

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
FEBRUARY 19, 2007**

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:

Dawn M. Hawkins	Chairperson
Edward A. Brensinger	Vice Chairperson
Kenneth C. Artz	Treasurer
Cheri F. Grumbine	Manager
Harold Easter	Chief of Police
Frederick Wolf	Solicitor

Also in attendance was a representative from the Lebanon Daily News and many other individuals.

PROMOTION TO SERGEANT, SWEARING IN – Chief Harold Easter, Honorable Bradford Charles (Sgts Behney, Knight, Koons)

Chf Easter asked Judge Bradford Charles to administer the oath of office to the 3 Officers being promoted. Officer Greg Behney, Duane Koons and Tim Knight were sworn in to the position of Sergeant. Judge Charles commented on the respect he has had for the North Lebanon Twp Police Dept. He looks forward to seeing them in his court, the Judge joked.

Chf Easter asked the families of the Officers to do the pinning for the Officers. Mrs. Knight, Officer Koons 2 sons and Mrs. Behney performed the honors. The audience showed their appreciation with applause. Officer Tim Knight expressed his thanks to the Board of Supervisors, Chf Easter and Judge Charles for attending this evening. He also expressed thanks to the families for showing their support by attending this evening. It is the Officers' intention to serve the residents to the best of their ability.

Chp Hawkins voiced the Board's confidence in the Officers. She told them they would be setting good role models for the younger Officers, who definitely will be looking to them for direction. The Board feels they will be up to the task of leading the way.

ACCESS MANAGEMENT ORDINANCE – Tom Kotay - LCPD

Chp Hawkins introduced Tom Kotay from the Lebanon County Planning Dept. Tom is here this evening to discuss Access Management Ordinances. Mr. Kotay started his remarks by explaining what access management ordinances are and can mean to the municipalities. PADOT has provided \$60,000 in federal funds to the Lebanon County Planning Metropolitan Planning Organization (LEBCO MPO) for the development for these ordinances. Lebanon County Planning is providing the local share of 20%. The local municipalities will be providing no funds. May 17th there was a free workshop on model access management ordinances. At least half of the municipalities in the County took part in the 4-hour workshop, including N Cornwall and N Leb Twp.

N Cornwall and N Leb Twp expressed interest in updating their subdivision and single-purpose street ordinance. Lebanon County will also be updating their subdivision ordinance. Orth-Rodgers Associates Inc was selected to perform the work. The engineers have received notice of a February start date for this project. Part of their job will be to meet with the individual municipalities to develop the language and ordinance, which is right for them, individually.

Access management ordinances are developed to allow for growth and development along main roadways.

ACCESS MANAGEMENT ORDINANCE (con't)

The goal is to do this in ways that are safe and efficient. There are 3 different tiers; #1-is the number, location and design standards for individual driveways that will provide access to parcels, #2-involves slightly more complex design elements such as left-turn lanes, deceleration lanes, acceleration lanes and where and when to place traffic lights, #3 – relates to more complex standards like the use of medians, set back requirements, frontage/service roads etc.

Lebanon County, North Cornwall and North Lebanon Twp will be able to design their own language for their future use. The consultant will develop the ordinances over the next 6 months. By the end of the 6 months hopefully each municipality will have adopted ordinances by the end of September 2007.

Sol Wolf questioned if he understands this to be an overall plan for driveways as opposed to looking at each driveway individually. Mr. Kotay agreed with Sol Wolf's remark saying is an overall concept that will provide the "big picture". Sol Wolf asked about coordination of the Twp ordinances with PADOT. Kotay said that once the ordinances are in place, containing the proper language, PADOT must coordinate with the Twp. Notification of driveways being applied for on PADOT roads will be listed in the ordinance. This will insure PADOT's notification to the Twp prior to the project being completed, which may not have happened in the past. Kotay said he does not mean to paint PADOT as the bad guy. They simply do things differently than a Twp would do. The Supervisors discussed some of our local issues they feel are important and PADOT does not feel the same as we do. Would this program affect a difference of opinion like this? Kotay said he thought definitely it would because an avenue of communication is now open between the local and state agencies. Having an Ordinance in place allows for the Twp to design certain traffic areas. It does not mean that funding will be provided however the design of the area will be designed the way the Twp wants to see it designed.

Martin Barondick offered his opinion about what Mr. Kotay has explained. His request is to make the whole permit process simpler. All he sees with this proposed Ordinance is more paperwork and run around for the property owners. Mr. Kotay said this Ordinance is not creating more paperwork. It is giving the Twp the standards to control where the driveways are placed and how it would affect PADOT highways located in the Twp.

Thomas Stewart who lives off Rte 343 asked about the grandfathering of all existing driveways. Kotay said the only way the existing driveways would be affected would be if the driveway is changed or re-designed in any way after the Ordinance is adopted. Stewart then questioned a developer being required to fund the installation of a traffic light. Kotay responded that could be a possibility. The responsibility would fall to the Twp to review what changes development would make to an area. Traffic improvements could then be part of the developers' fees. The Ordinance is not about denying anyone access. It is about creating workable standards that will improve the traffic areas being requested for placement of access.

Mr. Kotay told the Board he would think that he would be appearing before them sometime in May to work out an acceptable Ordinance for adoption. The Board thanked Mr. Kotay for his time.

COMMENTS FROM THE PUBLIC**A.)Conditional Sign Use – Blouch Mobil Representative**

A representative from Corestates was in attendance to explain to the Supervisors the request for sign replacement at 2 locations which had until recently been selling Mobil products. The 2 Blouch stations are now providing Lukoil products. The station locations are at Rte 422 & 15th Avenue and Rte 72. At the 15th Ave location there are 3 freestanding signs, which need to have the verbiage changed to read Lukoil. The location at Rte 72 has only 1 freestanding sign. The canopy signs are not an issue with the existing sign ordinances. However the existing freestanding signs are not in compliance with the Ordinances due to the size of the signs. When the original signs had been installed no permit had been applied for and therefore the sign regulations were not in effect. Corestates is here, on behalf of Blouchs, to request a conditional use of the existing signs.

Conditional Sign Use – Blouch Mobil (con't)

Approval from the Supervisors is needed before permits will be released from Lebanon County Planning. The Supervisors were provided with a copy of the new wording for the signs and a GIS map showing the current locations of the properties and the locations of the signs within the property. The Board was told there would be no flashing signs or lights.

Song Kim from County Planning was in attendance to answer any questions the Board might have in regards to the approval needed from the Supervisors. He told the Board once a directive is received from the Twp, Corestates would go back to County Planning for the sign permits.

MOTION was made and seconded to approve the conditional sign use for the 2 Blouchs locations, 1 freestanding sign at the Rte 72 and 3 freestanding at the Rte 422 location. Unanimously carried.

Suv Artz asked what the next step would be for Blouchs. Song Kim asked CoreStates to call the County Planning Dept and make an appointment to meet with someone to finalize the permit process.

B.)Martin Barondick – Act 1 Tax Relief

Mr. Barondick told the public he was concerned about the Act 1 Tax Payer Relief Act. He told everyone that as a property owner it would affect him or her greatly, especially in the wallet. His advise to property owners is to study this Act and know what it is all about. He used Annville-Cleona School District as an example of what could happen if the voting goes the wrong way. The taxpayers in Annville-Cleona had nothing to say about the new school being built and the tremendous increase in their school taxes. When talking about where to obtain information about the Act, Barondick said it is difficult to say. Mr. Barondick said he had attended school board meetings to try to follow the progress of the Act. The school board has not been very helpful in providing accurate information. Finally Barondick said he visited Representative Rose Marie Swanger's office to get some help finding information. Barondick stated his opinion that the school district does not want this Act to pass, as it inhibits their authority to make decisions on school issues. The issues would be required to be placed before the voters on a referendum. Barondick stated Cornwall-Lebanon does not want this to happen. Once again Barondick advised the public to find out about this Act and be informed when they see it on the voters referendum.

Debra Schell, of the Lebanon Daily News, told Barondick she had covered the Act 1 issue for the Derry Twp School district. She said Derry Twp was very much interested in having their residents informed and up to date on this Act. Barondick mentioned the Palmyra School District taking out space in the Patriot News to inform their residents, in laymen's terms, what the Act means to them. He feels it was a very good attempt to inform the Palmyra people. She stated it will definitely be on the May ballot. Barondick repeated that the NLT people should do their homework because the school district is not very forth coming with information on this Act.

C.)Bruce Sattazahn – Weavertown Rd

Mr. Sattazahn asked Debra Schell if she could take a request back to the Daily News. Palmyra used the Patriot News for coverage to inform their residents. Could the Lebanon Daily News cover Cornwall-Lebanon School District to try to keep us informed? It would probably be helpful to our residents to be made aware of these issues as they come about. Ms Schell told Sattazahn she would definitely relay the request. She is not familiar with who covers Cornwall-Lebanon, however she would relay the request to the Daily News.

D.)Christine Beard – Kochenderfer Rd

Ms Beard mentioned she had met with Mgr Grumbine, Ed Brensinger and Sol Wolf to discuss their option to her issues with stormwater run off problems. During the meeting she had indicated she was not agreeable to their suggestion. She wanted to inform them that she had spoken to her neighbor, Mrs. Kotay, who had indicated she was not in favor of the suggestion either. Mrs. Beard's next question was regarding the passing away of Mr. Cikovic.

Christine Beard (con't)

It is her opinion the land located on Jay Street will definitely be developed. Where will all that stormwater be channeled to, she asked? She mentioned all the developing that has taken place to date and now with future developing, where is that stormwater going to go? Her opinion is that it will end up in Lions Lake.

Ms Beard told the Board that in the 70's the soil conservation conducted a survey of this area and concluded it was a natural waterway that runs between the 2 properties. She said they were told that information when a drain was installed between the 2 houses. Her question was about the report. Doesn't the Twp have that report from the soil conservation district? Suv Brensinger stated that he really doubts that report is still here. It will be checked on but he really doubts it will be found. Suv Hawkins asked Mrs. Beard if she understood Beard's remark about a natural waterway being located between the 2 properties. Mrs. Beard said the survey conducted by the soil conservation reported a natural waterway. Suv Hawkins asked if the waterway is still located there or have improvements to the properties hindered the natural waterway that had been located there? Beard spoke about the time when the farm was located across the street where the development now exists. The water runoff from the farm was directed through this area to eliminate the standing water from the farm. The farm has since become the existing development.

E.)Keith Kotay – Kochenderfer Rd

Mr. Kotay was in attendance on behalf of his parents who live beside Mrs. Beard. He is interested in knowing about the proposal, which had been made to Mrs. Beard. Suv Brensinger explained that the existing inlet is not enough to take away the water runoff fast enough to eliminate the flooding problem in front of Mrs. Beard's house. The proposal was to place another pipe between the Beard and the Kotay properties to help drain away standing water. Kotay entered into a discussion about the past solutions to this water problem, what is existing and what solutions he feels would help alleviate the water problem. Kotay said using the sump pump to take water out of the basement level and is putting the water back out there again. Suv Brensinger said he is still in the process of communicating with PADOT. He said if anything is proposed all property owners will be notified for a discussion.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from the February 5, 2007. Unanimously carried.

APPROVAL PAYROLL, PAYMENT OF INVOICES, FUND BALANCES

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

FIRE CHIEF'S MONTHLY REPORT – Gerry Burke

There was no representative from the Fire Chiefs present this evening.

CHIE OF POLICE REPORT - Harold Easter**A.)Calls for Service – January 2007**

Chf Easter presented the summary of service calls the Police Dept responded to in the month of January.

B.)New Officer – Start of Duties

Chf Easter reported Officer Nelson Sweigert started his duties as a NLT Police Officer today.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.)Response from LVEDC on L.E.R.T.A. Status**

Charles Blankenship, of the Lebanon Valley Economic Dev Corp, spoke to Mgr Grumbine. He indicated that he had followed through on the Board's direction to go before the Cornwall-Leb School Board regarding his request for a L.E.R.T.A. status for the Lebanon Rails Park. The School Board indicated the request would be considered only after the Twp conducts a public hearing on the issue.

Response from LVEDC on L.E.R.T.A. Status (con't)

Mr. Blankenship is requesting the Board work with Sol Wolf to schedule a public hearing on the issue. He would like to be notified of the date and time so that he could be present at the hearing.

Sol Wolf expressed his confusion on the school board's answer. If the school district does not give their answer about the request why adopt an Ordinance that the school is not going to approve anyway. Suv Hawkins question was why not adopt the Ordinance? It does not mandate us to provide tax relief. The County and the school district must render their own decisions. Suv Artz mentioned scheduling the hearing and having LVEDC be responsible for all the costs of the public hearing. Advertising costs and legal fees would be expenses the LVEDC would be responsible for. Mgr Grumbine suggested having LVEDC establish an escrow fund to cover any costs associated with the public hearing. Sol Wolf said he would make contact with the school's solicitor to clarify what the Twp is looking for from the school district. Once he completes that contact, Sol Wolf will communicate the information to the Twp Manager and we will begin scheduling the hearing after an escrow is established by LVEDC. The Board agreed with this plan of action.

B.)Delinquent OPT Collection

Lebanon County Earned Income Tax Bureau was the tax collector for the 2006 Occupational Privilege Tax, which in 2007 is now the EMST. EIT has provided a listing of the businesses in the Twp that have not filed an OPT report for 2006 and are now delinquent in paying this tax. Mgr Grumbine has prepared a letter to be sent to these businesses that are outstanding with the OPT's. The Board is being asked to approve the mailing of this letter and that the Twp office receive these delinquent taxes. Some discussion was held about the length of the list. The question was asked if this is something the office would normally do, receive the delinquent taxes. Mgr Grumbine replied, yes, for OPT delinquents the Twp is the collector.

MOTION was made and seconded to approve the office sending delinquent notices regarding the 2006 OPT's and to also act as collector for these taxes when paid. Unanimously carried.

C.)Mobile Home License – Lakeside MHP

Lakeside Mobile Home Park has now submitted their annual renewal licensing and paid the fee for 2007. There are 19 units located in this park. The Board is being asked to approve the signature on the license.

MOTION was made and seconded to approve the signature on the 2007 license for Lakeside Mobile Home Park. Unanimously carried.

D.)ZHB Variance Case 1-07; Country Cupboard Sign

The owner of Country Cupboard has filed a petition with the Zoning Hearing Board regarding a freestanding electronic sign with changing intermittent illumination. The ZHB will be hearing the case on Tuesday 2-27-07 @7:30 PM. A representative from the Board should be present to speak on behalf of the Board, if that is what the Board has determined they want. Conversation followed about the types of flashing signs in existence to date, such as Dr. Silverman's sign. A concern about the brightness of the illumination was discussed. A restriction being placed about the candle watts was discussed. Suv Brensinger said he feels there should definitely be some restrictions expressed to the ZHB, especially the wattage. Suv Hawkins indicated that she would attend. Mgr Grumbine was asked to contact Annville Twp to see what information they received when the Silverman sign was installed.

E.)Resolution No. 5-2007 – Revised Drug & Alcohol Policy

In 2003 the Board adopted a Resolution regarding the Drug & Alcohol Policy used for testing the CDL drivers and other employees. Notice has been received from PSATS that additional language must be added to the Policy. Resolution 5-2007 is being provided to the Board for action.

Resolution 5-2007 – Revised Drug & Alcohol Policy (con't)

MOTION was made and seconded to adopt Resolution No 5-2007 accepting addition verbiage, “Negative but dilute” to the Drug and Alcohol Policy for the Twp CDL. Unanimously carried.

F.)Resolution No. 6-2007 – EMST Request Form for 2007 Refund

The Board has adopted the EMS tax for 2007. In order to allow for refund requests, a form has been created to process requests for refunds. The form would have to be completed by the applicant and then submitted to the Twp office for review. Resolution No. 6-2007 is to provide consistency when verifying these requests for refunds.

MOTION was made and seconded to adopt Resolution No 6-2007 as a means to verify the 2007 EMST refund requests. Unanimously carried.

G.)PROP Conference – Attendance

The 2007 PROP convention will be held in Philadelphia this July 31 through August 2. As Recycling Coordinator, Bonnie Grumbine has requested approval to attend. The cost of attendance is \$340 plus 2 nights at \$113 per night. She has applied in the latest 904 grant for 90% funding towards conference costs.

MOTION was made and seconded to approve attendance at the 2007 PROP conference in Philadelphia. Unanimously carried.

SOLICITORS REPORT - Frederick S. Wolf**A.)Update on George Hardick Property**

Sol Wolf informed the public, as the Board members have already been informed, that Mr. Hardick passed away. Prior to his passing Hardick had been involved with Nelson Ebersole in the removal of at least 50% of his inventory. It is apparent that Mrs. Hardick will now be the person the Twp will be dealing with to complete the removal of the other inventory. A meeting will have to be scheduled with Mrs. Hardick to determine if she is interested in keeping any of the items that her husband had intended to retain.

B.)Ordinance Updates

Sol Wolf reviewed the process of the Ordinance updates, which has now been presented to the Supervisors for their review. A public Hearing will have to be advertised and held for the public’s review of the proposed updates to the Ordinances. Once the Supervisors have had the opportunity to review and comment, the hearing will be scheduled. Anyone wishing to review the proposed updates may do so in the main office where a copy of the proposed Ordinance is available.

C.)Cable Franchise Agreement

The Cable franchise agreement between the Twp and Comcast is ready to be renewed. After researching the agreement, Sol Wolf noted some slight differences than the previous agreement. Some of the franchise fees have increased. He mentioned that legislation is pending on this issue although we do not know the exact information contained in the legislation, Sol Wolf advised the Board to act on this agreement now. To have a signed agreement in place would be helpful to the Twp if legislation were passed. The Twp would receive 5% of the gross revenues for a 10-year period. Also a map of the service area was included with this agreement.

D.)N 11th Ave RR Crossing

Sol Wolf told the Supervisors the closing brief has now been filed for the N 11th Ave railroad crossing. All information will be reviewed and it could be June or July before anything is heard.

E.)15th Avenue RR Crossing

Sol Wolf stated he wanted to clarify what had been discussed at the last meeting regarding the 15th Ave railroad crossing. He had mentioned there were questions about some of the expenses and costs involved with this project. He has since learned that PADOT requested time for South Leb Twp and the County to be sure they had submitted all their costs before allowing closure of the project.

COMMENTS FROM THE BOARD MEMBERS**A.)Ken Artz**

Suv Artz told Chf Easter he enjoyed seeing the excitement of the Police Officers families during the promotional ceremony. He feels we have accomplished much within the Police Dept and is happy about it. He also mentioned the rough week of weather we have just experienced. He commended Ed and the Road crew for the job they did plowing and trying to keep ahead of the weather. Although there were many complaints about the conditions he wanted to thank Ed for doing the best job that the road dept could do in this situation.

Suv Brensinger agreed it was a very rough week and all he wants to see right now is a lot of sunshine. He said this was the worst snow he has had to try to plow.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary