

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
MARCH 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
Marc Hess	Henry & Beaver LLP
Harold L. Easter	Chief of Police

Also in attendance was Alicia Gurdus of the Lebanon Daily News, Wyanne Demler, Tod Dissinger, Richard A. Miller Jr., Susan S. Pierce (all members of the Municipal Authority Board), Sheila Wartluft (Ass't Mgr), Ron Miller (Ebenezer), Brian Vragovich (Glen-Lebanon), George Gettler (Rural Security), Donald Steiner (Weavertown), some of the other volunteer members of the Fire Companies and several other individuals. The meeting was called to order and the pledge to the flag was done.

PLAQUE PRESENTATION; Ted Baxter - Manna Foods

Chm Artz asked Ted Baxter to come forward in order to receive a plaque of recognition. The Board of Supervisors and the Police Department wanted to show their appreciation to Mr. Baxter and Manna Foods for being willing to make contributions to National Night Out and other projects the Twp Police Dept is working on at the time. Chm Artz told Mr. Baxter the Twp appreciates his generosity.

7:30 PM – PUBLIC HEARING; ORDINANCE 2-2010; Knox Box Regulations/ATV Correction

Chm Artz explained to the audience that a Public Hearing is scheduled for 7:30pm and the regular scheduled meeting will stop at that time.

COMMENTS FROM THE PUBLIC

A.) Roderick Williams – David Drive; Sewer Unification

Mr. Williams stated he would like to discuss the unification of the NLT sewer system. He started his remarks by commenting on the large showing at the Municipal Authority meeting held the previous Thursday. Roderick asked the Board why this increase was not addressed within the 15 years it took to decide to complete this unification. Roderick told the Board smaller increases introduced over a period of time would have been better than this very significant increase within 1 year.

Chm Artz explained he was on the Board during the 15 years Williams mentioned. He explained the procedure used at the time the residents, known as the Twp line, connected onto the sewer system. A different financial process was used known as front foot assessment. Fifteen years ago it would not have been the right thing to do to have the “Twp” line customers share in the payment for the newer lines that were being installed by the Municipal Authority. However at this point in time, the older lines, known as the “Twp” lines have deteriorated and are in need of repair.

Sewer Unification (con't)

Now, at this time it is not right to ask the newer sewer customers, the Authority line, to pay for the repairs that are required to keep the older lines, Twp lines, operating efficiently. The time is right to now unify all the customers into one group, the Authority customers. All Authority customers are now paying what is called the “user fee”.

A lengthy conversation followed about the user fee versus the consumption portion of the sewer billing. Assistant Manager Sheila Wartluft, who also works with the Municipal Authority, explained some of the billing procedures. She told Mr. Williams that she would be available to meet with him to discuss this topic. She suggested he phone the office and schedule an appointment with her.

Consumption amounts, user fees and EDU assignments were also discussed. Also mentioned was the City Water Authority’s changes in their current fees which are passed onto the North Lebanon Twp sewer Authority’s customers. The timing for the increase was discussed next. Suv Miller suggested some research be completed to see if there is anything the Municipal Authority can do to offer some relief to the former Twp line customers, for this quarter only.

Sheila Wartluft and various members of the Authority Board, who were in attendance, attempted to explain to the Supervisors the difficulties in suggesting the Authority to assume these large financial amounts of money when there are not funds available to draw on. To accomplish relief for the Twp line customers, the Authority line customers would have to experience a larger increase to cover the Twp line customers’ “relief”.

Following much conversation and discussion on this topic, Sheila repeated her offer to meet with Mr. Williams to discuss any questions or comments he might still on this subject. Williams indicated he would be contacting her to schedule an appointment.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from March 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 – February 2010**

The 4 volunteer fire companies in North Lebanon Twp responded to 15 emergency responses. There were 3 NLT mutual aid assists and a total of 284.52 volunteer man hours logged for the month of February. Gettler provided a breakdown of some of the calls each company responded to during the past month.

B.) Change of Chief for Ebenezer Fire Company – Ronald Miller

Chm Artz said they have been informed of a change for the Ebenezer Fire Company. Ronald Miller is the Fire Chief for Ebenezer at this time.

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

Chf Easter provided a summary of the calls taken by the Police Dept for the month of February. A total of 196 calls for service were reported in February. Chf Easter reported that the calls for domestic violence have been on the rise. The highest day for calls was Tuesday followed by Thursday and then Friday.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Revised Narrows Glen Plan – Lots 1-5**

Mgr Grumbine provided a copy of the plan for the Supervisors to view. She explained the major change is to the rear of the properties and the grading. Due to the property setbacks, the original grading eliminated most of the rear yards for these lots. With revised grading the option for rear yards being larger is provided. This grading change will make these lots more marketable for the developer. The NLT Planning Commission and Lebanon County Planning Dept have complete their review and are recommending their approval of this revised plan for Lots 1-5 of the Narrows Glen development.

Suv Miller questioned if this is the same development that was discussed regarding the height of the tree plantings. Suv Brensinger told him he had looked at the notation regarding the trees plantings and it has been revised. The notation states the evergreen trees will be 6ft in height at the time of the planting and these five lots will be subject to the regulation.

MOTION was made and seconded to approve the Revised Narrows Glen Plan – Lots 1-5. Motion unanimously carried.

B.) Rettew Assoc. – Lenni Lenape DCNR Grant Resubmission Agreement

A proposal from Rettew Associates has been received regarding preparation of a Grant application to DCNR for the development of the first phase for Lenni Lenape Park. The proposal states the cost to be \$3100 to complete this application. Sheila indicated she would be working directly with Rettew in order to save costs. The deadline for submission of the Grant is April 21, so it is important to keep this project moving forward. Mgr Grumbine is recommending the Board approve entering into this agreement with Rettew to prepare the Grant application and forward to DCNR.

Chm Artz asked Sheila if she would like to add any additional information about the Grant being applied for. Sheila explained to the Board this will be the third time this Grant has been applied for. The intent is to get Phase I started at the park. The problem in the past has been there are not enough funds for the requests received. Sheila said she is hopeful some of the other applicants who were previously rejected will have given up and make the Twp's chances of receiving an approval better. She told the Board she feels it is worth the effort of submitting an application to try to receive the funds. Chm Artz agreed it is important to pursue these Grants in order to get progress on this new Park started.

MOTION was made and seconded to approve entering into an agreement with Rettew for preparation of the Grant application to DCNR for Phase I of the Lenni Lenape Park. Motion unanimously carried.

C.) Kochenderfer Road Project – Notice to Area Residents & Vacant Lot Owners

Letters have been mailed to vacant lot owners which are located along Kochenderfer Road. The letter encourages installation of any utility laterals for future connections. After the paving project is completed, no street cut permits will be issued for a period of 5 years as Kochenderfer Road will have a 5 year moratorium placed on it. An insert will also be included with the spring newsletter and will be a Memo outlining the Kochenderfer Road upgrade project for all the immediate surrounding area residents.

Suv Miller questioned the vacant lot letters. Suv Brensinger explained the moratorium will last for 5 years and there will be no street cut permits issued for Kochenderfer Road during that timeframe. This notification will enable owners to install any laterals to the vacant lots to prepare for any possibilities during the next 5 years. Mgr Grumbine stated the newsletter insert will serve as notification to all property owners in the surrounding neighborhood to warn them of road closings and detours. It will also be copied to the utilities to serve as notice that the Twp is moving forward with this project. After some discussion the Supervisors agreed it is a good idea to notify these people about the paving project.

D.) Skywarn Talk – Training Course

The National Weather Service in Penn State and Lebanon County EMA are presenting a training course entitled “SkyWarn Talk”. The course will include information about how thunderstorms form and why some become severe and others don’t. The course also covers safety issues related to severe thunderstorms, tornadoes, flash flooding and lightning. Mgr Grumbine told the Board she wanted to make them aware of the session. It does not really relate to them but it is probably interesting and it is free of charge. It is being held at the Lebanon County Municipal Building in the auditorium on April 26 @ 6pm.

SOLICITORS REPORT – Solicitor Marc Hess (Henry & Beaver Assoc)**A.) Update to Pre-Treatment Ordinance – Lebanon Water Authority**

Sol Marc Hess explained this ordinance for the City Authority is an ongoing discussion process. He has been in attendance at many meetings pertaining to the drafting of this ordinance. Comments are being made and revisions being considered for this Ordinance. The majority of this ordinance pertains to the City Authority’s Industrial customers.

B.) EIT Meeting; Wednesday @ 7:30

Sol Hess reported this EIT meeting is an important one and he is encouraging the public to attend. The over/under and McKonley & Asbury tabulations for 2007 will be discussed. Also the re-payment proposal will be discussed. Suv Miller asked if there is any indication as to what the other municipalities are thinking in regards to the re-payment options proposed. Sol Hess stated there may be some discussion from a few municipalities who might need a little more time than the 10 years offered. He also stated there will never be any certainty with regards to the matter. The numbers will have to be accepted as the best result or spend additional monies to keep pursuing the topic. Sol Hess mentioned the labor intensive project that Keystone has had to undertake to try to sort out the various lists of municipalities’ residents.

Mgr Grumbine repeated the meeting is scheduled for 7:30pm in the Cedar Crest LGI room. The public is encouraged to attend this meeting.

PUBLIC HEARING
ORDINANCE 2-2010 – KNOX BOX

Chm Artz announced it is 7:30pm and time to begin the Public Hearing scheduled for this evening. The Ordinance contains a clerical correction for a previously adopted ATV ordinance and also a new Knox Box Policy for the Township. He turned the Hearing over to Solicitor Hess.

Solicitor Hess started the Hearing by explaining Ordinance 2-2010 has been legally advertised and posted in the general office located at the Township building. The Ordinance outlines a change in numbering for the previously adopted ATV regulations and the adoption of a Knox Box policy to be located in the Fire Prevention and Fire Protection (Section 7) of the Twp Ordinances.

Sol Hess summarized the revision of the numbering required for the ATV regulations as a “housekeeping” item due to a clerical error in numbering when this ordinance had been adopted last year.

The second portion of the Ordinance deals with a new Knox Box Policy the Fire Companies have researched, drafted and reviewed for many months. The Fire Chiefs from the 4 volunteer Fire Companies for NLT are available to assist in answering any questions or comments received this evening. At this time Sol Hess summarized the Knox Box Ordinance then asked the public for questions or comments.

- Q. Tod Dissinger – Leshar Realty asked about liability should a situation occur where a firefighter touches or causes another system to be activated, or de-activated, which is not involved with the initial call for service. An example would be the turning of valves or switches for sprinkler systems by fire persons not familiar with the system. After the initial call for service is completed and the valves do not get returned to operational status. Where does the responsibility for this lie?
- A. Chf Ron Miller (Ebenezer Fire Co) was asked to respond as that is Ebenezer Fire Company’s response area. Ron Miller started by explaining the standard procedure which would begin with calling the contact individual. The current procedure is not being changed by having this Knox Box procedure added. The contact person would still be responsible for the valves.
- C. Tod Dissinger said he wants to understand this procedure. A box is mounted on the building exterior as well as in the fire truck. If a contact person does not show at the building when called, the fire company has the ability to call into EMA who will in turn release the secured box in the fire truck. The fire fighters will then have the ability to open the exterior Knox box and gain entry into the building. He was told this is correct. Dissinger’s next question was as to the number of people who will have access to the building after this occurrence? Will it be the one person who has the entry key or the whole fire company? Dissinger repeated his concern about an unknown number of individuals having access to the various systems and areas inside the facility.
- A. Ron Miller (Ebenezer Fire Co) responded by explaining the current procedures employed by Ebenezer at this time. A knowledgeable person is usually sent into the facility. The company would not tamper with anything that was not involved in the call for service. The company members who respond to various calls have specific training for various items.

ORDINANCE 2-2010 – KNOX BOX (con't)

- C. Sol Hess asked Chf Miller if the Knox box is essentially proposed to eliminate a door or window being knocked down or broken in to gain entrance to the facility.
- A. Chf Miller (Ebenezer Fire Co) agreed with Sol Hess's assessment. He repeated the current procedure will still be observed and the Knox box will be in addition to the current policy which he outlined for Dissinger. Miller told Dissinger that not every member of the company will have access to the box. It will be a minimal number of company members who are appointed by the fire companies.
- C. Chf Brian Vragovich (Glen Lebanon Fire Co) explained the actual process used to unlock the boxes located in the fire trucks. The process includes the selected Fire fighter, EMA and the Knox box mounted on the exterior of the building. When asked what prompted this Knox box issue, Vragovich responded there are businesses that have requested that doors and windows not be broken down or damaged to gain entry. A unified system had to be looked at so that there would not be an oversized key ring lying in the equipment unsecured. A secured one key system was the answer.
- C. Chf George Gettler (Rural Security Fire Co) commented on the fact there are contact people for businesses who refuse to come out when called. They state that it is an automatic fire alarm which is probably a false alarm and tell the fire company to go home. Chf Gettler asked whose liability would that situation be if a fire goes through the roof an hour later? Another situation that occurs is the turnover in employees for some businesses. The fire company no longer has the appropriate name and phone number to contact.
- Q. Dissinger questioned the costs involved and whether there will be an annual fee?
- A. Suv Miller stated there is a cost for each Knox box mounted. The costs vary according to size of box and the number of keys required. Residential structures will also be able to use Knox boxes. However they will not be required to do so.
- Q. Tod Dissinger questioned how a complex with multiple buildings and businesses within the building would be handled? Would there be multiple boxes installed?
- A. Chf George Gettler (Rural Security Fire Co) responded there would be one box on each building to gain entry. Within that box the various keys to various areas within the facility would be identified.
- C. Suv Miller informed the public that there is an 18-month phasing in period for the purchasing and installation of the boxes and keys. After the purchase of the Knox box by the business owner, there are no other fees mentioned in the ordinance.
- C. Chf Donald Steiner (Weavertown Fire Co) stated the ordinance does also regulate the placement of the Knox box on the front side or address side of the building. There is also a procedure detailed for the first initial locking of the Knox box after the purchase and installation.

ORDINANCE 2-2010 – KNOX BOX (con't)

- C. Suv Miller stated that although there is not a fee required there will be an annual application or form to be completed and submitted to the Township. This form will provide the most current and accurate information for the Fire Companies.
- Q. Paul Schwab questioned if the Knox boxes are constructed as alarm activated also. Chf Donald Steiner responded saying that if the structure has an alarm system, it can be wired into the Knox box if the property owner prefer.
- C. Suv Miller stated that he has seen the Knox box. They are very heavy in weight and very secure. He said he cannot imagine anybody stealing the box as it is secured onto the building's surface or recessed into the building's surface.
- C. Chf Ron Miller (Ebenezer Fire Co) said he wanted to comment that the rapid entry system affords emergency services an opportunity to gain timely access. A Knox box would be the last thing he would attempt to mess around with, if he were a thief.

As the conversation on the Knox Box Policy ended, the ATV regulation was brought up. The public was told this particular ordinance has already been adopted. The only reason it is included tonight is to satisfy the legal aspects of having it re-numbered in our codified ordinances. A conversation was held as to what prompted this ordinance adopted in 2009.

As there were no more comments or questions pertaining to Ordinance 2-2010, the Board of Supervisors are asked to take action on the ordinance.

MOTION was made seconded to adopt Ordinance 2-2010. Motion was unanimously carried.

RESOLUTION NO. 10-2010

Mgr Grumbine told the Board there is also a Resolution to take action on this evening. The Resolution is to adopt the annual application required for the Knox Box registration. The Resolution also states there is no fee for the registration.

MOTION is made and seconded to adopt Resolution 10-2010. Motion was unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.) Suv Ed Brensinger; Sale of Backhoe – Order of New Backhoe**

Suv Brensinger reminded his fellow Board members that an amount of \$109,494 was approved in the 2010 budget for the purchase of a new backhoe. Ed has obtained a quote, per the State contract from Plasterers Equipment for a new backhoe in the amount of \$105,827. An offer of \$4000 on an old motor grader, which the Twp no longer has use of, was made by Plasterers as well as an additional \$2000 discount on this purchase. After receiving an offer of \$15,000 for a trade value on the old backhoe, Ed contacted several municipalities about the old backhoe. He received an offer from Richmond Twp in the amount of \$22,000 for the old backhoe. After considering all the various amounts, it brings the total outlay from the Twp to \$77,827. He is now asking the other 2 Supervisors authorization to place the order for the new backhoe with Plasterer's Equipment.

Sale of Backhoe – Order of New Backhoe (con't)

Suv Miller asked the age of the current backhoe and was told 13 years old. A conversation followed about the life of the equipment before it becomes of no value to anyone. Chm Artz expressed his appreciation to Ed for exploring all the options for savings on this purchase. Suv Miller agreed with Chm Artz's expression of appreciation.

MOTION was made and seconded to authorize the purchase of the new backhoe as well as accept the offer presented by Richmond Twp for the old backhoe. Motion was unanimously carried.

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