

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 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 Jason Chernich from Steckbeck Engineering, as well as several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Ebenezer Fire Co; Merchandise Auction on Sat, Dec 7th at 3pm

The Ebenezer Fire Co is asking the Board to approve a merchandise auction, which is a non-emergency function to be held at the Ebenezer Fire Company on December 7th.

MOTION was made and seconded to approve the Merchandise Auction at 3pm on December 7th for the Ebenezer Fire Co as a non-emergency activity. Motion unanimously carried.

B.) Harold & Mae Weise Lot Addition Plan; Jason Chernich - Steckbeck Engineering

Jason Chernich from Steckbeck Engineering was present to discuss the Lot Addition Plan for Harold & Mae Weise and the Planning Module & Non-Building Declaration. Chernich explained the tract of land currently owned by Terrance Weise. As it exists now the tract is land locked. This lot addition is proposed to eliminate the land lock problem. Some discussion took place regarding the size of the proposed addition to Terrance Weise's property. Chernich was asked if he knew what the future intentions are for this property. Will a house be built on it? Jason replied that Mr. Weise had never mentioned any future intentions for the property. Suv Brensinger mentioned that it seems like a very narrow easement to gain access to the Terrance Weise property. Mgr Grumbine answered the questions about flag lot requirements by saying Lebanon County Planning viewed this property as a non-conforming property. This lot addition provides access to the property and makes the property less non-conforming. A letter of recommendation has been received from LCPD and the NLT Planning Commission has recommended approval after their review of the plan. Also being asked for approval is the Planning Module and Non-Building Declaration Waiver.

MOTION was made and seconded to approve the Lot Addition Plan for Harold & Mae Weise as well as the Planning Module & Non-Building Declaration Waiver. Motion unanimously carried.

C.) Tom McCarthy – Briar Lake; Request to Vacate Walnut Crest Right-of-Way

A request is being made by the Briar Lake Home Owner's Association regarding the Township vacating its rights to the future use of a 50' R-O-W located between 856 & 900 Walnut Crest Drive connecting to the Sanger property. At the time of developing Briar Lake, Landmark had intentions of possibly purchasing the Sanger property and making it part of Briar Lake. This purchase did not take place. Sol Wolf and Mgr Grumbine have met to review this issue.

Mr. McCarthy explained the Association wants to landscape the property and incorporate the area in to the common space of the community. Suv Brensinger stated that was one of his questions as to what the future plans were for this area. He explained that should the Sanger property ever be developed, the consideration that the right-of-way might be needed to connect the developments needs to be kept in mind. Mr. McCarthy pointed out that Briar Lake is a private community and would not appreciate having a connection to a public community. Suv Brensinger repeated that he did not say it must be available rather that the possibility needs to be considered. The possibility of another private community being developed on that site also exists. McCarthy repeated that the Association plans to landscape the area and keep it as a part of their open space.

When asked, Sol Wolf replied that the files on this area should be reviewed to insure that the Twp releasing its rights to the area does not complicate any of the Twp's future uses for the area. Sol Wolf mentioned sometimes the need for a secondary access to a community being developed is required, which would be one of the uses for an area such as this one. The Supervisors discussed some of their options regarding this request. It was agreed to table this issue until the December meeting after having had some time to research the easement area. Suv Brensinger asked Mr. McCarthy to return to the December meeting for an answer to their request. Mr. McCarthy indicated his agreement.

D.) John Emrich – Ashton Drive

Mr. Emrich reminded the Board he had attended the October meeting to discuss the water level for Lions Lake. He wanted to know if the Board had decided to do anything about possibly draining the lake totally or at the very least bring the level down. He attributes the water problems in neighboring properties to the water level being too high in the Lake. Emrich repeated that he felt the best possible solution is to totally drain the Lake and construct sports fields there. The area would also alleviate some of the parking problems for the existing sports fields in the area. Another issue is the geese which never leave the area. They are an annoyance to the surrounding property owners according to Emerich.

Suv Brensinger stated some of his ideas on the subject of draining the Lake. He told Emrich he can appreciate the concerns expressed. However he disagrees with him that everyone in the Ebenezer area would want the Lake drained and eliminated. The group that fought to save the Lake in the late eighties early nineties were mostly Ebenezer people. A dam breach analysis is being planned for the dam breast. It is very possible the Twp will be instructed to lower the level of the water by DEP. The other issue that the draining of the Lake poses is the financial costs to landscape the area. And then the underground springs would have to be dealt with. Suv Brensinger said he has no desire to eliminate the Lake area. As far as the park being used, he disagrees with Emrich that the park is rarely used. As he is out and about during the day he sees the park area being used by any number of people. The pavilions are rented for use every weekend during the season. Suv Brensinger repeated he does not think elimination of the Lake would be a good idea.

Water Level – Lions Lake (con't)

Emrich repeated his suggestion that the water level of the Lake be reviewed. Suv Brensinger stated that after the dam breast analysis is completed it is possible that DEP will recommend or require that very action. As it is now the Fish & Game Commission as well as DEP gets contacted whenever the Twp knows impending heavy rains are called for. The Twp does not have the authority to make the judgment of releasing some of the water from Lake without those 2 agencies' consent. Suv Brensinger said he knows the public thinks the Twp should be able to make that call but the truth is we do not have that authority. There are individuals that watch the water levels closely when there are heavy rainfalls forecast.

Suv Brensinger again repeated he is not in favor of “pulling the plug” on Lions Lake. If the Twp is directed to do so by DEP, then we may not have a choice in the matter. Suv Artz indicated that he is in agreement with everything Suv Brensinger has expressed. He remembers how hard the group worked to save Lions Lake in the past. He also agrees with the comment that the majority of the people would not be in favor of eliminating the Lake. The Board was in agreement that until the dam breast analysis is completed and the findings are returned to the Twp, nothing will be done about the water level in Lions Lake.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the Board of Supervisors meeting minutes from October 21, 2013 and the minutes from the October 21st and November 6, 2013 Budget Workshops. Motion carried unanimously.

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 Company**A.) Monthly Summary for NLT Fire Companies**

Chf Vragovich provided a summary report for all 4 volunteer fire companies. A total of 48 responses for service were logged for the month of October. A total of 270 ft of various sized hoses were pulled, 17 training sessions and 8 mutual aid calls were answered during this past month. A total of 400.09 volunteer man hours were logged.

B.) Vehicle Rescue Class #3

Brian reported that the final class for the Vehicle Rescue sessions is being held next month. All firefighters who had attended will then be certified in the art of vehicle rescue personnel. He mentioned an accident which occurred on Sandhill Road. Members from all 4 Fire Companies were involved in extraction, landing a helicopter and the removal of the injured person from the scene. He felt the cooperation between the 4 companies was a result of some of the training completed this year.

C.) Federal Grants

Chf Vragovich reported the 4 Fire Companies will be jointly pursuing some Federal Grant monies to replace some of the air packs that the companies have which are no longer acceptable apparatus. He explained the costs of the equipment and stated that each of the companies have some air packs which will have to be replaced due to the fact the requirements have changed. To receive some of the Federal Grant monies would be especially helpful as the cost to replace one air pack with one spare cylinder is approximately \$6600.00.

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

Chf Easter reported on the activities for the month of October 2013 and mentioned some of the individual categories for these calls of service. He reported there were a total of 621 Police-citizen contacts for the month of October with a total of 9642 miles logged on the cruiser cars.

B.) Resolution No. 18-2013; Handicap Sign – 1137 E Old Cumberland Street

During the October meeting a request from the resident who resides at 1137 E Old Cumberland St was discussed. She had requested a Handicapped sign be posted in front of her property. Chf Easter reported he and Roadmaster Brensinger had visited the location and found no reason to deny the request. Suv Brensinger stated the usual procedure for these situations is for the property owner to pay the costs of the sign and the post. The Twp then installs the sign. Mgr Grumbine stated the requestor has already been given that information.

MOTION was made and seconded to approve Resolution No. 18-2013 for the Twp to install a Handicap sign, with post, paid for by the property owner to be placed in front of 1137 E Old Cumberland St. Motion unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Presentation of Preliminary 2014 All Funds Budget**

Mgr Grumbine reviewed the Preliminary 2014 All Funds Budget by providing a power point presentation. She stated the Budget reflects a 4% increase which will amount to approximately a \$9 increase for the average property valued at \$150,000. The large unknown factor is the issue of the Police contract not being negotiated as of yet. Comments and/or questions were then asked for from the Board and the public.

Martin Barondick questioned the exact amount of Twp revenue lost due to the Assessment appeals. Mgr Grumbine repeated the total revenue lost due to appeals was \$53,000. Barondick next questioned how much of that amount was Boscovs' portion. Mgr Grumbine said Boscov's reduction in Assessment value has a revenue loss to the Twp of \$33,000. Barondick expressed his displeasure with Boscovs being granted an appeal of that size. Barondick stated that the Twp has now lost revenue to a business that had already previously received financial help.

Brian Vragovich mentioned the amount listed in the Budget for the Fire Companies seems high. Is that due to Relief being listed as "in and out" amounts? Mgr Grumbine replied that is exactly what it is. The amount does include the Fireman's Relief amount. Brian also asked about Worker's Compensation. Mgr Grumbine explained about the insurance companies dropping the coverage due to Act 41-2011 regarding mandatory coverage for firefighters with cancer. As a result of this coverage requirement most insurance companies are dropping Workers Comp coverage for firefighters. In order to obtain this coverage the Twp needed to go to the State Workers Comp Fund, which doubled our premium from the previous year. This became a very costly expense.

Earl Roberts mentioned he had questioned the employees' medical insurance last year at Budget time. Does this Budget reflect any employee contributions to the health insurance? Mgr Grumbine replied that this year there will be employee contributions to the medical insurances. Roberts said he remembered the issue being discussed last year and wondered if it had been followed through with this years' budget planning.

Preliminary 2014 All Funds Budget (con't)

The Board was asked to take action on the 2014 Proposed Preliminary All Funds Budget. Suv Brensinger and Suv Artz agreed it was a difficult budget process this year.

MOTION was made and seconded to adopt the 2014 Proposed Preliminary All Funds Budget. Motion unanimously carried.

B.) Lebanon Co Redevelopment Authority-Blighted Property Program

During the October meeting a Memo from Ray Bender of the Redevelopment Authority was discussed. The memo was regarding any interest in a proposed program for blighted properties. This memo was a poll to gauge any interest in the proposed County blighted program and is not binding should the Supervisors decide they have an interest now but would later have a change of mind.

Suv Brensinger addressed Chf Easter asking about the system the Twp currently has going for blighted property issues. He said he is hesitant to change a system that appears to work for NL Twp. We have Chf Easter, Officer Tuisl and Randy Maurer of ABI. The process the Twp is using seems to work effectively for us. Suv Brensinger stated he does not see any way we could benefit from this proposal. He looked to Suv Artz for his opinion on the issue. Suv Artz agreed that although it sometimes takes a while, the issues do get resolved. He is in agreement the County program does not seem necessary for NL Twp. Mgr Grumbine said she will respond to inform Ray Bender NL Twp is not interested in participating in the County program at this time.

C.) Humane Society 3rd Quarter 2013 Billing & 2014 Contract

The invoice for the 3rd quarter billing of cats and dogs taken to the Humane Society has been received. A review of the report showed 9 animals that were either from another municipality or no report was provided to show the animal was from NL Twp. The costs for those 9 animals have been removed from the report. The invoice for the 3rd quarter (June, July and August) is \$1620, which is for 2 dogs and 34 cats. Also provided to the Board tonight is the 2014 Humane Society contract for review and action.

Suv Brensinger spoke to Chf Easter asking about the Twp requirement of a copy of the drivers' license for the individual dropping animals off at the Humane Society. Has this process helped as far as identification for Twp animals? Chf responded that the person dropping off shows they reside in the Twp. However there is not proof that the animals being dropped off are coming from within the Twp. He offered his opinion that it would be very difficult to prove such a thing. Suv Brensinger said he felt the cat numbers are very high and this is for just one quarter. The unfortunate thing is that the Twp is in need of the Humane Society's services offered. The 2014 contract is stating \$45 per animal. It does not specify dog or cat. It just states per animal. After much discussion the Board decided to table this issue.

MOTION was made and seconded to table the 2014 agreement between the Twp and the Humane Society. Motion unanimously carried.

D.) Resolution No. 19-2013; Appointment to TCC for 2014

Resolution No. 19-2013 is for official action to appoint the 2014 representatives to the Lebanon County TCC Committee. As outlined in the inter-municipal agreement Cheri Grumbine will go from alternate to appointed C-L Municipal Representative for 2014 and Robin Getz will be the Alternate.

MOTION was made and seconded to appoint Cheri Grumbine as 2014 Lebanon County TCC Committee with Robin Getz as the Alternate. Motion unanimously carried.

E.) Pertinent Issues

1.) Decision of Building Code Appeals Board – Godshall’s Quality Meats – The Supervisors received a copy of the Building Code Appeals Board decision based on the November 5th Hearing. The waivers were granted as outlined in the decision. A copy has been placed in the property file.

2.) 1401 E Old Cumberland Street has been approved as a non-taxable property. This is the property that is being cooperatively owned and maintained by NL Twp and SL Twp. Future plans for this property include the demolition of the house and the outside structures located on the property.

3.) The corner of E Maple Street and N 8th Avenue property was cited by DEP as being in violation of regulations for waterways. The Twp received a copy of the notification letter that had been sent to the property owner. The letter outlines requirements to correct the violations and return the land to its former status.

4.) Ebenezer Fire Company had requested “Emergency Vehicle Entrance” signs to be located along their property off State Rte 72 North. Mgr Grumbine reported the reply had been received from PADOT indicating approval for the signs requested. She told the Supervisors she would be in touch with Lee Spencer, President of the Fire Company, to inform him of the approval.

5.) The Lenni Lenape Park inspection had been completed by DCNR on 10/31/13. The 2 outstanding items have been completed. The County Engineer, Rick Bolt, will inspect the Park on Thursday. The “No Trespassing” signs have been removed.

SOLICITOR’S REPORT – Solicitor Fred Wolf

A.) Knox Box Violation Update; Nov 5 - Hearing Date

Sol Wolf reported on the one non-compliant property for the Knox Box Ordinance on Round 2 of the notifications. . The property owner had contacted him prior to the scheduled date for the court hearing. A Knox Box order was placed with the Twp and an agreement was signed by the property owner. When the box is received the property owner will install the unit and the property will be in compliance with the Knox Box Ordinance.

B.) Ordinance Updates

The Ordinance updates draft was provided to the Supervisors prior to the October meeting for review. Sol Wolf reported there is an issue with an Ag Ordinance that still needs to be addressed. After that issue is straightened out the Ordinance will be ready for the Supervisors to schedule a public hearing.

C.) Violation Letter; Keisch Property – Greenwood Dr

This situation involves 2 different issues; 1.) A Twp Zoning violation; 2.) Violation of a signed agreement between the property owner and the Board of Supervisors. The Lebanon County Planning Department is working with the Twp on these issues. A letter has been drafted by the LCPD to be mailed to the Keischs outlining the removal of the kitchen from the newly constructed addition.

D.) Personnel Manual

Sol Wolf reported this subject will be placed on hold until 2014.

E.) Joint Meeting with Municipal Authority – December 12th @ 5:30pm

The Board of Supervisors and the Municipal Authority Board meet twice a year to discuss several topics that are common to both Boards. A Joint Meeting has been scheduled for December 12th @ 5:30pm. Some of the topics discussed will be budget, vehicle purchases and related employee matters.

F.) Code Enforcement; Meagher Property – N 7th Street; Violation Letter of 10/31/13

Sol Wolf reported that the Meagher property located on 7th Street has been cited in violation of the letter dated 10/31/13. He said there are 3 properties being addressed for violations. A meeting with Associated Business Inspections Inc (ABI) had been held to discuss and move forward with these situations.

G.) Resolution No. 20-3012; Bond Re-financing- Tel Hai

Tel Hai is a retirement community that the NLT Municipal Authority has acted as a financial conduit for. This type of procedure allows loans to be received with low interest rates. As required, whenever there is any change in the interest rates for the Bond, a Resolution must be adopted by the Board of Supervisors approving the change. The Twp and Municipal Authority have no obligation for any of the debt for Tel Hai. The Municipal Authority has been acting as their conduit for several years.

MOTION was made and seconded to approve the Municipal Authority acting as conduit for the Tel Hai Community and adoption of Resolution No. 20-2013. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS

There were no comments from the Board members this evening.

Meeting Adjourned.

Respectfully Submitted

Theresa L. George
Recording Secretary