

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
FEBRUARY 17, 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	Chairman
Bruce Sattazahn	Vice – Chairman
Richard E Miller	Treasurer
Cheri F Grumbine	Twp Manager
Harold L. Easter	Chief of Police
Solicitor Frederick S. Wolf	Henry & Beaver LLP

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

RECOGNITION OF 2 FIRE REPRESENTATIVES

The Supervisors invited 2 members of the Rural Security Fire Company to attend this evening in order to present them with an award of recognition for services they had performed in 2013.

William Fair was asked to receive the Meritorious Service Award in recognition of his knowledgeable command during a very difficult response call which involved a fatality. Mr. Fair was the first Fire Officer on the scene and was able to relay to incoming responses what was needed and what to be prepared for on the scene. Chf George Gettler told the Board as a Junior Officer Fair handled himself with a professional demeanor that was to be commended. Chf Brian Vragovich of the Glenn-Lebanon Fire Co agreed stating he was more than please to have Fair be the Officer in Command due to his professionalism.

The Board told Fair they appreciated his time and service given for the residents of the Twp. He was presented with his award and congratulated by all 3 Supervisors as well as Mgr Grumbine.

Allen Firestine, also of the Rural Security Fire Co was honored this evening. Allen received the Fire Fighter of the Year award. Firestine has been involved in firefighting and more recently has taken on the task of organizing and scheduling required training for the volunteer fire companies in NL Twp as well as some surrounding emergency responders.

Chm Brensinger told Firestine that he has tremendous respect for all the firefighters and the service they contribute to the Twp giving of their own time. Firestine was thanked and congratulated by all the Supervisors, as well as Mgr Grumbine, while receiving his award.

Chf George Gettler expressed his appreciation to the Board for recognizing these men and all the services that the volunteer firefighters provide for the Township.

COMMENTS FROM THE PUBLIC

A.) TJ's Body Shop Signage

This issue was tabled due to the fact the necessary information has not been received at this time.

B.) Mike Wade – Planet Fitness Signage

Mr. Wade was present to discuss the signage proposed for the Planet Fitness building (former Ames store at the Lebanon Valley Mall). The Board had received information pertaining to the proposed signage for the new Planet Fitness. Mr. Wade asked the Board if they had any specific questions about the proposed illuminated sign that would be attached directly to the building surface. He explained this is the same signage that is displayed on all Planet Fitness locations. Suv Miller questioned if, size wise, this is the same size as Hobby Lobby. Wade responded the lettering is probably somewhat smaller than Hobby Lobby although longer in length. Mgr Grumbine explained the reason Planet Fitness needed the Board's approval is because the signage is larger than the Twp Zoning Ordinance allows. After a review of the provided drawings the Supervisors indicated they were ready to take action on this request.

MOTION was made and seconded to approve the proposed signage for the new Planet Fitness conditional upon a positive recommendation from Lebanon County Planning Department. Motion was unanimously carried.

C.) Melissa Rambler – Ebenezer Elementary 5K Run/Walk – April 19

Ms. Rambler told the Supervisors she is here to talk about the Ebenezer Elementary 5K Fun Run/Walk scheduled for April 19, 2014. She said this is their third year for this Fun Run event. Last year they had partial road closures for limited times. The Ebenezer PTE is asking for the same process this year. The Board has been presented with information regarding the run/walk and the road closure requests.

Chm Brensinger asked if they will be requesting safety cones and barricades again this year. Ms. Rambler replied that Steve Beard is again assisting with the event and he will be in contact with the Twp to make those types of requests. Suv Miller asked Chf Easter if this event presented any type of problem or issues last year. Chf Easter replied no there were no issues reported. Everything seemed to be planned and very well organized.

MOTION was made and seconded to approve the requests from the Ebenezer Elementary PTE to hold their annual Fun Run/Walk event on April 19 with limited road closures for specified periods of time. Motion unanimously carried.

D.) Martin Barondick – Cedar Haven

Mr. Barondick spoke to the Board about his concerns regarding the County Commissioners idea to sell Cedar Haven, which is a County Home. He told the Board it is one of the finest County Homes in PA and it would be a mistake to sell it to the private business sector. Many of our elderly citizens rely on this facility for elder care, according to Barondick.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the Board of Supervisors meeting minutes from January 20, 2014. 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 – Provided by Rural Security Fire Company, Read by Brian Vragovich**A.) Monthly Summary for NLT Fire Companies**

Chf Vragovich reported on some of the activities of the four volunteer fire companies for the month of January. There were 29 emergencies, 18 NLT assists, 10 training session and 20 mutual aid calls for a total of 67 responses in the month of January. The value of buildings involved in fire this month totaled \$335,000.00 with fire damage valued at \$175,000.00. A total of 603:28 man-hours were logged in January.

B.) Non-Emergency Activity List – Glenn-Lebanon

Glenn-Lebanon has requested that 2 additional events be placed on the Non-emergency Activity List for 2014. The first event is an appreciation dinner held at Shady Maple on February 21st and a spaghetti dinner scheduled for March 21st at the Fire Company House.

MOTION was made and seconded to approve the 2 additional non-emergency events for Glenn-Lebanon Fire Co, Appreciation Dinner at Shady Maple on Feb 21st and a Spaghetti Dinner scheduled on March 21st. Motion was unanimously carried.

Chf George Gettler thanked the Supervisors for taking the time to commend the two gentlemen tonight. It makes the awards presented by the Fire Company even more meaningful.

Chf Brian Vragovich requested the Twp post on their sign board the notice to residents to help uncover any fire hydrants buried by the snow and ice. Glenn-Lebanon had been out trying to dig out some of the hydrants but there are still many more to be done. Roadmaster Brensinger said the Road crew had started on that project today.

CHIEF OF POLICE REPORT – Chf Harold Easter**A.) Calls for Service Report – Month of January 2014**

Chf Easter reported on the activities for the month of January 2014 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 7,887 miles logged on the cruiser cars.

B.) Snow Events

Chf Easter said he wanted to commend Ed Brensinger and the Highway Dept, as well as any other personnel, for the good effort that was made to keep the roads open and passable. With the snow events coming one after another, Chf Easter said, he knows it was difficult. It made the job of the Police Dept much easier and helped prevent vehicle accidents.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) 2014 Mobile Home License Renewals**

All 7 applications for license renewal of the Mobile Home Parks located within NL Twp have been received. The Supervisors are being asked to authorize the Chairman to sign the licenses for return to the Mobile Home Park owners. A Memo was provided informing of the locations, the number of units and the amount paid for the 2014 renewal.

MOTION was made and seconded to authorize Chairman Brensinger signing the licenses for return to the Mobile Home Park owners. Motion unanimously carried.

B.) Athletic Association Keys

The 2014 season is beginning for the Sports Associations that utilize the Twp Park and sporting areas. A Memo has been provided to the Board regarding the history of the Abloy keys. These keys are to locked areas for sporting equipment stored by the Associations. At the end of the 2013 season 2 keys had been reported lost. As of now there is only 1 key that remains lost. After reviewing the situation the Parks & Rec Board have offered a recommendation to the Supervisors. The established Key Policy has also been provided to the Supervisors. The Board is being asked to take action on this issue.

Chm Brensinger asked for an explanation of what is being asked for from the Board. He said he does not remember why the Twp is responsible for the keys to the storage areas for these sports associations. Does the Twp use any of these areas that we need to have access? Mgr Grumbine replied no, the Twp does not. However in 2009 the sports associations were not in a good place. There had been thefts of equipment and they were coming to the Twp for help. It was decided then the Twp would establish a key system and we would administer the keys. This is the first time since 2009 that keys are missing. However if lost keys are permitted to continue, we will be back to where this issue all started. Both Associations are aware of the missing keys. The Baseball key was reported to be found but has not been returned as of yet. The Board is being asked what direction they would like to follow with this situation. After some discussion it was decided the Key Policy that is signed by these individuals would be enforced. Should we have to invoice for re-keying, it would be to the Associations. The Association would then determine how to financially cover the invoice. Suv Miller suggested we give the associations an opportunity to return the keys by the end of February before enforcing the policy.

MOTION was made and seconded to wait until the end of February for the return of the 2 missing keys. At that time Mgr Grumbine is authorized to follow up on the re-keying of locks per the established Key Policy for the Sports Associations if necessary. Motion was unanimously carried.

C.) PaDot Electronic Access Agreement

Following the December Board meeting the Electronic Access Agreement was signed and forwarded to PaDot along with a copy of the meetings covering the action to approve the agreement. A request has been made from PaDot to make a motion that gives specific authorization to Chairman Ed Brensinger for signing of the Agreement and Mgr/Sec Cheri F. Grumbine to attest the documents. The documents will then be resubmitted along with a copy of the minutes. The Board is being asked to take this specific action so the agreement can be returned to PaDot.

Mgr Grumbine explained the minutes last month reflected acceptance of the agreement but did not necessarily authorize the Chairman's signature. This motion will authorize that signature and the Manager to attest it.

MOTION was made and seconded to authorize Chairman Ed Brensinger to sign and approve the PaDot Electronic Access Agreement and be attested by Manager/Secretary Cheri Grumbine. Motion was unanimously carried.

D.) Resolution 6-2014 - Cafeteria Plan Documents

The Twp Insurance Broker has provided several documents to the Board for adoption. These documents will provide pre-tax employee deductions for health care insurance.

Resolution 6-2014 - Cafeteria Plan Documents (con't)

The information provides for a variety of selections. However the Twp is only interested in the Health care insurance option. The Supervisors are being asked to review these documents.

Sol Wolf informed the Board he had reviewed the provided documents. His only concern was to ensure that the policy meet all the Twp requirements as to what the employees are expected to do, as well as, meet all IRS requirements. Sol Wolf recommended approval of these documents.

MOTION was made and seconded to adopt Resolution 6-2014 outlining the pre-tax deductions offered on the Cafeteria Plan for Health Care Insurance (Benecon) for the Twp employees contingent on meeting all requirements of the Twp as well as the Internal Revenue Service. Motion unanimously carried.

E.) Pertinent Issues

1. 2013 Water Street Bridge Inspection Report – The Twp has received the 2013 Initial Bridge Inspection for the Water Street Bridge. No immediate maintenance requirements have been listed. There are 5 long term maintenance items listed for an estimated cost of \$8530. Mgr Grumbine and Roadmaster Brensinger will be meeting with Wilson Consulting to review this report, as well as the other 3 bridge reports previously received.

Suv Miller questioned if this was the same bridge that he requested the vegetation be trimmed back. He was told yes it is. Chm Brensinger explained it had been referred to as a box culvert prior to 2013. When completing bridge inspection last year, Wilson Consulting noted the culvert fits the PaDot criteria for a bridge and is now deemed a bridge.

2. 2013 Zoning Administration Report– The Annual Zoning Report for 2013 has been received from Lebanon County Planning. Mgr Grumbine read through some of the various permits that had been issued from Lebanon County Planning during 2013.

3. Safety Committee 2013 Summary – The Safety Committee has submitted their Annual Year End Summary for 2013. A total of 11 items/issues are listed regarding discussions and concerns. The Summary was reviewed by the Supervisors and Mgr Grumbine. Suv Miller asked if we have the capability to download and save some of the webinars that are viewed. His thought was to have on hand for employees who might not be able to attend the initial viewing. Mgr Grumbine said she would check into that. She knows of one webinar, Active Shooter, which has been viewed at least twice. It is a suggestion that we can look into.

4. Penn State Extension West Nile Virus Program – Tire Collection – The West Nile Virus Program will again host the annual tire collection at the Lebanon Valley Expo Center on Saturday, April 17th from 8am until 6pm. This is a change from the previously discussed date of April 18th due to the Good Friday Holiday. The Twp provides \$700 toward funding this program for our residents from the Special Projects Fund. NL Twp residents are encouraged to participate in this program.

5. Hold Harmless Agreement – Mgr Grumbine explained she had received a copy of this agreement from the City of Lebanon. Anticipating the lumbering and grubbing out process that will have to be done to prepare for the expansion project the Twp will be starting this spring. In order to allow individuals on the Twp property to take down and remove the trees an agreement will have to be signed and insurance provided.

Hold Harmless Agreement (con't)

Sol Wolf suggested the amount of insurance provided in the Twp agreement be set at a million dollars.

MOTION was made and seconded to approve the draft of the Hold Harmless Agreement and include the increase of insurance to a million dollars. Motion was unanimously carried.

6. Choice Communications – An email had been received about a maintenance agreement with Choice for the cameras in the Yardwaste Facility. A Memo was provided to the Supervisors explaining both sides of the issue. With the expansion of the Facility it would seem a better option to hold off until we see what is needed for the new Facility. The Supervisors were in agreement that this issue would be better reviewed after the expansion is completed and we see exactly what will be needed in the new expanded Facility.

SOLICITOR'S REPORT – Solicitor Fred Wolf**A.) Ordinance Updates; Including Ag/IA**

This is a review process that has been ongoing for the last few months. Recently Mgr Grumbine received 2 Ordinances that have been revised and adopted by Lebanon County Planning. The Subdivision and Land Development Ordinances as well as the Stormwater Ordinance has been revised and adopted by the County. The Twp models its Subdivision Ord after the County's and will also mirror the Stormwater Ord. After discussing the matter it was decided by Sol Wolf and Mgr Grumbine that these 2 Ordinances should be presented for approval at the March meeting. All the information pertaining to these 2 County Ordinances as well as the proposed Twp Ordinance update will be provided to the Supervisors prior to the March meeting for their review.

Another matter LCPD has reported concerns about the number of requests for the construction of storage units. As the Twp does not currently have this use listed in any of the Zoning districts, this issue is something that should be addressed by the Twp. If an ordinance is not adopted the requests for these types of units will have to continue going to the Zoning Hearing Board. Sol Wolf and Mgr Grumbine have been reviewing what information should be included in this ordinance. The information is something that can be added to the Ordinance updates for codification of the ordinances.

Sol Wolf is suggesting the Supervisors, Ed Brensinger in particular, review the Ordinance regarding the Snow Emergency routes. In the event of a declared snow emergency, the specific streets must be listed and approved in the Ordinance as well as signage posted. The Ord now states the emergency can only be declared by the Manager which should be reviewed for revision. Mgr Grumbine added that there are 2 different ordinances which should be reviewed and coordinated. One deals with snow emergencies and the other one is dealing with the procedures for Emergency Declarations. A lot of conversation followed regarding what is in the ordinances currently and what should be considered for any type of revision.

A conversation was held about whether or not any non-emergency vehicles should be permitted on the roads once a snow emergency is declared. Suv Brensinger stated that if the State declares the Snow Emergency no vehicles are to be on the roadways unless the vehicle is municipal or PaDot equipment dealing with the snow removal.

B.) Violation Letter –Keisch Property (Exec Session)

Sol Wolf reviewed what has happened with this issue since it first started. Sol Wolf had mailed a letter to Keisch's attorney to clarify what issues are planned to be appealed. A response was received outlining the issues to be presented. Sol Wolf communicated to LCPD the information provided by Keisch's attorney. A hearing will be scheduled with the Zoning Hearing Board to address this issue.

C.) Personnel Manual – Previously Distributed to Board; Set Review Date

After several meetings by the Committee, Mgr Grumbine will be coordinating completion of the revisions required. Once that is accomplished the Board will receive a draft.

D.) Code Enforcement Violations

Sol Wolf reported to the Board on some of the Code Enforcement issues. One of the property owners he and Chf Easter has been working with will be meeting in the next week or so. The remainder of the issues will be placed on a time schedule for completion and are expected to be completed by the end of April.

There is one property owner that owes fines and inspection fees. A payment plan has been arranged and will begin in March until all fees are paid in full.

E.) Knox Box Update

A Knox Box issue with a non-compliant resident has been discussed several times. Just before the Holidays a hearing had been scheduled for this individual. Prior to the scheduled hearing this person ordered and paid for the Knox Box for his property. He was instructed to contact either the Fire Chief or the Twp office once the Box had been installed by year's end. This individual was ordered to pay all court costs as well as attorney fees. Sol Wolf confirmed with Theresa, Twp Clerk, that no communication has not been received regarding installation. Theresa confirmed she had received no word from the individual or Fire Chf Toby Gettler. Sol Wolf informed the Supervisors that another court hearing will be scheduled to pursue contempt of court for this individual. Possible jail time could happen if the individual refuses to comply with installation of the Knox Box, per the Twp Ordinance. He will keep the Board informed once the hearing is scheduled.

Suv Miller questioned if Sol Wolf felt this issue would be scheduled in a timely manner. He replied that he would think that unless compliance with the Ordinance is completed that this issue would be scheduled by the end of March. Sol Wolf stated that the hearing has been assigned to Judge Charles. Even if the individual complies with the Ordinance, Judge Charles typically has the person appear at the court hearing regardless of compliance or not.

F.) Letter to Restoration Connection

Sol Wolf reminded the Board about the request from Restoration Connection concerning "Fees in Lieu Of" for an approved Subdivision Plan that had been submitted several years ago. After discussing this matter with the Supervisors at the previous meetings, Sol Wolf was asked to prepare a letter to Restoration Connection. The letter explained that the request cannot be approved as the plan was approved and the monies were used on various recreational areas. Sol Wolf wanted to let the Board know he had completed this task.

COMMENTS FROM BOARD MEMBERS**A.) Snow Emergency Declaration – Ed Brensinger – Feb 13 @ 6:15AM**

Suv Brensinger announced he had declared an Emergency Declaration on Thursday, February 13, 2014 at 6:15AM due to the latest snow storm event. This action taken is good for 7 days from the declaration.

MOTION was made and seconded to ratify the Emergency Declaration put in place Thursday, February 13, 2014. Motion was unanimously carried.

B.) Police Contract – Executive Negotiations for Police Contract have been held

Chm Brensinger told the public that the negotiations with the Police Dept are continuing. He feels there is good headway being made and expects to have everything finalized soon. The previous contract expired the end of 2013.

C.) Suv Dick Miller

Suv Miller expressed his positive opinion about the snow plowing that has been completed by the Highway Dept. He also wanted to comment on the 2 Firemen honored this evening. He is especially pleased with the training aspects of the fire companies.

D.) Suv Bruce Sattazahn

Suv Sattazahn voiced his appreciation of the snow plowing also. Being a person who also is involved in the plowing business, he can appreciate how difficult it can get. He asked that his appreciation be forwarded to the Highway crew. He also wanted to mention the firemen honored this evening and wanted the firefighters to know he appreciates their volunteerism and dedication to the Twp.

Chm Brensinger announced an executive session to discuss litigation matters, as well as personnel issues, will be held immediately following the close of this meeting.

With nothing more to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George
Recording Secretary