

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
MARCH 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
Attorney Marc Hess	Henry & Beaver LLP

Absent: Solicitor Frederick S. Wolf                      Henry & Beaver LLP

Also in attendance were Bert Nye of Red Barn Consulting, Mike Swank of Steckbeck Engineering & Surveying and several other individuals. The meeting was called to order and the pledge to the flag was done.

**PUBLIC HEARING – Ordinance 1-2014- SALDO & Stormwater Ord**

Attorney Hess conducted the Public Hearing by announcing the opening of the Hearing at 7:04pm. The process for advertisement and posting of the Hearing was explained. Advertisement of the Ordinance and Hearing was done in the Lebanon Daily News and the Legal Journal as required. The Ordinance was also posted on the Twp website for review by the public as well as a copy posted in the Admin office of the Municipal building.

Attorney Hess informed the public that the Lebanon County Commissioners had adopted the updated Subdivision and Land Development Ordinance along with the Stormwater Management Ordinance in December of 2013. North Lebanon Township contracts with the Lebanon County Planning Department for Subdivision and Land Development review and processing. The Twp tries to keep their ordinances in line with the County Ordinances in order to create easier processing. By adopting the County SALDO and Stormwater ordinances the Twp is able to structure its fee schedule comparable to that of the County. Attorney Hess stated the ordinances are rather lengthy and had been provided to the Supervisors prior to this evening for their review. NL Twp Planning Commission has offered their recommendation of adoption as well as the Lebanon County Planning Department.

**PUBLIC HEARING ENDED**

At this point in time Attorney Hess asked for any questions from the public. There were no questions from the public on this Ordinance. Attorney Hess then turned the meeting back to Chairman Brensinger. The Supervisors were given the opportunity to ask questions or comment on the Ordinance. After a brief discussion the Board was in agreement they were ready to take action on Ord 1-2014.

**MOTION** was made and seconded to adopt Ord 1-2014 regarding the SALDO and Stormwater Management ordinances previously adopted by the County Commissioners. Motion unanimously carried.

### **COMMENTS FROM THE PUBLIC**

#### **A.) TJ's Body Shop Signage**

Recently TJ's Body Shop replaced an existing sign on their property with a sign comparable in size. However the newer sign is an LED lighted sign and LCPD Department is looking for an approval from the Supervisors due to the size and LED lighting. Horst signs has provided all the sign dimensions to the Board. The Board is now being asked to approve the size of the sign and the LED lighting function for the sign in order for LCPD to issue a permit.

**MOTION** was made and seconded to approve the size and illumination of the signage for TJ's Body Shop. Motion unanimously carried.

Questions were asked from the Public about the process for this signage as the new sign is already erected. Chm Brensinger explained the process is moving backwards on this situation as he provided inaccurate information to Jeff Marks. When asked if he would need a permit for a new sign, Chm Brensinger responded, no, Marks would not. However Chm Brensinger did not ask about any illumination for the sign. So to keep it simple this process went backwards for this particular situation. Chm Brensinger mentioned the process that had been followed by Planet Fitness at last month's meeting is the correct process to follow.

#### **B.) Larry/Karen Martin Land Dev Plan – Morrissey Drive**

Bert Nye of Red Barn Consulting was present to discuss the Martin Land Dev Plan. The Martin's Land Development Plan shows the construction of 3 new poultry barns on an existing farm with related access drives, utility shed, equipment garage, mortality composter, storm water management facilities and associated site improvements. Two existing barns will be removed. Originally Mr. Martin planned to complete the project in phases. However Mr. Martin has now decided to complete the project all at one time. A signed agreement from Steve Weaver, neighboring property owner, allows for stormwater to be discharged from the rear of the Martin property which eventually drains onto the Weaver property.

Nye told the Board this plan is very similar to the Brubaker plan located on Long Lane. Chm Brensinger questioned the hog barns. Nye replied the remainder of the barns will be removed. The buildings have already taken a "hit" due to the winter weather.

A letter dated March 10, 2014 from LCPD is recommending approval of the plan. The NLT Planning Commission members also recommended approval of this plan at their meeting on March 10, 2014.

**MOTION** was made and seconded to approve the Larry/Karen Martin Land Development Plan. Motion was unanimously carried.

#### **C.) MGD Tractor & Equipment Land Dev Plan – State Rte 422**

Mike Swank of SESI was present to discuss this plan with the Board. Mr. Swank introduced Daryl Grumbine owner of MGD Tractor.

---

**MGD Tractor & Equipment Land Dev Plan (con't)**

The MGD Tractor plan shows the construction of a commercial retail sales facility including the sale and service of farm equipment with inter-related parking areas and access drives, outdoor sales area, driveway access point onto Rte 422, storm water management facilities and associated site improvements.

The question of the Municipal Authority's force main was discussed. The Municipal Authority determined that the WasteWater Dept must locate the force main before any construction work is done for the driveway access. The PADOT Highway Occupancy Permit has now been received.

A letter dated March 10, 2014 from the LCPD was received stating recommendation for approval of the plan. The NLT Planning Commission also gave a recommendation of approval for the Plan at their meeting on March 10, 2014.

**MOTION** was made and seconded to approve the MGD Tractor Planning Module. Approval of the Land Development Plan is contingent upon the force main owned by the NLT Municipal Authority must be located. Motion unanimously carried.

**D.) NLT/Fortna Subdivision Plan – Weavertown Rd**

This Lot Addition Plan shows an area of 750 square feet located on the south side of the Twp's Lenni Lenape Park being added to the property owned by Margaret Fortna, which will not be used as a separate building lot. Chm Brensinger explained this lot addition will correct a situation that was created several years ago when the Fortna's outside improvements encroached on the Park property. He said when considering the big picture this small triangle of square footage will not impact the park design.

A letter dated March 10, 2014 was received from the LCPD recommending approval for this plan. The NLT Planning Commission also gave their recommendation for approval during their March 10 meeting.

**MOTION** was made and seconded to approve the NLT/Margaret Fortna Lot Addition Plan as well as the Planning Waiver and Non-Building Declaration. Motion unanimously carried.

**E.) Snow Mobiles – Beverly Rittle, Long Lane**

Beverly Rittle of Long Lane addressed the Supervisors with a problem she is having with snowmobiles trespassing on her property. She told the Board she has had 5 situations when snowmobilers have trespassed on her property. She has called the Police Dept 3 different times but by the time the Officer arrives the vehicles are gone. She told the Board she knows this is a difficult issue but is hopeful there is some way to try to curtail this activity. Recently there was damage done to her driveway by these snowmobiles. She presented pictures to the Supervisors to show the damage done.

A discussion about the registering of the vehicles was had. Suv Brensinger told Rittle that the snowmobiles are required to be registered. The vehicles must have the number displayed on the side of the snowmobile. Suv Sattazahn added that unless this area is lighted it would be almost impossible to read the numbers after dark. The discussion continued about the number of snowmobiles and the legality of them riding on people's properties. Suv Miller stated he would ask some questions at the PSATS Conference they would be attending fairly soon and then asked Chf Easter if had anything he would like to add to the conversation.

**Snow Mobiles (con't)**

Chf Easter stated that although the snowmobiles are required to be registered, it would still be difficult to catch the individuals. He agreed with Mrs. Rittle's comment that by the time the Officers arrive at the location, the vehicles are long gone. The snowmobiles are an issue that does not seem to have an answer.

Chm Brensinger suggested the possibility of placing some type of seasonal barrier, such as plastic fencing, along her driveway to keep the vehicles off her driveway. He did caution however that it should not be something that would inflict definite harm to the individuals. Another suggestion was reflectors along her driveway. The Board told Mrs. Rittle they are sorry, although this is a frustrating situation, they do not have a definite answer to her problem. Mrs. Rittle indicated she would check into the fencing suggestion and thanked the Supervisors for their time.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the Board of Supervisors meeting minutes from February 17, 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 – Chf George Gettler Rural Security Fire Company****A.) Monthly Summary for NLT Fire Companies**

Chf Gettler reported on some of the activities of the four volunteer fire companies for the month of February. There were 33 emergencies, 16 NLT assists, 4 training session and 18 mutual aid calls for a total of 67 response calls in the month of February as well as 4 training session attended. Chf Gettler explained the higher volume of Mutual Aid calls this month. NL Twp was on standby for Bunker Hill as their one piece of equipment was out of service. Also the City of Lebanon had a crazy streak of house fires for several weeks creating calls for additional help.

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

Chf Easter reported on the activities for the month of February 2014 and mentioned some of the individual categories for these calls of service. He reported there were a total of 505 Police-citizen contacts for the month of February with a total of 7,408 miles logged on the cruiser cars.

**B.) Intersection of Tunnel Hill Rd & Old Ebenezer Rd**

Martin Barondick questioned Chf Easter about the intersection at the top of Old Ebenezer Rd. He asked if there are a lot of accidents to which Chf Easter replied no. Barondick sees it as a dangerous situation because people driving across Tunnel Hill Rd do not want to stop. Chf Easter agreed he would like to see a STOP sign placed at the top of Old Ebenezer Rd again. That is decision that would be made by the Board of Supervisors.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) Approval to Advertise for Bids – Fuel, Microsurfacing, Paving**

Bid documents have been prepared for 2014 Diesel Fuel, Microsurfacing and Paving in Place as outlined in the Twp 2014 Budget. The Board is being asked to approve the letting of the Bids with the award to take place at the April meeting of the Supervisors.

**MOTION** was made and seconded to authorize letting of the Bids for fuel, Microsurfacing and paving for 2014 with the awarding of the Bids at the April Board meeting. Motion unanimously carried.

**B.) Approval for Steckbeck to Proceed with LL Breach Analysis**

Steve Sherk, of Steckbeck Engineering & Surveying Inc, was directed during the 9/16/2013 Board meeting to complete steps 1 thru 5 of SESI's 9/19/13 proposal for Lions Lake Dam. Upon completion of these 5 steps, a meeting with DEP would be held and the Board would then decide how best to proceed. The meeting with DEP was held on 2/18/2014. As a result of that meeting, the Board is now being asked to authorize SESI to complete the remaining 3 items at a cost of \$6000.

The last 3 remaining items (6-8) include:

6. Perform an incremental breach analysis of the dam to determine the appropriate design flood which is expressed as a percentage of the Probably Maximum Flood.
7. Prepare an incremental dam breach analysis report for submittal to DEP. Make revisions to the report as necessary to address DEP comments. Issue a final report of findings which will be used to determine appropriate design flood and potential downstream impacts resulting from a dam failure.
8. Meet with Client and DEP to review conclusions of the report and discuss dam improvements, which may be required.

Martin Barondick questioned how much this project has cost the Twp to date. Mgr Grumbine replied to complete steps 1-5 the cost to the Twp was \$2000 and to complete steps 6-8 would cost \$6000, for a total of \$8000 for the analysis. Whatever problems of fixes that are needed would be in addition to the \$8000 cost. That decision will have to be made by the Board once the results of the analysis are had.

**MOTION** was made and seconded to approve Steckbeck Engineering and Surveying Inc to complete steps 6-8 per their proposal to complete a dam breach analysis for Lions Lake Dam. Motion was unanimously carried.

**C.) Resolution No. 5-2014; Destruction of Records**

Resolution 5-2014 provides for the destruction of certain Municipal records in accordance with the State Municipal Records Manual adopted previously by the Board. These items are outlined in the Resolution and pertain to both the Administrative and Police Department records.

**MOTION** was made and seconded to adopt Resolution 5-2014 for destruction of records according the State Municipal Retention Manual. Motion was unanimously carried.

**D.) Phantom Box Changes – LV Mall #939-01**

A Box Card change for the Lebanon Valley Mall has been received from Chf Toby Gettler of the Ebenezer Fire Co. With this change the Mall will have its own unique box card for both West Lebanon and North Lebanon Fire Departments (Ebenezer). Mgr Grumbine stated that West Lebanon has already approved this Box Card change for the Mall. The Supervisors indicated they agreed with this change because it was reasonable to do so.

**MOTION** was made and seconded to approve the Box Card change for the Lebanon Valley Mall. Motion unanimously carried.

### **E.) Pertinent Issues**

**1. Marcellus Shale Grant – County Commissioners.** Mgr Grumbine reported to the Supervisors an amount of \$20,000 was granted by the Lebanon County Commissioners towards the stormwater and relocated ball field project to be completed at the Municipal Building property. Sheila Wartluft, Ass't Manager prepared and processed the grant in a relatively short period of time and Mgr Grumbine wanted to commend her on her work and time spent on the grant application. The agreement has been received and Mgr Grumbine requested Board approval to process.

**MOTION** was made and seconded to approve the Grant Agreement with the Lebanon County Commissioners in the amount of \$20,000. Motion was unanimously carried

**2. 2014 Proposed PSATS Bylaw Changes.** The Board is being provided the PSATS Proposed Bylaw Changes that will be reviewed and voted on at the upcoming PSATS conference in April.

**3. Knox Box for Residential Properties.** The Supervisors have received information about the Knox Box Round #3 mailings to NLT businesses. This group had been given 18 months to come into compliance with the Knox Box Ordinance. Two reminder notices had been sent to the addresses on the list during the 18 month period. At this point 5 businesses are now non-compliant. Theresa, Twp Clerk, is requesting authorization to prepare notices to be mailed to these 5 businesses and ask Sol Wolf to sign the letters. At this point Sol Wolf will begin pursuing this matter with the business owners. Chm Brensinger asked if this is the procedure that has been followed for the previous mailings. He was told that only 1 other situation was forwarded to Sol Wolf and that is the same one that Sol Wolf has scheduled a court hearing for.

