

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
MARCH 17, 2008**

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
Solicitor Frederick S. Wolf	Henry & Beaver LLP

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

WELLHEAD PROTECTION PRESENTATION; Paul Miller – Geological Services Inc.

Chp Brensinger introduced Mr. Miller who gave a presentation on the wellheads owned by West Lebanon Twp but are located in North Lebanon Twp. Mr. Miller started by saying a comprehensive study has been completed for West Lebanon Twp. He presented the Board with a copy of the study. The scope of the study is to provide the safety of the water supply for West Lebanon Twp. A draft Ordinance has also been provided to West Lebanon Twp. Mgr Grumbine confirmed John Brenner, of W Leb Twp, had provided a copy of the drafted ordinance to her to review.

Some of the areas covered in this presentation are areas in both West Lebanon and North Lebanon Twp. The flow of the underground waters is reviewed within the study. Using the computer to show various reports and maps of the areas, Mr. Miller detailed the areas which would be most heavily affected and would most heavily affect the wells. Some of the issues that should be thought about and discussed are some of the types of situations that would affect these wells. An example Miller used was an accidental oil spill. Who and how the spill would be cleaned up and how to prevent it from happening again are some of the issues that would be covered.

Using GIS, Miller displayed various layers of maps for his slideshow of the West Lebanon Twp wells. There are 3 wells owned by West Lebanon located within North Lebanon Twp. Miller classified the municipal wells as 1 primary well, 1 emergency well and 1 backup well. He provided a brief summary of the Union Canal and how it affects the water table for the West Leb area. Some of the other information that was provided was a map that showed some of the private wells located within nearby areas. One of the benefits of having the knowledge of nearby wells is the ability to alert the owners should there ever be a spill. Also it allows the ability to track where the contamination might be going. Miller stated that the wells shown are wells that have been reported and recorded. There may be other wells that have never been recorded. Along with the wells being noted the sites that have a history of contaminating use, a leaking underground tank or waste generation have been noted. This does not mean there has been a contamination from these sites but rather a potential for contamination.

Mr. Miller explained the areas for protection are shown as zones. Zone #1 is the radius around the well itself, Zone #2 is defined as the groundwater catch area and Zone #3 is the topographic catch area. DEP requires the operator of the well controls or owns Zone 1 of the well area. The areas North Lebanon would be concerned with are Zone 2 and Zone 3.

Wellhead Protection (con't)

The ordinance offered tonight is a draft. Miller explained the ordinance should be tailored to fit the municipality's specifications and/or needs. It can be as complex or as simple as the municipality desires the ordinance to be. He explained the extreme financial costs of installing a new well. Any existing well that has become impacted will never be recovered. It will always remain impacted. Establishing protection area for existing wells is in the best interest of any municipality.

Once the draft is provided to the municipality, the municipality usually goes through and sorts out what types of protection features they feel apply to their situation. Eliminating and adding restrictions is also completed at this time. Mr. Miller stated the technical portion of the presentation is over and he would take any questions. Suv Artz questioned where exactly these wells and the zones are located. He was told Jay Street area almost to the southern part of Lions Lake. Lions Lake is located just out of the zone 3 area. Chp Brensinger asked about the contaminated wells that were depicted on one of the maps. Miller stated that the ones noted are merely the ones that have been reported and recorded. If there are other known possible contaminant areas the information should be made known. That information is helpful when trying to create the database that had been shared here this evening. These records are known by site names not locations. Previous history of some of these contaminant sites is made known by the residents who live in the areas. Mr. Miller explained the ordinance is really designed to guide future development.

Any existing businesses or facilities within the zoned areas would be grandfathered. However if there would be any changes at all to the facility, the owner would have to come before the Board for permission to enlarge or add on to the facility. This would be one of the control devices that could be built into the ordinance. Chp Brensinger questioned if we, North Lebanon Twp, would be responsible for the documentation of the activities within the wellhead areas. Miller stated it could be, if that is how NL Twp wants the ordinance to read. Suv Brensinger then questioned keeping the ordinance current and up to date. Miller said it usually falls on the shoulders of the property owner to keep the information up to date.

Sol Wolf asked to what extent West Lebanon could assist with administrative issues. Miller replied he would guess financially as West Lebanon would have no say in any rezoning of the area. He said he would assume manpower would be offered. Sol Wolf mentioned the updating of the information regarding businesses and keeping it current on an annual basis. Although NL Twp wants to help West Leb with their wells, NL Twp is not interested in being forced to hire another individual to complete the administrative job.

Chp Brensinger mentioned with all the money West Lebanon has invested in this project why didn't West Lebanon choose to connect to the City of Lebanon public water system. Miller explained that the public water supply is another draw from the Susquehanna River.

Martin Barondick voiced his opinion North Lebanon Twp should not have anything to do with West Lebanon's wells. As a taxpayer that is his opinion. He proceeded to explain to Miller some of the history with the wells located in North Lebanon Twp. Miller told Barondick that he is interested in hearing some of the history involved with this area.

At this time Mr. Miller completed his presentation. The Board thanked Mr. Miller for his time.

COMMENTS FROM THE PUBLIC**A.) Mary E. Kreiser Sketch Plan**

Brent McFeaters was in attendance to represent the Kreiser family and explain to the Board a request for an unusual configured lot. He is asking the Board to consider allowing the lot as designed on the sketch plan before the Supervisors. Due to public sewer connections and certain restrictions in place by the Municipal Authority, a standard shaped lot is not possible unless a huge financial investment is made to extend the public sewer to the end of the property. The lot being proposed is not a normal lot. It is an irregular shaped lot according to Lebanon County Planning.

Mary E. Kreiser Sketch Plan (con't)

LCPD has indicated that a letter from the Supervisors stating their approval of the “U” shaped lot would be needed before moving any further with this plan. Some conversation took place about the Resolutions the Municipal Authority has regarding easement on neighboring properties. There was a discussion about the gravity fed versus a forced main. McFeaters explained the costs that would be involved with running the force main the entire length of the property.

Discussion about the existing driveway and the sewer easement was had. Brent explained the actual location of the driveway for the proposed new construction. Mike Kreiser, son of Mary Kreiser, explained to the Board the location of the driveway for the existing home and the proposed home. Suv Hawkins mentioned the driveway for the existing home has already been relocated. Mr. Kreiser agreed this is true. Mgr Grumbine told the Board the Planning Commission has seen the sketch plan and had no problem with the Board approving this proposed lot.

MOTION was made and seconded to approve the irregular shaped lot for the Mary Kreiser sketch plan with a notation regarding the removal of the existing unused stone driveway. Unanimously carried.

B.) Martin Barondick – New Street

Mr. Barondick told the Board he had attended the Zoning Hearing regarding the cell tower and Kochenderfer Church. He told the Board he was disappointed with the outcome of the hearing. The information presented did not meet any required criteria, according to Barondick. He repeated to the Board his extreme disappointment in the decision that was handed down by the ZHB. His question for the Supervisors is what can be done about the decision? Suv Brensinger told him that anyone has the right to appeal the decision. However it will cost to file an appeal.

Some discussion took place about the meeting which had taken place here at the Twp building. Barondick said he recalls Pam Parr packing this meeting room with residents against the cell tower. Where were these people during the meeting held regarding Kochenderfer’s Church? What has changed since the first meeting? said Barondick. He said he was amazed by the poor turn out for this Hearing.

Paul Schwab questioned why the decision made by the Zoning Hearing Board is considered final as opposed to a suggestion to the Supervisors. Sol Wolf stated the law is written that way. The ZHB is set up for people who want a variance or exception to the Twp Zoning Ordinances.

Schwab then asked the Board if the Supervisors have any type of plan for the current and future spending for the Twp. He asked because of the rise in the cost of everything, material and fuel etc. Schwab said he is anticipating another increase in the taxes come 2009 budget time. Suv Brensinger said he understands where Schwab is coming from. It is being stressed to employees to be conscious of all the ways to conserve, especially gas.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from March 3, 2008. Unanimously carried.

