

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
FEBRUARY 15, 2010**

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:

Kenneth C. Artz	Chairman
Richard E. Miller	Vice – Chairman
Edward A. Brensinger	Treasurer
Cheri F. Grumbine	Township Manager
Frederick S. Wolf	Henry & Beaver LLP
Harold L. Easter	Chief of Police

Also in attendance was Alicia Gurdus 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.) Josh Weaber – Steckbeck Engineering; Always Bagels, Lebanon Rails Business Park**

Josh Weaber explained that he is here tonight representing the Always Bagels property located in the Lebanon Rails Business Park. The developing is nearing completion and the company is trying to find ways to trim some of the remaining expenses. The issue tonight is the screen planting/landscaping for the property. A map was provided to the Supervisors showing the landscaping that had been approved for the plan. There had been several plantings which are shown on the plan that have already been installed, per requirements. The plan shows 20 additional trees (which are highlighted in pink) that have not been installed as of yet. In an attempt to save some funds the developer is requesting the exemption of these trees from the plan and development. Some discussion took place about the location of the trees in question.

Josh Weaber stated all the trees have been included in the bonding that had been completed with the County Planning Dept. Weaber also told the Supervisors that County Planning Dept has stated they do not have a problem with these trees being eliminated as the planting requirements have already been met. Mgr Grumbine told the Board the NLT Planning Commission had discussed this issue last week at their meeting. The recommendation from the NLT Commission has been provided to the Board of Supervisors.

The question was raised about the cost of the trees that would be eliminated. Mgr Grumbine replied that Rick Bolt provided information stating the trees were bonded at the cost of \$150 each for the shade trees. Suv Brensinger said he feels this situation is slightly different from the previous situation with Narrows Glen. All the required plantings have been completed for this project. In looking at the location of the structure there are no neighbors to complain about any screenings. Planning Commission member Bruce Sattazahn voiced his opinion that the trees were shown on the original plan during the approval process and should be required for planting.

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**Josh Weaber – Always Bagels (con't)**

Some discussion was held between the 3 Supervisors, comparing this situation and the situation we had in the Narrows Glen development. Weaber repeated that the trees in question are not part of the required screen plantings for the development. They are all non-regulatory trees. All plantings required by Ordinance have already been planted by the developer.

**MOTION** was made and seconded to approve the elimination of the shade trees conditional upon the fact that the required screen planting trees within the Ordinance are installed. Motion unanimously carried.

**B.) Paul Schwab – Stimulus Grant Application**

Mr. Schwab reminded the Board about a stimulus Grant that had been applied for to hire new Police Officers. Suv Brensinger told Schwab that the Grant had been denied so the issue is now dead and will not be pursued.

**C.) Earl Roberts – Kercher Avenue**

Mr. Roberts wanted the Supervisors to know he is somewhat concerned about the decision the Board just rendered regarding the trees for the Always Bagels Plan. His concern is how he, as a resident, can feel secure in the decisions being made by the Supervisors. Some discussion was held about various issues discussed in the past. Sol Wolf told Roberts the Board of Supervisors will always follow an established procedure. The decisions made by the Board are usually based on the recommendations forwarded by the agencies they rely on to administer various topics and issues. Each situation will be handled on a case by case basis.

**APPROVAL OF MINUTES**

The minutes from the February 1, 2010 meeting are available for action.

**MOTION** was made and seconded to approve the minutes from February 1, 2010 meeting. Motion unanimously carried.

**APPROVAL PAYROLL and PAYMENT OF INVOICES**

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

**FIRE CHIEF'S REPORT – George Gettler****A.) Monthly Report – January 2010**

The 4 volunteer fire companies in North Lebanon Twp responded to 29 misc calls. There were 7 NLT assists and a total of 239.40 volunteer man hours logged for the month of January.

**B.) Knox Box –Draft Ordinance**

Gettler reported that Suv Artz and Miller had been in attendance at the last Fire Chief's meeting to discuss the Knox Box topic. The Ordinance was discussed and some revisions to the current drafted Ordinance were suggested. The four Fire Chiefs' also drafted a guideline policy for the fire companies to follow regarding any Knox Box activities within the Township. It was decided to review the guideline at the next Chiefs' meeting. Suv Miller asked George Gettler if this policy is an internal policy for all 4 fire companies. Gettler confirmed the policy is for all 4 companies. Suv Brensinger stated the next step is to hold a Public Hearing for the Knox Box Ordinance. Suv Artz and Suv Miller indicated their agreement that this would be the next step.

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**CHIEF OF POLICE REPORT – Harold Easter****A.) Calls for Service – January 2010**

Chf Easter provided a summary of the calls for the month of January. A total of 232 calls for service were reported. The highest day for calls was Friday, Saturday and then Thursday.

**B.) Fire Police Training**

A conversation was started about the NLT Fire Police and the procedures that are followed. The Fire Police are under the direction of the Police Chief. George Gettler reported that the Fire Police have no problems following directions from the Police Dept at a scene. The communications work out well.

A discussion was started about the training that the Fire Police are required to have before being appointed as a Fire police. Chf Easter stated there are scheduled times when Bucks County travels to Lebanon County and conducts training for new people interested in being appointed as Fire Police. The Police Dept and/or Officer Pflueger complete background checks on the individuals prior to the training sessions and appointments. Gettler asked Chf Easter if he could enter this conversation. He explained that he has been a State Fire Instructor for at least 18 years. Classes offered through the PA State Fire Academy contain skills, written tests (70% required for passing), basic and advanced Fire Police course for Officers, legal command training and several other classes offered. Gettler stated the Fire Police within North Lebanon Twp are continually improving their education on this topic.

Suv Brensinger said he would like to add a commendation to these individuals who give of their time to stand outside in all types of weather and dangerous situations to help keep the motorists safe. Many times the lack of appreciation from the motorists is expressed to these individuals and they have to deal with those types of individuals also. Suv Brensinger stated he, personally, has a lot of admiration and appreciation for the individuals who volunteer to do this job.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) Landowner Grantee Agreement – PA Conservation Works! Grant – Traffic Signal Upgrade**

As the landowner of the 3 traffic signal areas (Rte 422/Prescott Dr; Rte 422/N 15<sup>th</sup> Ave and Rte 72/Long Ln) we are required to enter into a Landowner-Grantee Agreement with the County. This agreement provides PaDEP and/or Grantee, its employees, agents and contractors the right to enter these areas that are located within North Lebanon Township. This is a part of the County –wide plan for Traffic Signal Upgrade Grant.

**MOTION** was made and seconded to approve an agreement with Lebanon County Commissioners to move forward with submitting the PA Conservation Works! Grant application for the upgrading of the traffic signals to LED lighting. Motion unanimously carried.

**B.) Green Acres MHP License - 2010**

Green Acres Mobile Home Park has submitted their renewal application and fee for the year 2010. The only remaining outstanding mobile home park is Lakeside. A reminder notice dated 1-29-10 had been mailed to the owner of Lakeside. The Board is being asked to authorize signature on the 2010 license for Green Acres MHP.

**Green Acres MHP License – 2010 (con't)**

**MOTION** was made and seconded to approve the 2010 renewal application for Green Acres Mobile Home Park. Motion unanimously carried.

**C.) 2009 Activity Report – NLT Planning Commission**

The PA Municipality Code (MPC) requires an activity summary be provided to the Supervisors annually. The report for 2009 lists 8 subdivision plans recommended for approval and 2 Land Development Plans were processed for the Board's approval.

**D.) Rural Security Fire Co Non-Emergency Activity List for 2010**

Rural Security Fire Company has submitted the non-emergency activity list for 2010. The Board is being asked to approve the list for Rural Security.

**MOTION** was made and seconded to approve the non-emergency activity list as provided by Rural Security. Motion was unanimously carried.

**E.) Resolution No. 8-2010; Disaster Emergency Resolution (Revised form 2004)**

In 2004 the Board had approved a Resolution which authorized Ed Brensinger as Supervisor/Roadmaster to declare a local disaster emergency, subject to ratification by the Board of Supervisors at the next public meeting. The Resolution authorized the other 2 Supervisors on the Board at that time, Ken and Dawn, to declare the emergency in Ed's absence. The Resolution being presented to the Board this evening revises the language to more generic terms instead of listing specific names. The Board is being asked to adopt Resolution No. 8-2010.

**MOTION** was made and seconded to adopt Resolution No. 8-2010 regarding Disaster Emergency Declarations. Motion unanimously carried.

**F.) Emergency Declaration – 2/06/2010 – Suv/Roadmaster Brensinger****Emergency Declaration – 2/10/2010 – Suv/Roadmaster Brensinger**

Due to the recent snow storms an Emergency Declaration had been declared by Suv/Roadmaster Brensinger. The Board is now taking formal action to approve the declarations. Suv Brensinger questioned if the declarations will be forwarded to PEMA. Mgr Grumbine confirmed the declarations will be forwarded to PEMA after the Board has officially approved and signed the declarations. Suv Miller questioned the procedure for reporting the man hours and fuel costs being submitted to the State. Mgr Grumbine explained that in the past paperwork was received from the State to be completed by the Twp. As the County Commissioners did not declare an emergency for the County, she is not sure if that will be a factor or not.

**MOTION** was made and seconded to approve the Emergency Declarations declared on 2/06/2010 and 2/10/210. Motion unanimously carried.

Questions were asked about an emergency being declared and what exactly that means to the motorists? Would someone who is out and about be cited for being on the roadways when it is not necessary? Suv Brensinger said he does not think Ordinance defines that situation.

Suv Miller said he is in favor of looking at creating a Snow Emergency Ordinance. In conversations with Chf Easter and Lt Wengert, Suv Miller said he feels a need for a Snow Emergency Ordinance.

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**Snow Emergencies (con't)**

The next topic raised was the use of snowmobiles. Suv Miller repeated this is an issue he would like to see some research completed and the possible drafting of an ordinance completed.

**F.) Notice from DCNR – Grant Application for Lenni Lenape Park Ph 1 Development**

A denial letter from DCNR has been received in regards to the application for a Grant for Phase I of Lenni Lenape Park. The next application deadline is 4-21-10 and application will be done within that timeframe.

**G.) Letter to Residents of Narrows Glen**

There are five residents living in the Narrows Glen development where lot maintenance issues have been discussed at previous meetings. Mgr Grumbine has drafted a letter to be mailed to the five property owners informing them of their responsibilities. A copy of the recorded Declaration will also be enclosed with the letters. A question was asked whether all the northern perimeter properties would receive the notice letter. Mgr Grumbine stated any properties that have already been purchased that have the requirement for screen plantings. This is a total of 5 transfers which include language on property deeds as previously discussed.

**SOLICITORS REPORT – Solicitor Frederick Wolf****A.) Homeowner's Association Documents – The Crossings at Sweet Briar**

Sol Wolf explained he has been waiting for a response from the attorney for Landmark Homes. Sol Wolf had provided a request for revised language in the draft of the HOA documents. The revision has now been completed and the HOA documents now meet the condition placed on the plan approval by the Supervisors. Another condition was in regards to the conveyance of a particular sewer line, owned by the church, to the Municipal Authority. The documents for this are now completed. It is expected that within the next 30 days the documents will be signed/completed and the conveyance of the sewer right-of-way, as well as the sewer line to the Authority will also be completed. The Twp stipulation has now been completed and the Authority stipulation is in the works.

**B.) Verizon Agreement – Hiring of Specialized Attorney for Multiple Municipal Review**

Several municipalities had been pursuing the possibility of hiring a specialized attorney to review a proposed contract from Verizon in regards to communication services. The solicitors have been informed this issue is being placed on hold. At this point in time it would not be a benefit to have the contract reviewed.

**C.) Update to Pre-Treatment Ordinance – Lebanon Water Authority**

Sol Wolf reported there were comments forwarded to Jon Beers on the drafted pre-treatment Ordinance. At this time he is reviewing all the comments he has received and making revisions to the drafted Ordinance. Once Jon has completed his revisions, Sol Wolf is expecting to receive a copy of the revised Ordinance to share with the Supervisors.

**D.) Stormwater Agreement – Always Bagels**

After the land development plan was completed and approved, a request for a company name change on the plan was made. An amendment was done to the agreement showing the official name. Sol Wolf has provided all the documents to Mgr Grumbine. Once Always Bagels has paid all outstanding costs for preparing the amendment to the agreement, this issue will be completed also.

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**COMMENTS FROM BOARD MEMBERS****A.) Suv Dick Miller – PSATS Seminar; Knox Box Ordinance**

Suv Miller stated he has attended the first session of a PSATS sponsored seminar for newly elected officials. He said he found the information to be very helpful and looks forward to attending the next session.

The other issue he wanted to comment on was a meeting he and Suv Artz attended of the NLT Fire Chiefs. A lot of discussion took place about the proposed Knox Box Ordinance. Due to a combined effort he feels the Ordinance is now headed in the right direction.

**B.) Suv Ed Brensinger – Snow Storms/ Plowing**

Suv Brensinger commented on the 2 snow events that had occurred within the last few weeks. He wanted to express his appreciation to the residents for their patience during a period of time which has been stressful to say the least. He complimented the NLT maintenance crews on what he considered to be a job well done during several difficult weather events.

Some of the residents in attendance told the Board they too were appreciative of the hard job and the success of the maintenance crews during these last 2 snow events.

As there was no more business to conduct, the meeting adjourned with executive session for personnel and litigation matters to follow.

Respectfully Submitted,

Theresa L. George  
Recording Secretary