Suv Sattazahn stated he is not in favor of pursuing this issue. This Ordinance was passed before he was on the Board and he is still not in agreement with the mandatory requirement.

**MOTION** was made and seconded to prepare notices to the 5 business property owners and have Sol Wolf sign the letters. Chm Brensinger and Suv Miller voted in favor with Suv Sattazahn denying the motion. Motion carries by majority vote of 2 to 1.

Mgr Grumbine explained to the Board that notations have appeared on the monthly Fire Chiefs reports pertaining to alarm systems on residential structures. A Memo has been prepared by Theresa to ask for direction on this issue. Some of the Fire Chiefs do not consider residential properties as being mandated but there are some Chiefs who feel the wording in the Ordinance does mandate the residential properties to purchase and install a Knox Box.

The Supervisors discussed the verbiage in the Ordinance and felt they did not see the connection with residential properties. Theresa pointed out that although residential or single family dwelling is not spelled out in the ordinance, the ordinance does refer to “any building which contains a fire alarm system that uses an automatic dialer or contains an automatic fire suppression system”. These residential properties are being noted on the Fire Chief reports due to response to fire alarm systems.

**Knox Box (con't)**

The Supervisors discussed this issue to gain an idea of which way they wanted to go with this question. Theresa asked for a direction she is to take with this issue before pursuing it any further. The Supervisors, all, indicated they felt the Knox Box installation does not need to be mandated to residential properties but should be an option for the property owner.

**SOLICITOR'S REPORT – Attorney Marc Hess****A.) Ordinance 2-2014 Misc Updates**

Attorney Hess stated that this has been an item that Mgr Grumbine and Sol Wolf have been working on for some time. Sol Wolf mentioned that as soon as he and Cheri make all the revisions that have been provided, a draft will be provided to the Supervisors to review. This ordinance should be ready for the April meeting.

**B.) Keisch ZHB Hearing – April 24<sup>th</sup> @ 7:30pm**

Attorney Hess said he and Sol Wolf had briefly discussed the Keisch subject. A Zoning Hearing date has now been scheduled for April 24<sup>th</sup> @ 7:30pm. The Hearing will be held here at the Municipal Building, Kimmerlings Road. The subject being appealed is the construction of a second kitchen located in the new addition that had been built.

**C.) Personnel Manual – Revision Distributed to Board; Set Review Date in April**

The Personnel Manual committee has now completed the review and made all their suggestions. The revised Manual has been provided for review by the Board.

**D.) Code Enforcement Violations – Hearing April 2 @ 9am**

A Hearing has been set for a violation of the Knox Box Ordinance. This individual had been non-compliant and Sol Wolf scheduled a court date to get a court order to enforce the Ordinance. The individual ordered and received the Knox Box but has not notified the Fire Company as far as installing the box and finishing the locking process within a prescribed time period. Another hearing has been set for April 2 to have the court enforce the first court order.

**COMMENTS FROM BOARD MEMBERS****A.) Police Contract**

Chm Brensinger stated he is happy to report the Police Contract has been signed and is a 3 year contract. He said there was some compromise on both sides. Originally a 5 year contract had been looked at but due to the current healthcare laws and malfunctions, a 5 year contract was not a reasonable expectation. Never the less he is happy this is now completed.

**Earl Roberts** questioned some of the contents of the contract. He wanted to know what the escalating scale for salary was and if there was any contribution from the Officers to the healthcare costs. Chm Brensinger asked Chf Easter to help him out if he misquotes. The first year is a 2% raise, the second year a 3% with the third year coming in at 3.25%. Roberts asked Chf Easter what the starting salary is set at to which he answered the area of \$59,200 and by the year 2016 it would be \$63,000.

The healthcare costs are not being contributed to by the Officers. However there had been an escrow established to cover the cost of incidentals, such as co-pay costs, which has been forfeited by the NLT Police Association. The escrow was set at \$850 a year per Officer and is now being completely eliminated. Chm Brensinger told Roberts that everybody is well aware of what future healthcare benefits will become.

---

**Police Contract (con't)**

**Suv Miller** added his agreement to what had been mentioned regarding the Police contract. He felt the compromise of eliminating the health escrow in lieu of salary contributions to healthcare was a good decision.

**Suv Sattazahn** said that although he was not involved in the whole negotiating process for the contract, the portion he was involved in seemed to be handled in a reasonable professional manner. All 3 Supervisors are happy with the final contract and the results of the negotiations.

**MOTION** was made and seconded to approve the 2014-2016 contract with the Police Association. Motion was unanimously carried.

With nothing more to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George  
Recording Secretary