

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
FEBRUARY 16, 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:

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.

OATH OF OFFICE – Larry E. Boyer; NLT Fire Police

Chm Brensinger asked Larry Boyer to come forward and repeat an Oath in order to become a member of the NLT Fire Police. After repeating the Oath, Larry Boyer was congratulated by the Board. Chm Brensinger thanked him for volunteering his time.

COMMENTS FROM THE PUBLIC

A.) Tom Kotay – Traffic Impact Studies

Tom Kotay told the Board he was in attendance tonight to talk about Traffic Impact Studies. The Planning Commission had discussed this same topic with Tom last week. Tom offered copies of information to anyone who wanted it. He started his conversation by explaining how a determination is made about when a Traffic Impact Study is necessary. When developers submit plans to the Twp that show a definite impact on roads, intersection and traffic patterns within the Twp, the Twp has the right to ask for a TIS. If the study shows the roads will be degraded and new traffic improvements will be required, the Twp is able to request financial funds from the developer to help make the improvements.

Tom provided some information pertaining to the formulas for the planning, designing and financing of any new improvements for traffic. He cautioned that because a developer submits a plan to the Twp, it does not mean that the Twp can automatically demand funds for improvements. There are certain standards which must be met. Tom touched on the issue of a possibility of a large warehouse developer coming into the Twp. In this situation there is no doubt that a lot of traffic improvements will need to be completed. This developer would definitely be asked to help fund the improvements. A plan, such as the Crossings, which does not meet the criteria listed in the standards for levels of service, cannot be expected to add any financial contributions for road improvements. Although additional traffic will be experienced because of the new community, the roads are sufficient to support the additional traffic without improvements. He complimented Mgr Grumbine on her ability to work with developers for agreeing to some funding for future traffic improvements in some areas of the Twp.

Chm Brensinger questioned the necessity of a traffic signal, using PADOT standards, and getting a developer to agree to pay for all improvements or at the very least some of the required improvements. Tom told Suv Brensinger that the issue of traffic signals and PADOT's standards are very complex. Tom explained the County's desire to have these traffic studies completed as the plans are submitted throughout the County. The study's findings will focus on areas where the traffic is becoming a problem and the roads are being degraded by additional traffic. The County is then able to provide funds that have been reserved previously by the County, knowing these improvements would be coming.

B.) Glen Kreiser – Shellie Street; Burn Survey

Mr. Kreiser questioned how the survey was distributed to the residents of the Township. He stated he has spoken to many people who did not know about the survey. Kreiser was told the survey was included in the last newsletter which was mailed to all the residents. The form was made available on the Twp website and in the office. This subject was discussed several times during previous Supervisor meetings. Kreiser asked how the mailing list was put together. Mgr Grumbine replied it was done from the Real Estate list. Anyone who receives a tax notice was on the mailing list used for the newsletters. Chm Brensinger asked that this subject be discussed during the Manager's report as she has it listed on the agenda.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from February 2, 2009. 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 – Brian Vragovich

Brian Vragovich told the Board he will be giving a year end summary for 2008 for the 4 fire companies. He listed a total of 515 responses to calls, of which 429 were located in the Township. The 4 fire companies offered Mutual Aid to other communities a total of 50 times in 2008. There were some other figures mentioned for the year 2008.

Vragovich next gave a report for the month of January of 2009. This report is for 3 of the 4 fire companies in North Lebanon Twp. There were a total of 29 responses for the month of January and 5 Mutual Aid responses. Chm Brensinger told Brian he wanted to express his thanks to all the volunteers who give of their time to be involved in these fire companies. He said the residents need to be reminded from time to time that these men and women are volunteers. Brian thanked Suv Brensinger and pointed out it is not only time spent on answering the calls for service, it is also volunteer time to do all the fund raising that is necessary to keep these fire companies in active status. Suv Brensinger agreed it is becoming harder and harder to find funding for these volunteer fire companies and stressed the importance of the Twp residents offering their support.

CHIEF OF POLICE REPORT - Harold Easter**A.) Calls for Service – January 2009**

The total calls for service in the month of January were 226 with the high day being Thursday. Chf Easter mentioned some of the types of calls received and the total amount of miles logged on the vehicles.

B.) Police Activities

Chf Easter stated the Police Dept is getting ready to begin some of the various enforcement activities now that spring weather is near. He said the speed enforcement will begin very soon. A Buckle Up Grant was applied for and received which will allow the Police Dept to enforce the wearing of seat belts.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Results from Open Burn Survey**

A total of 433 responses were received to the survey on open burning within the Township. After reviewing a variety of responses it becomes clear there is a lot of confusion on the subject of open burning. Mgr Grumbine is encouraging the Supervisors to read the results thoroughly before noting the numbers at the bottom of the survey. Some of the responses chosen do not match the written comments submitted. It has become apparent there is a lot of confusion with this issue. Mgr Grumbine has researched this subject within the last few months and has put together a packet of information for the Supervisors to review. Thanks are extended to Larry Taylor of the GLRA for sharing a lot of his research on this issue.

Open Burn Survey (con't)

The responses show the passion felt by both the residents who wish to continue the open burn as well as the residents who wish to see a ban on the open burn policies. It is evident by some of the remarks made on the surveys people are not adhering to the existing burn ordinances within North Lebanon Township. The need to concentrate on educating our residents through the website and newsletters will have to be addressed. Some of the totals received, according to categories listed on the survey, were: 20 for modifications, 298 remain as is, 29 partial change to existing ordinance (according to zoning) and 86 in favor of a total ban on burning.

Alfred Brandt of Brandthaven Drive questioned the number of surveys mailed versus the return. He was told we used the real estate tax list. While we have 11,000 residents in NLT we do not necessarily have 11,000 property owners in NLT. Also some individuals picked up surveys from the office and others printed it off the website. The exact number is not known. There were 433 responses to the survey. Mr. Brandt stated he has spoken to many people who were not aware of the survey.

Brandt's next question was regarding Agriculture areas. He quoted PA Code Chapter 25; 121.14 citing exemptions that pertain to farmers being permitted to burn on their properties. Mr. Brandt told the Supervisors he is not in favor of changing the burning Ordinance in the Twp. Mgr Grumbine stated her understanding is that the "right to farm act" supersedes any local ordinances. Chm Brensinger added that the complaints are not in regards to farmers burning activities. The complaints received are in regards to backyard burn barrels. Mr. Brandt repeated he has a lot of brush on his farm to be burned. Brian Vragovich, Fire Chief for Glenn-Lebanon Fire Company, reminded Brandt that before any burning activity a phone call to the EMA is required. Suv Brensinger reminded Mr. Brandt there are 2 roadside collections of brush completed by the Twp, spring and fall. Brandt replied he doubted that the Twp would be willing to collect the amount of brush he accumulates on his property. Suv Brensinger stated there was a limit placed this past collection however there have been times when many truckloads were collected from one address. Proper planning would eliminate this from happening.

Ralph Sanger of N 8th Avenue said he is concerned about the amounts of trash taken to the Landfill. He feels it will pollute the earth. He believes in recycling whatever can be recycled. Organic items can be returned to the earth. One of the items he burns is poison ivy. Suv Brensinger reminded Mr. Sanger burning poison is not always a good method to use to get rid of it. Sanger continued on to tell the Board his theory about the earth being polluted by the landfill. He finished his remarks by saying he agrees with Mgr Grumbine that the public needs to be educated about what items are acceptable to burn. Mgr Grumbine replied to Mr. Sanger's remarks about the landfill by telling him that the Landfill is a lined landfill, at least the one in Lebanon County is lined. She then read some information pertaining to F's & Q's regarding open burning. More discussion took place with opinions about burning, landfills and large incinerators.

Bonnie Grumbine introduced herself as a Twp resident, Twp Recycling Coordinator and the Twp representative on the Lebanon GLRA board. She wanted to address some of the comments made here this evening. The remarks about the incinerators are not quite accurate. The burn temperature and the length of burn time used for incinerators and backyard burn barrels make the difference in the amount of dioxins that are released into the air. Bonnie invited Mr. Sanger to tour the GLRA facility to answer some of his concerns about Landfills. She told him the people at the GLRA would be more than happy to show him the facility and talk to him about the regulations they are required to meet when running the facility. The GLRA has received numerous awards for the operation of this landfill. Chm Brensinger told the public Bonnie is correct when she speaks about the way the GLRA is operating. It is quite impressive. He received confirmation from his fellow Supervisors that they are in agreement this issue will be tabled tonight. If anything should be changed in the existing Ordinance a Public Hearing would have to be scheduled per the PA Municipalities Code.

MOTION was made and seconded to table the issue of the open burn ordinances for the Twp. Motion unanimously carried.

B.) 2008 Annual Activity Report from NLT Planning Commission

The annual activity report from the Planning Commission has been submitted to the Board as required by the PA Municipalities Planning Code. The Planning Commission has reviewed and made recommendations on 10 subdivision plans and 3 land development plans throughout 2008. One plan had been withdrawn. Starting the year 2009 there were 7 plans being reviewed by the Planning Commission. The Board reviewed one Conditional Use application for Landmark Homes pertaining to the Crossings, as well as several waiver requests and a zoning change for 1.9 acres.

C.) Voyager Fleet Card Program

The issue of advertising for the annual fuel bid is soon here. The current state contract offers a piggyback opportunity of a fleet card system with Voyager Fleet. The Twp's interest in a fleet card system was never answered by the bidding process. Currently we have an agreement with Meyer Oil where we utilize fuel keys at their facility located in Cleona. With Voyager cards numerous local facilities would be available:

Getty – Rte 72 & Long Lane

Turkey Hill – 1201 W Maple Street & E Lehman Street

Hutters – 1041 Maple Street

Optima – 1375 E Lehman Street (Wal Mart)

Lukoil Getty – 1999 E Cumberland Street

Blouch's Lukoil – Rte 72/ Ebenezer & Rte 422/ 15th Avenue locations

The Board is being provided with information on how the Voyager fleet card system works and the options available to set up a program. The Board discussed the current procedure being used at Meyer. Mgr Grumbine stated that years ago the Twp had used the Voyager card system as it is a part of the State Contract. For some reason it was dropped and the Twp chose to use Blouchs for a card system. When Blouchs no longer offered the card system the Twp accepted the submitted bid from Meyer Oil. The convenience of multiple locations and some them being open 24 hours would be an advantage. Also not having to pay for advertisement for bids for this service would be an advantage. After some discussion the Board agreed they were ready to approve the Voyager Fleet card system.

MOTION was made and seconded to enroll and piggyback off the State contract for the Voyager card system to purchase gas for the Twp vehicles, which includes the Fire Company vehicles. Also approval is given for advertising of bids for heating oil and fuel oil delivery to the Twp building. Motion unanimously carried.

D.) 2009 License Renewal – Ridgeway Mobile Home Park

A 2009 renewal application for the Ridgeway Mobile Home Park has been received. The Board is being asked to authorize the signature of the Chairman and approve the application. After having received this renewal there is only one more renewal fee remaining to be received.

A question was asked about the license for the Mobile Home Parks. What does the fee cover? Sol Wolf replied it is an Ordinance the Twp adopted that asks for annual information from the park owners. The number of units is reported to the Twp each year which provides the Twp with the knowledge of what is located within the park. The actual condition and maintenance issues of the park are handled by Lt Wengert, Code Enforcement Officer.

MOTION was made and seconded to approve the signature for Ridgeway's Mobile Home License renewal. Motion unanimously carried.

E.) Northern Lebanon Logistics Center - TIS

A copy of the Traffic Impact Study for the Northern Lebanon Logistics Center has been received by the Twp. No plan submission has been made however a comment letter from PADOT on the traffic study information was dated November 7, 2008. This involves a potential Land Development Plan for the Heilmandale area.

TIS – Northern Lebanon (con't)

The Twp was not aware the study had been completed until the comment letter from PADOT was received. The Twp was informed we would be receiving copies of all future submissions. A meeting is scheduled with County Planning on Friday, February 20th to discuss county comments with township staff. Following the meeting all comments will be compiled and issued to PADOT. Mgr Grumbine asked the Board to look over the information and provide any questions or concerns to her in order to be included in the comment letter addressed to PADOT.

Suv Hawkins asked if County had knowledge of the study being completed at the time it was being done. Mgr Grumbine replied a meeting with PADOT had taken place about a year ago. The interest was made known but the actual study itself was not known until we received a comment letter from PADOT. The Supervisors agreed to look over the information and provide Mgr Grumbine with any comments they might have.

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

This issue is still with the State Supreme Court. We are waiting to hear from the Court on an appeal of the previous decision regarding financial amounts and the responsibilities of the various groups.

B.) Code Enforcement Issues

Sol Wolf reported on some of the follow up being done on some of the Code Enforcement issues. One of the properties that Lt Wengert was dealing with has now been posted for sale. The doors have been padlocked due to the unsafe conditions existing with the structure. Another non-compliance property involves the property owner's financial situation. Sol Wolf and Lt Wengert agreed to file through the Courts in order to have the courts establish a maintenance schedule for the home owner and track any progress that is made with the cleanup/repair of the property.

There is one non-compliant home owner regarding the onlot septic program created by the Twp ordinances. Notices had been sent to this homeowner by Lebanon County Planning. Sol Wolf filed with the District Judge's office and the District Judge had found in favor of the Twp. Recently Sol Wolf has learned the owner is making arrangements to have his septic tank pumped, which will bring this property into compliance with the ordinance.

There are some situations involving non-payment of inspection fees. Two of the three situations involve tenants, not property owners. Judgments have been made against the tenants but it is not certain if the Twp can collect on these judgments. In the future Lt Wengert and Sol Wolf have agreed to invoice only the property owners and not the tenants. The tenants will be informed about their violations however the property owner will be the responsible person for financial issues.

C.) Homeowners Association Documents – The Crossings @ Sweet Briar

Sol Wolf and Mgr Grumbine had met to review the Homeowners Association documents for the Crossings @ Sweet Briar. Revisions were discussed and once the documents have been revised a new draft will be provided to the Supervisors and Mgr Grumbine within the next 2 weeks to review for finalizing.

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

Sol Wolf stated he has been working with Bob Gerhart on the agreement for Kreiders regarding truck traffic off Tunnel Hill Road. There were exhibits that were needed to go along with the agreement. Sol Wolf mentioned the larger truck used when the demonstration had been done on site. After having viewed the video, several Twp residents questioned the ability of different sizes of truck to navigate the lane to the proposed farm area. Previously other demonstrations were completed in other areas using smaller trucks and the turning radius had been established. Rick Bolt, who is the County Engineer, is trying to locate this information and schedule another demonstration using the smaller trucks at the Kreider site. At this point the agreement is now finished and has been provided to the Kreiders.

Kreiders Property Agrmt (con't)

The exhibits for the large trucks are now finished. However the radius for the smaller trucks is needed and once that demonstration is completed exhibits for the small trucks will be prepared.

E.) Misc Ordinance Updates for 2008/2009

The draft of the Ordinance updates has been reviewed by Mgr Grumbine and Sol Wolf. The Board, Officer Wengert and Chf Easter had received a draft in order to offer any comments they might have. Sol Wolf and Mgr Grumbine met today to review some revisions to the updates. Sol Wolf reported that the revisions will be completed within the week and a new draft will be provided for further review. Within the Ordinance updates there are some changes regarding self-employed individuals. Right now most self-employed people file and pay their tax once a year, April 15th. The revised ordinance will require these individuals to pay the tax quarterly to Keystone Collection Service.

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

This certificate has been provided to the new property owner with a request that any comments be forwarded back to the Twp. There has been no response from the property owner. Sol Wolf stated he is ready to finalize the certificate and provide it to the Board for signatures. One change was made to the non-conforming certificate regarding the owner finding additional business uses suitable to the property and the option of coming to the Board to request changes to the non-conforming certificate is available to them.

COMMENTS FROM BOARD MEMBERS**A.) Suv Brensinger – Order of Replacement Truck**

As Roadmaster, Suv Brensinger told the Board he is asking for authorization to order the replacement truck for the former truck #2 that had been sold to Chanceford Twp. The truck had been included in the 2009 budget. The first meeting in January this issue had been discussed and the Supervisors had asked Ed to gather information on current pricing. He has completed the pricing which shows a slight increase over what had been budgeted. Roadmaster Brensinger said he had asked for a set of spare tires to be included as the tires on the back are different than the tires on the front of the new truck. Two spares would be required and are included in the pricing which was received. The quote from Berman Freightliner for the 2 spare tires came in at \$1568. The upfitter, which is EM Kutz, came in at a slight increase also. The total increase comes to thirty three hundred sixty-nine dollars (\$3369) over what had been budgeted. Due to the fact that both of these vendors are listed on the State Contract and is available as part of the CoStars program, it was not necessary to advertise for bids. Recently most of the purchases are being made under this program. Another factor is the application for Grant funding from DEP, which will hopefully cover the cost of some of the truck, although we will not know when or if any funds will be approved by DEP. If the Grant approval is received a partial amount of this truck will be covered by the DEP Grant. The budgeted amount of \$140,950.00 was approved for this truck. He is asking for authorization from the Supervisors to place the order now so that delivery could made in May or June of 2009.

MOTION was made and seconded to approve Roadmaster Brensinger placing the order for the new truck in the amount of \$144,319.00 which will replace the former truck #2. Motion unanimously carried.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary