be provided on or before May 6<sup>th</sup>. The Twp will need to approve any potential projects tonight to be submitted to the County by the deadline.

Mgr Grumbine told the Supervisors that Suv Brensinger has mentioned the Sahonic demolition project. It is not certain that type of project will be acceptable for this grant. Chm Miller and Suv Artz both agreed she should ask questions about the demolition project as they cannot think of another project that would fit the perimeters of this particular grant.

**MOTION** was made and seconded to approve Mgr Grumbine researching the possibility of applying the Sahonic demolition project for the County Development Block Grant Program. Motion unanimously carried.

**C.) Pertinent Issues**

1. EOP & NARMS Manual Update – Ron Miller obtained a draft of the County EOP on loan to do a quick review. He was told it may be some time before the County Commissioners review and approve this Manual. A meeting was held recently to gather information and discuss the updating of the EOP Manual by the County and a NARMS Manual for the Township. It became apparent that this Manual will require many individuals to locate information to put together a NARMS Manual. Once created, it will take some involvement from everyone to keep the NARMS Manual current with weekly/monthly reviews. Mgr Grumbine informed the Board the next meeting will be held on Wednesday, April 17.

2. YardWaste Facility Expansion – Ball Field Replacement Area - On March 28<sup>th</sup> staff met with Steckbeck Engineering to review the possibility of relocating the athletic field currently located north of the Yard Waste Facility and to address some existing stormwater issues. Steve Sherk and Chad Smith agreed to put together a conceptual plan to review with the Union Canal Athletic Assoc and the NLT Park & Rec Board during their May 7<sup>th</sup> meeting. It is hoped that a conceptual plan will then be available for the May 20<sup>th</sup> Supervisors meeting.

A question was asked from the audience which baseball field is being discussed. Mgr Grumbine stated it is the baseball field that is directly behind the Yardwaste Facility and Storage Building on the east side of the Twp building. The area being reviewed to locate a new field is the middle area where there is currently 1 ballfield. While reviewing that topic the issue with stormwater will be reviewed also. Mgr Grumbine said she is hoping to have a conceptual drawing for the May meeting.

**3. PSATS 2013 Proposed Resolutions**

In order to prepare for the upcoming PSATS Convention the Supervisors have been provided with the 2013 PSATS Proposed Resolutions that will be reviewed and voted on at the PSATS State Conference to be held on April 21-24 in Hershey.

**4. Regional CLSD Comprehensive Plan**

The results of the Supervisors discussion and comments during the March meeting were compiled and provided to the consultant.

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**Regional CLSD Comprehensive Plan** (con't)

Michelle is waiting to hear from the other participants. She has prepared a spreadsheet, being provided to the Board tonight, showing issues 1 through 10 and the comments from each municipality but is absent S Lebanon comments. A review can be completed and the issues will be enacted upon at the proposed June 6<sup>th</sup> meeting. The Board is to confirm this date with Mgr Grumbine. When asked about the location she replied the first choice would be the Cedar Crest LGI room with a sound system in place.

**SOLICITOR'S REPORT – Solicitor Frederick C. Wolf****A.) Sahonic Settlement Rescheduled for March 28<sup>th</sup>**

Sol Wolf reported the settlement for the Sahonic property located on E Old Cumberland Street was completed on March 28. The Sahonics still have some personal possessions on the property and were granted time until the end of the month to remove the items they wish to take with them. He reported a Mgr Curt Kulp from South Lebanon Twp had been present at the settlement to pay their share of the settlement.

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

This is a reminder that the Personnel Manual is being reviewed in Executive sessions during the month of April. Another meeting will be required to bring everything up to date.

**C.) Ordinance Updates**

Sol Wolf reported that he and Mgr Grumbine have already started reviewing a few Ordinances that need some revising. He said he had spoken to Lt Wengert who also had some suggestions for consideration in regards to Code Enforcement issues. Sol Wolf told the Supervisors if they have anything in particular they think should be reviewed, they should inform either himself or Mgr Grumbine and it will be added to the list. Chm Miller reminded Sol Wolf about adding the issue of snow emergency routes to the Ordinance updates.

**D.) Rockwood Project – Paving of Roads**

Sol Wolf stated the Municipal Authority is at the point in the sewer project when the restoration repair of the paved roads that were disturbed by the project is being looked at. Suv Brensinger, as Road Master, will be involved with the options provided by the sub contractor for the paving of the roads. Sol Wolf said there is a 1300 foot stretch of Water Street that is not included in the sewer project restoration because it was not disturbed by the project. After some consideration, it does not make sense to not have this 1300 foot section not paved along with the rest of Water Street. Sol Wolf is asking the Board to authorize Road Master Brensinger to proceed with negotiations regarding the sub contractor paving the additional 1300 feet of Water Street not involved in the sewer project. He asked Chm Miller and Suv Artz if they feel comfortable authorizing Suv Brensinger to move forward with this when meeting with the sub contractor. The Supervisors both indicated they are comfortable allowing Ed Brensinger to negotiate with the paving contractors.

**COMMENTS FROM BOARD MEMBERS****A.) Spring Clean Up**

Mgr Grumbine extended thanks from Ed Brensinger to Jackson Twp Supervisors and the 4 Highway crewmen for their assistance completing the spring cleanup. The extra “hands” and equipment were a huge help. The cooperation between the 2 municipalities continues to benefit both entities during various projects.

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**B.) Suv Ken Artz**

Suv Artz informed the public that his fellow Supervisor Ed Brensinger is a “bit under the weather”. He said he looks forward to Ed recovering and being back at the Board table soon. Suv Miller agreed with Suv Artz’s comments.

**C.) Suv Dick Miller**

Suv Miller said he feels unsettled when he hears residents coming to them with situations such as the water problem that was brought before them tonight. He asked Sol Wolf to review if there is anything the Township can offer in the way of assistance to these residents. If the Twp cannot assist them perhaps we can give them a direction to go with their problems.

Chm Miller asked Mgr Grumbine to please contact Steve Beard, who is also a Police Officer, to communicate to the parents that there is adequate parking provided and the use of the No Parking zones should be adhered to when attending the sports events. Mgr Grumbine indicated she would take care of his request.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George  
Recording Secretary