APPROVAL PAYROLL and PAYMENT OF INVOICES

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

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

Chief Easter reported on the summary of calls for service for February. A total of 220 calls for service were received in the month of February. The highest day seemed to be a Friday.

B.) EOP Update

Chf Easter informed the Supervisors the Emergency Operations Plan is being worked on with the Twp EMA Coordinator, Ron Miller. As the update process moves along he will keep the Board informed.

C.) Consolidation of NLT Fire Police

The consolidation of the North Lebanon Fire Police and being placed under the supervision and direction of the Police Dept has been agreed upon by the four fire dept chiefs. Chf Easter has asked each department to complete a list of fire equipment that the Fire Police will have access to for use. Chf Easter asked for the Board to approve the consolidation and use of the equipment.

Chp Brensinger asked Chf Easter if there have been some parameters set for the consolidation of the Fire Police. Chf Easter said the policy has already been established. Suv Brensinger asked if the Board has received a copy of the policy. Chf Easter replied that the policy was established some time ago and he really does not remember if the Board reviewed it or not. Suv Brensinger stated he personally would like the opportunity to review before he takes any type of action on this issue. Chf Easter said he would provide a copy for the Supervisors.

Mgr Grumbine asked Sol Wolf if this is something that should be done by Resolution. Sol Wolf replied saying once the rules and regulations are set, a Resolution should be adopted approving the consolidation and adopting the rules and regulations. This issue will be tabled until the policy and the rules and regulations have been reviewed by the Board of Supervisors.

D.) Request from Lebanon County Federation of Sportsman's Clubs – August 9th Event

The Police Dept has received a request from the Lebanon County Federation of Sportsman's Club to hold their annual event of a Youth Day at Stoevers Dam Park on August 9th. He asked the Board to approve the Youth Day. Conversation was held on this event and the success of the day each year it is held. Suv Hawkins said she noticed the mention of a permit that must be received from Lebanon City. She indicated she would like to make the permit a part of the MOTION for their approval of this request.

MOTION was made and seconded to approve the request from the Lebanon County Federation of Sportsman's Club for Youth Day pending the group getting their permit from Lebanon City. Unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Mobile Home Park License – Ridgeway MHP**

The renewal fee and application for Ridgeway Mobil Home Park has been received in the Twp office. This was the last remaining license due for 2008. The Board is being asked to authorize the signature for this license renewal. The application reports 32 mobile home units within this park.

MOTION was made and seconded to approve the signature for license renewal of Ridgeway MHP. Unanimously carried.

B.) Resolution No. 6-2008; Disposition of Certain Municipal Records

The Board is being presented with Resolution No. 6-2008 as required by the Municipal Records Manual. All the documents listed in the Resolution are now permitted to be removed from our files and destroyed. The Board is being asked to authorize the shredding of these documents.

MOTION was made and seconded to adopt Resolution No. 6-2008 for destruction of certain Municipal records. Unanimously carried.

C.) Release of Integrity Bond – LVEDC for Hanford Drive

Susan Eberly of the LVEDC has contacted Mgr Grumbine about the release of an Integrity Bond for the dedication of Hanford Drive. The Bond is due to expire March 18, 2008. As Roadmaster, Ed has inspected and provided a list of a few minor issues that need to be addressed before the Bond is released. A copy of Ed's list was provided to Susan Eberly on Friday March 14, 2008. Mgr Grumbine is suggesting the Board approve the release of the Bond once all items on the list are addressed. Mgr Grumbine could then provide a release letter should LVEDC complete all the items on the list before the April 7 meeting. The Board discussed the punch list of items to be completed for Hanford Drive. Suv Brensinger stated the items are minor in nature but do need to be resolved before the Integrity Bond is released.

MOTION was made and seconded to approve the release of the Integrity Bond for Hanford Drive pending the completion of all the items on the punch list prepared by Roadmaster Brensinger. Unanimously carried.

D.) Rail-Trail North Feasibility Study

The Twp has received an announcement from LCPD which will be placed in our Spring Newsletter. It reads as follows:

The Lebanon County Metropolitan Planning Organization (LEBCO MPO) has received funds from PaDOT to explore various alternatives to extend the existing rail-trail north from the City of Lebanon to Swatara State Park and beyond. A steering Committee of local folks has been formed to assist the consultant (Wilson Consulting Group, PC) with the study, which will be completed by June of 2009. Landowners along the existing abandoned railroad will be contacted since it is one of the alternatives being considered. Any questions on the study should be directed to Jon Fitzkee or Tom Kotay at the Lebanon County Planning Department at 274-2801, extension 2325.

Martin Barondick questioned what would happen with the property owners that had acquired additional footage on their properties due to the railroad vacating the area. He asked if the County would use eminent domain to acquire the land. Sol Wolf indicated that legally this would be an option. At this point information is being gathered and the affected property owners are being contacted.

E.) NLT Spring Newsletter

The Twp Spring Newsletter is scheduled to be mailed to each resident the first week in April. Due to some complaints about the Newsletters being distributed in the Merchandiser, the Twp has decided to mail a copy of the Newsletter to each address located in the Twp. We have also decided to go from semi-annual to 3 times a year in 2008. For the year 2009 we hope to issue our Newsletter quarterly to our residents in an effort to keep them informed of current issues within their community.

F.) DCNR Grant – Lenni Lenape Park

Information has been received about a Grant from DCNR. Previously the Twp had adopted a Comprehensive Plan for Park & Recreation and the Master Site Plan for Lenni Lenape Park. The next step is to apply for a grant to DCNR. The application deadline is April 25th. A proposal has been received from Rettew covering the scope of work involved and all the necessary items. Rettew's professional fees could come out of the Fees in Lieu Of fund. It would not come from the General Fund. As it has just been received and the deadline is so close Mgr Grumbine is asking for approval to proceed.

Suv Brensinger expressed concern about the timing of the actual beginning of construction work. Allen Heagy, who farms the area right now, will be affected by this decision. After a conversation with Sheila, it was determined that the site work would not begin until next year. Suv Hawkins asked for confirmation that there are enough funds in the Fees in Lieu Of to cover the professional costs. Mgr Grumbine confirmed this to be true.

MOTION was made and seconded to approve preparing the grant application for DCNR regarding the Lenni Lenape Park and associated work as outlined in Rettew's proposal. Unanimously carried.

SOLICITORS REPORT - Frederick S. Wolf**A.) N 11th Avenue RR Crossing**

Sol Wolf reported all information must be provided to the Commonwealth courts by April 21 for the review work by the courts to begin.

B.) Athletic Association Agreement; Finalized & Waiting on Athletic Assoc Response

Sol Wolf reminded the Board that the Athletic Associations had received a draft of the agreement. The Park & Recreation Board has been working on this agreement for several months. An agreement was drafted and the Supervisors had reviewed the contents previously. To date, we have not had a response from the associations. Sol Wolf said he would check with Sheila about contacting the associations as it is time to move on this issue.

C.) Progress on North/South Lebanon Relief Assoc. Split

Sol Wolf summarized everything to date on the split of the North/South Lebanon Relief Firemans' split. North Lebanon has completed the incorporation, held their organizational meeting and have set up their bank account. In conversation with South Lebanon's attorney the South Lebanon Assoc has not accomplished their organizational meeting yet. The audit must still be completed and the final distribution of any remaining funds from the former North/South Assoc will then be completed.

D.) R-O-W Obstruction Draft Ordinance No. 2-2008

Sol Wolf reported the Authority has approved the contents of the Ordinance. The Board is still conducting their review of the Ordinance regarding the Twp issues. Mgr Grumbine and Sol Wolf have discussed some stormwater issues that should be included in the Ordinance.

E.) EIT Update

Sol Wolf reported there will be a decision announced at the regularly scheduled EIT Board meeting on Wednesday, March 19. It will be announced whether or not the EIT Board will allow representation from the municipalities to sit on this Board. If approved by the EIT Board the issue will then be passed on to the individual school boards to vote on. If this proves to be not in the best interest of the Twp, other options will need to be reviewed in order to get this settled.

COMMENTS FROM BOARD MEMBERS

Chairman Brensinger announced the Twp offices will be closed Friday in observance of Good Friday.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary