

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JANUARY 19, 2009**

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:

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| Edward A. Brensinger | Chairman |
| Kenneth C. Artz | Vice-Chairman |
| Dawn M. Hawkins | Treasurer |
| Cheri F. Grumbine | Township Manager |
| Harold L. Easter | Chief of Police |
| Frederick S. Wolf | Henry & Beaver LLP |

Also in attendance was Kathy Hackleman of the Lebanon Daily News and several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Multi-Jurisdictional Hazard Mitigation Plan; Brian Burke & Ron Miller

Brian Burke of the Lebanon County EMA office explained to the Supervisors that the Lebanon County Multi-jurisdictional Hazard Plan has been approved by FEMA. This Plan is required to be adopted by all local municipalities. The County Commissioners had previously approved the plan. He explained the Plan consists of 400+ pages and contains many different categories pertaining to emergency situations and disasters. Burke told the Supervisors some of the high lights of the Plan and some of the requirements that had to be met when establishing this Plan for the County.

Suv Brensinger told Burke if he understands correctly, North Lebanon Twp has no other option but to adopt this Plan. Brian told him he is correct in his thinking. An advantage to adopting this Plan is the opportunity it provides when applying for Grant funding from the Federal Government. It is not a guarantee but will be helpful when the awarding is completed. Brain mentioned there are 2 Grants he is aware of that North Leb Twp is trying to pursue; a stormwater problem at Kochenderfer Road and Grace Ave and the area around the Lions Lake Dam located in Ebenezer. Two chapters that are contained in the County Plan are Flood Mitigation and Repetitive Flood Loss. The one thing that Burke told them he has to check on is the time period that the 2010 Grant applications are available. The Grant applications for the 2009 year have been closed at this time. Burke also told the Board they are able to access the full Plan on the EMA website, as it is too long to provide a copy for each municipality. Burke told the Board the updating process for this County Plan falls on the County not the Twp. Burke told the Supervisors that once adopted the Twp will receive at least one electronic copy of the plan. The Board discussed the Plan for a few minutes and then decided to take action as they would be required to do so sooner or later anyway.

Ronald Miller, NLT's Emergency Coordinator informed the Supervisors that the adoption of the County Hazard mitigation Plan will compliment the Twp's Emergency Operation Plan. Due to the County regulations the job of keeping the Twp Plan updated will become much easier. The Twp would look to the County in an emergency situation and because the one plan compliments the other there should be no conflict. He told the Board he appreciates their cooperation and will be bringing the Twp EOP before them very soon for approval and adoption.

MOTION was made and seconded to adopt the Multi-jurisdictional Hazard Mitigation Plan for Lebanon County. Unanimously carried.

B.) Christy Mootz – American Heritage Property Management Agreement

Mgr Grumbine reported to the Board that after completing research on the issue of property management companies. She and Sol Wolf are recommending American Heritage Property Management Company. The company offers a good combination of services to provide for the maintenance that the Twp is looking for the 2 Twp owned rental properties. Christy Mootz from the American Heritage Company is present to answer any concerns the Board might have. The company would be responsible for collecting rent, contacting and resolving any maintenance issues with properties and insuring the properties have tenants occupying them as well as dealing with the tenants. Chm Brensinger asked Christy if they would be contacting the current tenants to notify them of the changeover. Christy agreed this was her plan.

After a question from the public pertaining to the cost of this service, Sol Wolf explained all the various services offered by American Heritage including any emergencies that might occur during the late and early hours of the night. It would be too much to ask that a Twp employee be responsible for these types of services. The 6% fee charged is worth the amount of aggravation this chore could cause for an employee and is the standard fee charged by property management companies.

MOTION was made and seconded to enter into an agreement with American Heritage Property Management pertaining to the 2 properties owned by the North Leb Twp. Unanimously carried.

C.) Glen Kreiser from Shellie Street questioned the Supervisors why one of North Lebanon Twp's Police cruisers would be in Annville Twp. Chm Brensinger responded he could not provide an immediate answer however if Kreiser provided Chf Easter with any information he has, the Chief would be able to give him an answer.

D.) Paul Schwab from Hunters Chase Lane questioned why the Board sees the need to expand the Yardwaste Facility when there are so many financial uncertainties all around us right now. Chm Brensinger stated the expansion is a project that is being reviewed for the possibility of Grant funding with a 10 % match coming from the Special Projects fund. Schwab next questioned the need for a new truck. He was told the truck has been provided for in the Capital Reserve Fund and was a line item on the 2009 Budget.

A conversation continued pertaining to items contained in the Budget and various items being purchased by the Twp. When a raise in taxes was mentioned from the public, the speaker was told North Lebanon Twp's taxes were not raised for 2009.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from January 5, 2009. Unanimously carried.

APPROVAL PAYROLL and PAYMENT OF INVOICES

MOTION was made and seconded to approve payroll, invoices for payment subject to audit. Unanimously carried.

ACKNOWLEDGEMENT OF SCOUT TROOP 446 MEMBER

The Supervisors recognized Gered Miller of Troop 446. Gered is working on a Boy Scout award and is attending as part of the award requirements. Chm Brensinger told Gered they hope to see him back when he is working on his Eagle award.

FIRE CHIEF'S REPORT – Brian Vragovich

Brian Vragovich, Chief of Glenn-Lebanon Fire Company, was present to give the Board a report for 3 of the 4 fire companies' activities for the month of December. A brief report on the North Lebanon Fireman's Relief Assoc was also provided. The dissolution of the North/South Assoc is completed and the NL Fireman's Relief is almost completed with their organization. Brian stated once a State Tax number is received the Relief is ready for action. The dissolution of the North/South Relief is almost completed pending the audit report.

CHIEF OF POLICE REPORT - Harold Easter**A.) Calls for Service – December 2008**

The total calls for service in the month of December were 243 with the high day being Tuesday followed by Friday. Chf Easter mentioned some of the types of calls received and the total amount of miles logged on the vehicles.

2008 Year End Report

Chf Easter reported to the Board on the year end tallies for 2008. A total of 3281 calls for service were logged in 2008. A breakdown was provided for the Board. The high day for calls was Tuesday with Wednesday being the second highest.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Shaak/Margut Subdivision Plan (Lot Additions)**

This subdivision plan shows 3 different lot additions to adjacent properties of the Shaak's. The first lot addition of 25.2442 acres is to the lands of William/Carol Christ and is shown as lot Addition "A". Lot Addition "B" shows a 5.549 acre lot to be adjoined to lands owned by Jerry/Sharon Shaak. Lot Addition "C" shows .3235 acre lot addition to the lands owned by Eric Gettle. The residual land, containing the existing dwelling is a 1.0 acre parcel identified as Lot #1. The Municipal Authority has approved all sewer issues. NLT Planning Commission and Lebanon County Planning have recommended approval of the plan. Mr. and Mrs. Shaak are present to answer any questions regarding the plan. The Board asked for some clarification on some of the actual lot additions. A question was asked about Lot Addition "B" and the right-of-way shown. Suv Brensinger expressed a concern about it not being a safe access onto Tunnel Hill Rd. Mr. Shaak replied it is a right-of-way however the Shaak's use their Eagle Ave access for their driveway, not the one off Tunnel Hill Rd. After some discussion the Board members indicated they were ready to take action.

MOTION was made and seconded to approve the Shaak/Margut Subdivision/Lot Additions Plan. Unanimously carried.

B.) Dundore Subdivision Plan – E. Canal Street

The Herman & Patricia Dundore Subdivision Plan is located along the north side of E Canal Street at North 4th Avenue. The plan shows demolition of the existing structure and construction of 3 townhomes and associated site improvements. The stormwater facilities have been approved by the Leb Co Engineer, the Erosion and Sedimentation Pollution Control Plan has been approved through the Leb Co Conservation District and the Municipal Authority has approved all sewer issues. The Park & Rec fees have been paid and the signed agreement returned to the Twp office. NLT Planning Commission recommended approval contingent upon the deed of dedication being prepared by Sol Wolf. The additional right-of-way is to be dedicated to the Twp along the property frontage, which provides the Twp 50' r-o-w on the north side of E Canal Street. LCPD had provided a letter of recommendation.

Tom Barton from Brian Hockley Assoc and Mrs. Dundore are present to answer questions. Mgr Grumbine stated the Solicitor will be providing the Deed of Dedication for the right-of-way. Sol Wolf stated the deed is being completed by his office. Sol Wolf questioned Barton about once the deed is completed, should it be forwarded to the engineer's office. Mr. Barton replied that would be fine. Some discussion took place about existing trees and the removal of the trees to allow for sidewalks as well as the plan for 3 or 4 replacement trees.

MOTION was made and seconded to approve the Dundore Park & Recreation agreement and the Subdivision Plan contingent upon receiving the signed Deed of Dedication for the right-of-way. Unanimously carried.

C.) C.M. High Preventative Maintenance Proposal

A proposal from C.M. High was received for maintenance of 2 traffic signals the Twp is responsible for; Rte 422 & N 15th Ave and Rte 72 & Long Lane. The annual fee has remained the same as last year at \$778. The various labor rates show an increase of 4%. Mgr Grumbine is recommending entering into this agreement to insure a preventative maintenance contract is active for the traffic signals and a contact person is know in the event of emergencies.

Brian Vragovich questioned if there is any possibility of a pre-emption light for the intersection at Rte 72 and Long Lane. He told the Board the pre-emption installed at 22nd Street, Tunnel Hill Road and Rte 72 works great and the Fire Companies are very appreciative of having them there. Mgr Grumbine responded this was discussed last year and was placed on hold until the County MPO had an opportunity to review and inventory all traffic signals in Lebanon County. She told Brian she has just received word recently that the County will probably not be able to help fund this project. There had been some funds earmarked for this project in a previous budget but she will have to research this issue before giving him an answer.

MOTION was made and seconded to enter into an agreement with C.M. High for maintenance of the traffic signals located at Rte 422 & N15th Ave and Rte 72 & Long Lane. Unanimously carried.

D.) Resolution No. 3-2009; Various Fees

The Board is asked to adopt an annual Resolution for various Township related fees. Resolution No. 3-2009 lists the schedule of fees for 2009 and the Board is being asked to adopt this schedule of fees. Mgr Grumbine reviewed the various fees that were changed for 2009.

MOTION was made and seconded to adopt Resolution No. 3-2009 adopting various fees. Unanimously carried.

E.) Fire Company Non-Emergency Activities List for 2009

Mgr Grumbine informed the Board we had received non-emergency activity listings for 3 of the 4 NLT Fire Companies; Ebenezer, Glenn-Lebanon and Rural Security have all submitted their non-emergency lists for approval. She is asking the Supervisors to approve these lists for insurance purposes.

MOTION was made and seconded to approve the non-emergency activity lists submitted by Ebenezer, Glenn-Lebanon and Rural Security Fire Companies. Unanimously carried.

F.) Pertinent Matter

1. Leni Lenape – Cords of Firewood; Mgr Grumbine told the Board the Twp employees have cut and prepared 2 cords of firewood. The wood is from 1 tree they took down and 2 trees that had already fallen over. The cords are a combination of ash, walnut and cherry. A sign has been placed in front of the building to see what kind of interest is received. The price is \$100 a cord and will go to the first person who pays the cash. Mgr Grumbine reviewed the man hours and the fuel for cutting the 2 cords and asked the Board if they have any direction to give the employees as far as continuing to cut the wood. Another tree that was in need of being taken down was flagged as a walnut variety. Upon researching it was discovered that this wood could be taken to a shop located on E Strack Drive where boards are prepared to be used for tie logs.

SOLICITORS REPORT – Solicitor Frederick Wolf**A.) N 11th Avenue RR Crossing –Appeal Filed, Waiting for Response**

Sol Wolf reported we are still waiting to hear from the courts on the appeal request filed with them. A portion of the financial amount has been received from Lebanon County MPO and he has sent a request to the attorney for the City of Lebanon and the County in hopes of receiving some recommendation from each of them.

B.) CVS Update; Traffic Signal Maintenance Agreement

Sol Wolf and Mgr Grumbine have been working with the Solicitor for the new CVS regarding the traffic signal maintenance agreement which had been previously discussed by the NLT Supervisors. The Supervisors had previously approved 2 easement agreements, one regarding an extension of an existing easement agreement with the bank and another establishing a new one with Boscov's for the property that currently contains the Dunkin Donuts. The developer for the new CVS owner will be installing the updates and improvements to the intersection with the approval of PADOT. Once the improvements are completed the easements will be turned over to North Lebanon and West Lebanon Twps. The current agreement the Board is reviewing pertains to the maintenance issues of the traffic signal located on Rte 422. Boscov's will continue the maintenance issues until this process is completed and then the property owner for CVS will be responsible for the maintenance.

Before releasing the easement agreements the Twp required that the agreement for traffic signal maintenance and a \$2000 escrow be in our possession. The traffic signal maintenance agreement has now been received and signed by the CVS owner, Twp West Leb Twp and North Cornwall Twp. A Mylar print has been provided which shows PADOT approvals for the location. The legal costs incurred by the Twp have been paid and have indicated agreement to pay any additional costs associated with this intersection. Mgr Grumbine will be releasing the documents to allow for the recording of the easements. Some discussion was had about whether North Cornwall or North Lebanon should be holding the \$2000 escrow for this traffic signal maintenance and improvements. Mgr Grumbine will be releasing this document once signed to be recorded.

MOTION was made and seconded to authorize Mgr Grumbine to sign the traffic signal maintenance agreement for the traffic signal located at 22nd Street and Route 422. Unanimously carried.

C.) Code Enforcement Issues

Sol Wolf informed the Board 1 of the non-compliant property owners is in the process of selling the property. The owner was given 90 days to be in contact with Officer Wengert with a plan of action. The other property owner has a suit filed against them. No answer was received from the property owner and this issue will now be ready for a hearing. Financial constraints appear to be a problem with this property owner but by filing with the court, the court will then work with the owner to create a plan for correction of the multiple violations that exist. On-lot septic non-compliance is another complaint that will be filed with court.

There were 3 court decisions that the Twp won judgment for against some of the outstanding invoices for the Code Enforcement issues. Some of the violations involved tenants. Sol Wolf stated he and Mgr Grumbine will be meeting with Officer Wengert to establish a policy for dealing with property owners, not the tenants on all future Code Enforcement issues as it is difficult to file and receive judgment on the tenants..

D.) Homeowners Association Documents – The Crossings at Sweet Briar

The previously received documents have been reviewed by Mgr Grumbine and Sol Wolf. The critical information has been retained and will be summarized in order to provide to the Supervisors and the developer the for finalizing of these documents.

E.) Truck Traffic Agreement – Kreiders Property Tunnel Hill Road

Sol Wolf stated we are waiting for the Exhibits to be provided by Matthew & Hockley Assoc.

F.) Misc Ordinance Updates for 2008/2009

A draft has been provided to the Supervisors for their review. Chf Easter and Sgt Wengert will also receive a copy to review. Part of the Ord update refers to changes in the Pension Planning which is mandated by the IRS. Dave Killick provided information regarding this particular portion of the Ordinance which must be reviewed and adopted by January 31, which is a Saturday. The next business day is February 2 and that is the scheduled meeting night for the next Supervisors meeting. The Pension plan Ordinances will be advertised and acted on at the Feb 2 meeting. The remaining Ordinance updates will be adopted at a later meeting.

G.) Non-Conforming Certificate – 1205 Mt Zion Road

This issue is an ongoing issue and Sol Wolf reported he has not heard anything back from the new owners of the former Hardick property. This issue has been idle for about 4 weeks so Sol Wolf has mailed a letter asking for an answer on this issue.

H.) Resolution No. 24-2009; Delinquent Tax Collection for Street Light/ Per Capita - Keystone

The delinquent taxes previously had been collected by Parker who is no longer available. Sol Wolf reported that several other municipalities have contracted with Keystone for collection of the delinquent taxes. Two things would be adopted; the Resolution authorizing the agreement with Keystone and authorizing them to proceed collecting their standard fees for these services. The delinquent fees would be paid by the delinquent tax payers, not the municipality. Sol Wolf outlined all the services that could be involved with collection of delinquent taxes. The delinquent taxes being collected at this point would be for 2008 so the Board would have time to review this issue if they wish. After some conversation the Supervisors indicated they were ready to act on this Resolution.

MOTION was made and seconded to adopt Resolution No. 4-2009 for collection of delinquent taxes by Keystone Collection Agency. Unanimously carried.

COMMENTS FROM BOARD MEMBERS

There were no comments from the Supervisors this evening.

As there was no more business to conduct or discuss the meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary