

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JUNE 16, 2014**

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
A. 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 was several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Bonita Knoll – 848A Mount Zion Rd; Pond Next to Lenni Lenape Park

Ms. Knoll explained to the Supervisors some of the problems that the Lenni Lenape Park has created for her, as a neighboring property owner. Her property contains a rather large pond which measures approximately 11 to 13 feet deep according to Ms. Knoll. The back property line of the new Park borders the rear of her property. She informed the Board about some of the incidents where she has found trespassers on her property in the pond area. These trespassers have wandered onto her property off the nature trail that has been designed as part of the Lenni Lenape Park. She asked the Board if they had considered the surrounding property owners when designing this park space. Knoll told the Board about the rude irresponsible behavior she has been subjected to when approaching these trespassers.

Ms. Knoll told the Board her concerns about someone having an accident while wandering on her property. She then appealed to the Supervisors to do something to correct this situation. She said if something happens on her property she does not feel she is to be held responsible. She did not ask to have this park placed near her property. When calling the Police for help she said she received respectful attention to her concerns. However, she was told the Township must correct this situation. She had called the office and spoken to the Manager who asked her to come to the meeting tonight. Ms. Knoll stated that her neighbor, Jay Kneasel, has posted his property with “No Trespassing” signs and then, as a courtesy to her, posted some signs on the tree line near her property.

Chm Brensinger asked Ms. Knoll if she has something specific in mind that the Township could do to help alleviate this problem. Knoll said she has done what she needs to do. The Township now needs to step up and do something from their end. The Supervisors discussed what they thought might be helpful. A suggestion was made to post “No Trespassing” signs along the nature trail. Posting signs at the tree line is too late for notification. Suv Brensinger said the signs should be posted at the edge of the path prior to reaching the tree line.

Knoll; Pond Next to Lenni Lenape Park (con't)

Chm Brensinger told Ms. Knoll he understands her concerns and also is aware of how rudely the public can sometimes behave. He apologized to her for having had that experience. For now the Township will get the trail posted. He plans to go out to the site tomorrow and walk the trail in order to get a better visual of the area. Signs will then be posted. Chm Brensinger then asked Ms. Knoll to keep the Township informed of any further situations as the summer progresses. He told her if she needs to contact the Twp about anything else, we will gladly try to work with her as the Twp desires to be a good neighbor.

B.) Mary Gruber – Heffelfinger Rd; Stormwater Issue

Mrs. Gruber told the Board about a situation she is experiencing with her neighbor. She does not understand why the Township does not have a law that prevents a neighbor from encroaching on her property. She explained the neighbor has planted trees on the property line, which when grown will definitely be on her property. Now this same neighbor has constructed, what she calls, a dry creek bed. The creek bed itself is located on the neighbor's property, however during a rainfall the creek bed directs all water runoff onto the Gruber's property. The runoff is creating gullies on the Gruber property. In her opinion the Twp should adopt a law which prevents a neighbor from doing things which will damage their neighbor's properties. She asked what the Twp can do about these issues.

Sol Wolf attempted to explain the complexities of the stormwater ordinances and issues. He told her that unless the runoff is being directed into the Twp's stormwater facilities, the Twp does not have the authority to enforce the neighbor's actions. It is a civil matter that the Grubers must deal with. The first step is to try speaking to their neighbor and then if that does not work out, they need to let the courts resolve the situation. Mrs. Gruber repeated that she does not understand why she should be subjected to the financial costs when her neighbor is the one who created the problem. Mgr Grumbine stated she had researched this issue with Lebanon County Planning Dept. There is nothing in the newly adopted County Stormwater Ordinance that would authorize the Twp to enforce a situation such as this one. In reviewing the subdivision plans for this area there is no stormwater planning that had been designated, as it was before stormwater management was being addressed.

At this point Sol Wolf explained the Twp has only the authority described in the Second Class Twp Code and the Municipal Planning Code book. The State's statutes outlines what situations the Twp is authorized to handle. The issue Mrs. Gruber is speaking about is one that will be settled in the courts. Unfortunately for her if she wants to pursue this situation, the legal expenses will be hers to assume. Mrs. Gruber indicated she understands what they are telling her but she is not in agreement with it.

Chm Brensinger said he wanted to speak to the Grubers about another stormwater issue. He reminded them of a few years ago when Heffelfinger Rd was damaged by the flooding which had occurred. As owners of the property that contains a stormwater pipe to direct water under the street, he cannot urge them strongly enough to attempt to keep that pipe clear of all debris. Suv Brensinger mentioned that there are several of these pipe areas located on private property throughout the Twp which are not owned by the Twp. The Twp's job is to keep the pipes operating and the water flow moving. If it becomes necessary the Twp will assist the Grubers to achieve keeping the pipe clear of debris.

C.) Mr. Gruber

Mr. Gruber questioned the right-of-way for the area at the corner of Loretta Dr and Linda Dr, below Boyer Dr. Suv Brensinger said if he had to guess he would say it is 50 feet, which is 25 feet from the centerline of the road. It would not be more than that.

Mr. Gruber told the Board he owns a small commercial property located on E Cumberland Street. He has received a notice about ordering and installing a Knox Box. His question is why he would need to complete this as the building is not much larger than a trailer-sized structure. Chm Brensinger explained that although the building is small, it is located in a Commercial district and is zoned Commercial. The Ordinance regarding the Knox Box pertains to all businesses and apartment buildings (3 units and over). Gruber expressed his concern about the expense of the box when he would prefer the door being broken down if the building is on fire. Chm Brensinger asked Fire Chf Vragovich to add his thoughts.

Chf Vragovich spoke about the history of drafting and adopting this Ordinance. He explained some of the situations that led to this decision. The Knox Box is not necessarily in the event of a fire. More often than not it will be used when an alarm is going off or an investigation inside the building is required. Gruber was told the firemen are not able to leave the scene of a call until everything has been cleared. This is difficult sometimes when they are waiting for a response from the property owner. Some conversation followed about the security of the procedure being used with the Knox Box keys. After hearing some of the reasons for the box installations and the security measures, Gruber stated his understanding of the process.

D.) Jason Koons – YardWaste Facility Hours

Mr. Koons said he wanted to express his appreciation for the YardWaste Facility. However he wanted to question the decision of not having Sunday hours. It is not too difficult during the summer hours to get here to deposit the waste. However when the hours change in the fall it is hard to get home from work and make it to the facility in time. Saturdays are usually filled up with family things said Mr. Koons. He would like to request a review of the Sunday hours for this facility, even if only for limited hours.

Chm Brensinger said he hears what is being said and understands there are time constraints for a lot of people. That being said he pointed out that he too is a family man. If anything happens in that yard on a Sunday, guess who receives the phone call. It would be him and he is not happy about having his one day off interrupted. Although it is difficult for some people to make it to the yard during the current hours of operation, he is still not in favor of having hours during a Sunday. He added that if either of his fellow Supervisors feel differently and want the yard open for Sunday hours, it can be revised. However, Chm Brensinger suggested that the phone call when a situation arises be made to someone else, not him.

A conversation followed about the hours of operation and any options to make the yard easier for our residents to utilize. The fall and winter hours are what presents the challenge. Chm Brensinger mentioned we do not want people in the yard after dark. He said some talk of “tweeking” the hours has been held in regards to daylight savings time. Some discussion was held about the proposed expansion that will soon be starting. Suv Miller asked if there is going to be lighting installed. The Supervisors talked about the possibility of lighting and more extensive camera monitoring for the yard.

MOTION was made and seconded to review the scheduled seasonal hours of operation and possible lighting and video improvements added to the existing yard as well as the expansion project for the yard. Motion carried unanimously.

Chm Brensinger told Mr. Koons that although he did not get the answer he was looking for, he may get some additional advantages for the use of the YardWaste Facility. Mr. Koons thanked the Board for their consideration.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the Board of Supervisors meeting minutes from May 19, 2014. Motion was unanimously carried.

APPROVAL PAYROLL, FUND BALANCES and PAYMENT OF INVOICES

MOTION was made and seconded to approve payroll, fund balances and invoices for payment subject to audit. Motion was unanimously carried.

FIRE CHIEF'S REPORT – Chf Brian Vragovich Glen-Lebanon Fire Company

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 May. There were 28 emergencies, 17 NLT assists, and 6 mutual aid calls for a total of 51 response calls in the month of May with 16 training sessions attended. A total of 544:51 volunteer man hours were logged for May.

B.) Knox Box Issues

Suv Miller told Chf Vragovich that the Supervisors had received a letter from Greg Snyder regarding the Knox Box Ordinance. Mr. Snyder had attended the meeting in May to discuss being exempt from this Ordinance. Suv Miller asked if one of the Fire Chiefs would make contact with Mr. Snyder and meet with him to show him the procedure and security used for the Knox Box process. It is Suv Miller's opinion that Mr. Snyder still does not understand the regard for security measures created by the Fire Companies. Chf Vragovich said he would be happy to pass the information on to Don Steiner, Chief of Weavertown Fire Co, as this address is in Weavertown's district. If that cannot be arranged, he is sure any one of the other Chiefs would be happy to demonstrate the opening and the securing of the Knox Box key system.

C.) Chf George Gettler – Rural Security Fire Co

When asked, Chf Vragovich reported that Chf Gettler has now started treatments. The last he had heard from George's son was that he is doing fairly well.

CHIEF OF POLICE REPORT – Chf Harold Easter

A.) Calls for Service Report – Month of May 2014

Chf Easter reported on the activities for the month of May 2014 and mentioned some of the individual categories for these calls of service.

May Calls for Service Report (con't)

Chf Easter reported there were a total of 870 Police-citizen contacts for the month of May with a total of 10,631 miles logged on the cruiser cars.

B.) Central Booking

Chf Easter stated there is no new information on the Central Booking issue.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Reazer’s Junkyard Annual License Renewal**

Mgr Grumbine told the Board that the application and fee has been received from Robert Reazer for his junkyard located on Elias Ave. Code Officer Kline and Sgt Knight have completed an inspection and reported the property is in compliance. The Board is asked to approve the license renewal for Robert Reazer’s junkyard.

MOTION was made and seconded to approve the 2014 license for Reazer’s Junkyard. Motion carried unanimously.

B.) 902 Grant Application

Research has been completed on a new Bandit Beast (grinder) in order to submit for the 902 DEP Grant. The new grinder will replace the one the Twp currently owns that is 11 years old. Mgr Grumbine told the Board that Bonnie had attended a meeting today with our DEP representative. His suggestion was to look at the possibility of a larger machine. Typically DEP likes to see a request for equipment that will be an update from what is currently owned. Roadmaster Brensinger explained this machine has larger horsepower and operates more environmental friendly. Ed said he does not know if DEP sees that as an upgrade or not but he certainly sees it that way. Some conversation was held about which way to go with this application.

Suv Sattazahn questioned if the Twp provides grinding services for other municipalities. Suv Brensinger replied that we do offer our services to other municipalities. However we do not rent the equipment to other crews. The Twp staff does the grinding. Suv Brensinger said DEP encourages the joint efforts between the municipalities. Suv Sattazahn asked if we are recouping enough funds to cover the expenses of the equipment and man-hours. As a business person that would be his first concern. Suv Brensinger replied that is something he would like to review just to make sure we are considering everything when setting the fee. The expense of the fuel alone is quite costly.

After some quick calculations Mgr Grumbine told the Board, considering that we could apply for another grant in 2016 to cover the remaining costs of a larger machine, and the larger machine is \$500,000 with the trade in of \$125,000 for an existing unit, cost would be \$375,000. DEP is responsible for 90% or \$337,500 with Twp responsible for the remainder. The maximum grant is \$250,000 so \$87,500 would be the remaining responsibility for the Twp unless we receive a grant in 2016 on this remaining amount. Suv Sattazahn said so we would be financially responsible for the costs of the equipment until the 2016 application could be made. And then there is no guarantee that we would be awarded any additional funds. Mgr Grumbine agreed this is true.

MOTION was made and seconded to approve proceeding with DEP’s recommendation and the completing application for the 902 Grant. Also to conduct a review of all costs to the Twp when offering grinding services to other municipalities. Motion was unanimously carried.

C.) Rural Security Additional Non-Emergency Activities

A notice has been received from George Gettler concerning additional non-emergency activity list items. July 19th is a Redneck Truck Show, Oct 24th is a Guns & Hoses Chili Cook-off and Nov 14th is a murder mystery dinner theater. All are held at Jonny Hans in Heidelberg. Rural Security will be working various fund raising activities at all of these events.

MOTION was made and seconded to approve the list of additional non-emergency activities provided by George Gettler. Motion was unanimously carried.

D.) Pertinent Issues

1. Pre-construction Meeting Held; Stormwater/ Ball Field – Mgr Grumbine reported that the pre-construction meeting had been held this morning at the site of the new ballfield and stormwater improvement area. Karl Kerchner of the Conservation District had been present. She told the Board that the contractor had mentioned the project should begin the 2nd or 3rd week in July.

2. EOP & NARMS Manuals; Review – Mgr Grumbine reminded the Board to continue reviewing the EOP/ NARMS manuals. Should they have any questions they can direct them to Det Lauver as he is probably the best person to answer any questions.

3. GLRA Recycling Award – Suv Miller stated he had attended the GLRA presentation of the Recycling awards. NL Twp received an award for 4th place. The Award was on display for the public to view.

Mgr Grumbine told the Board they have received another invitation from the GLRA. It is for their 55th Anniversary and will be held on August 7, 2014 from 8am to 3pm. Suv Miller expressed interest in attending.

4.) Lions Lake – Mgr Grumbine stated that the monitoring of Lions Lake is continuing. In July or August a green/yellow dye will be placed in the lake to trace the flow and check for leaks. The dye is not harmful to aquatic or human life but she wanted to remind the Supervisors in the event they get questions.

SOLICITOR'S REPORT – Solicitor Fred Wolf

A.) Ord 3-2014 – DROP Provision for Pension Plan

Sol Wolf spoke about the required amendments to the Police Pension Plan that had been previously adopted by the Twp. One of the provisions in the plan must now be adopted by Ordinance by the Twp. He would like to advertise Ord 3-2014 public hearing for the July meeting. The Supervisors were in agreement that Officer Herberg should receive a copy of this drafted Ordinance to review. Although he is no longer the Police Rep, he was involved in the negotiation process for the Police contract renewal. The Officers knew during the negotiations that this provision was required.

He reminded the Supervisors that when Ord 2-2014 was adopted the subject of the Snow Emergency Routes was postponed. Sol Wolf reminded Ed in particular to discuss this subject with Chf Easter. A review of the list that had been provided should be done and any other revisions that Ed might feel necessary. Suv Brensinger asked about what time period is available before advertising. Sol Wolf replied he should have all information pertaining to the Hearing by the week of July 7th in order to advertise at least 7 days prior to the hearing.

B.) Personnel Manual

Sol Wolf said this is an ongoing project. A meeting on July 8th has been scheduled to review.

C.) Code Enforcement Violations – May 10th Deadline

Sol Wolf stated that this issue was in regards to non-compliance with a Knox Box Ordinance. The owner did not show up in court for a hearing and the date of May 10th was set for compliance or a contempt of court could be filed. Since the court date, Sol Wolf has learned this property owner is going through a foreclosure of the property. At this time he will not pursue this contempt of court any further until a new owner has taken possession of the property. At that time we can work with the new owner.

D.) ZHB Hearing – VzW; Rescheduled in July

A Zoning hearing will be scheduled for Verizon in July. Mgr Grumbine said it will be a separate hearing before the Twp Zoning Hearing Board and will not be held during the regularly scheduled Board meeting. The date will be announced on the website once we are informed of the date by Lebanon County Planning Dept.

COMMENTS FROM BOARD MEMBERS**A.) Suv Miller**

Suv Miller said he would like to commend Chf Easter on the Aggressive Driving Grant received. Chf Easter had presented the Board with information outlining their success with that program. He mentioned the Joint Meeting with the Municipal Authority which was an informative meeting for both Boards.

With nothing more to discuss, meeting adjourned.

Respectfully Submitted

Theresa L. George
Recording Secretary