

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
APRIL 7, 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

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

COMMENTS FROM THE PUBLIC

A.) Keith Wagner – Spring Creek Development

Mr. Wagner told the Board he was present to discuss the letter he and his partners received from Kris Troup of the Lebanon County Planning Department. He and his partners are the owners of the Spring Creek Development area located of N 8th Avenue. The plan had been submitted and gone through the planning process. Throughout the course of events he and his partners had been touch with Kris Troup and keeping him informed of any new situations as they arose. Kris had indicated to Mr. Wagner he was fine with the verbal communications he has been receiving from the partners. Wagner told the Board they can imagine his surprise when they received a letter from Kris Troup that the request for a 90-day extension was reduced to a 30 day deadline, per the Township's request. Mr. Wagner told the Board the partners are in negotiations with Cliff Weaver of Landmark Homes. The negotiations are close to being completed and this 30 day deadline would be a real problem for him and his partners.

Mgr Grumbine asked the Supervisors for an opportunity to refresh them on the happenings with this Spring Creek Plan. She stated the Planning Commission had recommended approval of the plans with conditions placed on the approval for the completion of certain items. The Board of Supervisors agreed with the Planning Commission's recommendation and voted on approval with conditions at the September 18, 2006, meeting. The conditions included the signing of a Stormwater Management Agreement, Declaration of Covenants and Municipal Authority issues such as the signing the developer's agreement, along with all fees being paid and the EDU purchase being completed. Mgr Grumbine said that was 18 months ago. The preliminary plan has remained in her office with no movement. Occasional phone calls from Mike Saxinger, the Engineer for the project, were received stating that a sale of the property is about to take place and she and Solicitor Wolf would invest time in reviewing the outstanding issues with them again. Then all communications would drop until the next time a buyer surfaces. However in 18-months none of the conditions for approval have been completed and the plan remains in the Twp office. Mgr Grumbine mentioned the legal costs to the Twp for legal advice and administrative time every time this issue surfaces at the Twp office. What guarantee does the Twp have that the deal with Landmark will go through this time?

Mr. Wagner said he did not think it was important to be in contact with the Twp office as the partners were dealing with Kris Troup of County Planning. He stressed to the Board the importance of a longer extension than the 30-days listed in the letter. Wagner said they are very close to closing a deal on the sale of this property. He would hate to see it all change because the 30-day deadline puts a "squeeze" on the partners negotiating efforts. Suv Hawkins said she was aware the plan was being held for a long time but she did not realize it had been 18 months. She questioned what happens if the deal with Landmark does not go through?

Spring Creek Development (con't)

Mr. Wagner stated that if the deal with Landmark fails, which he really doubts will happen, he and his partners will have to complete the outstanding issues, so the plan is finalized. They really do not wish to do that because the new owners will then have to sign revised agreements and if their design plan differs the EDU purchase will also have to be revised.

The Supervisors discussed what options they feel they might have with this situation. Suv Brensinger asked what “show of faith” could Wagner and his partners provide that would prove this is not just more words. A lengthy discussion about the EDU purchase was held. Mgr Grumbine suggested instead of setting a number of days, why not make the deadline a regular scheduled meeting when Sol Wolf is present. She suggested the June 16th meeting. The Supervisors decided that if the partners provide the developer’s agreement, signed, and pay the fees by the 30-day deadline, which is April 11, they would agree to wait until July 21 for the completion of the other outstanding fees and agreements. When Wagner was asked if he found this agreeable, he indicated he is sure that it would be a good solution.

MOTION was made and seconded to extend the date for the Spring Creek development to the July 21st meeting conditional upon a cash escrow and signed developers’ agreement being presented to the Municipal Authority by the April 11th deadline. Unanimously carried.

Martin Barondick questioned where the Spring Creek development is located. Mgr Grumbine explained it is the name of the development the new owners had given the former Babe property. The plans have been on the Twp books for a long time however the remaining few issues have not been resolved by the developers and remain in her office.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from March 17, 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.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Park & Rec Grant Application – Lenni Lenape Park Development**

During a previous meeting the Board of Supervisors had approved Rettew Assoc proceeding with a Grant application for the development of the Lenni Lenape Park. Rettew has submitted “the project” along with costs projecting costs for the Board’s approval. The Park & Rec Board had reviewed the proposal at their April 1st meeting. The P&R Board asked for revisions to the project as the original proposed project application was too costly. After a meeting with Mgr Grumbine and Sheila Wartluft, Rettew has trimmed the project to a more manageable phase 1 project for the Twp.

DCNR requires that the Board adopt a Resolution approving a grant application as well as a guarantee that the Board will budget the amount of the Twp’s share in the 2009 budget if a grant award is received. The Twp funds could be expensed from the Park & Rec fund or another source. However the money must be specifically budgeted as a guarantee, if approved for the grant, the Twp will follow through with the project. Sheila Wartluft and Lauren from Rettew presented additional information at this time.

Lauren Zumbrum of Rettew Assoc displayed a map of the Master Sight Plan that had been approved for the Lenni Lenape Park at a previous Supervisors meeting. This phase of the project is proposing opening the entrance to the park off Narrows Drive.

Grant Application – Lenni Lenape Park (con't)

Some features will also be included such as playground equipment and a pavilion area with restrooms. The larger pavilion that is a part of the master plan will be part of a future project. A gravel parking area is shown as well as a paved walking trail that loops around the 6-holes of golf proposed. The paved trail is to accommodate the handicapped visitors. The cost is currently listed at \$443,000 for this phase of the project. Lauren said that means the Twp's portion would be 50% match of whatever Grant money is approved and any additional money. She informed the Board DCNR will work with the Twp if there are adjustments that need to be made to cut back on some costs.

Sheila Wartluft told the Board the costs of the original project made the Park & Rec Board take a look at scaling back. This phase 1 will have some utilities which drives the cost up somewhat. She explained the Fees In Lieu Of fund is currently at \$110,000 +. However that leaves a balance not accounted for in the projected match money. With some of the future developments, such as Spring Creek, being an unknown a projection on the amounts in the Park & Rec funds was needed. What is needed from the Twp is a guarantee for financial security in order to move forward with this Grant application. Lauren advised that the award announcement will be made in the fall (possibly October of 2008) but no actual work will begin until 2009 with 3 years from the day the grant is awarded to complete the project.

Suv Hawkins asked what happens if the grant is not awarded to the Twp. Does that mean the project is placed on hold until the next grant application? Sheila said she could not give a definite answer to that question. She does not foresee the Twp being able to move forward unless there would be some sort of huge gift for recreation. Lauren stated it would be the decision of the Twp how to proceed should the grant be denied. She said there are other features of the Park, other than this proposed phase, that could be started. There is a natural mulch trail planned for the other entrance to the park that could become a project. This particular type of project was not what DCNR was looking for to provide grant funds. Suv Hawkins questioned the amount of the grant. If we apply for \$200,000, does that mean we will be approved for the whole amount? Lauren said that typically when a request for \$150,000 is received, the approved award would not be for \$50,000. DCNR realizes that the municipality could not come up with the larger amount. DCNR is also looking for useable and functional type recreation activities. Sheila said the plan is to hope for the most optimistic award.

Lauren said that DCNR is interested in knowing that the Twp has "cash in hand" when applying. The Resolution before the Board tonight, along with Sheila's signature page, will verify the Supervisors agreement to that fact. The deadline for submission to DCNR is April 25th.

Suv Brensinger questioned if signing the document will commit the Twp to prevailing wages at the time the project is completed. His question also stems to whether all the work is to be bid under one umbrella. Or would the Twp be able to perform some tasks in house to keep the cost down? Lauren stated she is not sure of the answer to that question but she would check on it. Once she gets an answer she would communicate it to Sheila. Suv Brensinger asked about relocating the pavilion to shorten the length of the sewer and water runs. If it was closer to the main entrance it would not be such a large ticket item on the cost list. Sheila replied that the location of the pavilion is key to the playground area due to the restrooms. Lauren stated she would be happy to check into some options for the restroom locations.

Suv Hawkins mentioned the future planning for some of the tree lines which are shown on the plan. Has some thought been given to opening up a program for tree dedication, such as was done for Lions Lake? Sheila said she had discussed this option with DCNR.

Suv Artz questioned the timeframe for the use of the Fees in Lieu of funds. Sheila responded that there is a definite timeframe outlined but we are in good shape for the timeframe. Most of the funds are good until 2009 or 2010. Suv Brensinger asked about the possibility of applying for other grants. Lauren mentioned DCED grants but the deadline for this year has already past. It might be an option for another year.

Grant Application – Lenni Lenape Park (con't)

Once the grant is awarded, if a large donation from a corporation is received, would it affect the amount of the grant? Lauren stated that is a question that would have to be asked of the development specialist at DCNR.

Suv Brensinger asked Mgr Grumbine if she would be comfortable adopting a Resolution tonight without Sol Wolf being present. Mgr Grumbine responded the only questions she would have regards advertising the Resolution. However none of the other Resolutions have to be advertised but she would prefer to wait just to make sure we are correct. Suv Brensinger said he feels the adoption of the Resolution could wait until the April 21 meeting. Suv Artz and Suv Hawkins agreed with him to wait until the Solicitor can offer advice.

Martin Barondick, of New Street voiced his opinion about the taxpayers' dollars being spent on recreation purposes. As a retired individual, recreation is the bottom of his list of necessities. Suv Brensinger stated he understood Barondick's remarks. However there are a lot of people who have other opinions.

Ed Arnold, of Mt Zion Rd, said he would like to commend the Board for moving cautiously on this issue. He agrees park space and recreation is important to the Twp, as there are a lot of young people moving into the Twp and would make use of the recreation areas.

Constance Snavely, a member of the Twp Park & Rec Board, remarked on the thoughts of the P&R Board at the time the plan was being designed. The members were in agreement to do whatever was available and would keep the costs down. Another thought was to keep it a passive park and as much of a nature oriented area as possible.

Mgr Grumbine said she wanted to commend the Park & Recreation Board and Sheila on their diligence and the hours they have dedicated on this project. They realized that the initial phase being proposed by Rettew was too expensive and redefined the project in order to keep the project within our funding capability.

B.) Address Signs

Mgr Grumbine reported to the Board that the Spring Newsletters was distributed this weekend through the postal system in lieu of the merchandiser. Anyone who did not receive a copy can do so by stopping in the lobby at the Twp building. One of the articles written by the Code Enforcement Officer, Lt. Donald Wengert is regarding the visible identification from the street of each property front. The Township is offering the service of green reflective signs with white lettering for the cost of \$20 for anyone who wishes to purchase a sign through the Township. The purchase from the Twp is not mandated however is an option for North Lebanon Township residents ONLY. Any non-residents will be directed to Rural Security Fire Company who also provides the signs for purchase. Residents will be able to download the order form from the Twp website www.twp.northlebanon.pa.us.

The Board is being asked to consider and approve the following guidelines/policy for the sign purchase.

1. Any non-resident will be referred to Rural Security Fire Company. North Lebanon Twp will offer this service to residents only.
2. If a resident requests installation, they will be referred to Rural Security Fire Company. (Rural Security will install for an additional fee according to George Gettler, Fire Chief.) North Lebanon Twp will not offer this service to anyone.
3. NO REFUNDS. If someone places an order and changes their mind, there will be no refunds.
4. Payment will be required at the time of the ordering process. No signs will be processed by phone or without the completion of an order form and payment.

Address Signs (con't)

5. The signs will cost \$20 regardless if single-sided or double-sided, 12” or 18” or require a bracket to hang.
6. Any questions regarding the compliance with the Code will be referred to Lt. Wengert, as Twp Code Enforcement Officer.

At this time the Supervisors reviewed the proposed order form. After some discussion about the guidelines and the policy outlined the Board decided they were ready to move on this issue.

MOTION was made and seconded to approve the above listed policy/guidelines and order form for the address sign purchasing service offered to North Lebanon Twp residents. Unanimously carried.

C.) Bids – Paving Project; Fuel

Mgr Grumbine reported on the Bid opening which had occurred on Friday, 4-04-08. The bids were in regards to the paving project and fuel (heating oil, diesel fuel, and a fleet card system for unleaded and highway diesel). The Board was provided with the results of the opening, as well as a recommendation on the award.

PAVING PROJECT – There were 3 bids received with Pennsy Supply being the lowest bidder @\$105,581.52 for all phases of the paving project for this year.

Mgr Grumbine informed the Supervisors that this bid is under the amount that had been budgeted for this project.

MOTION was made and seconded to award the paving project for the year 2008 to Pennsy Supply. Unanimously carried.

FUEL BID – No bids were received for unleaded and diesel fuel with a fleet card purchasing system. For heating oil and highway diesel to be delivered to the building, we received 1 bid from Leffler. The fleet card system will have to be re-bid a second time since no bids were received. After the second time the Twp is permitted to contact whomever they wish.

Some discussion was held about the options available regarding accepting the one bid received for heating oil and highway diesel or re-advertising for more bids. Suv Artz questioned if this is a fixed rate. He was told no, as suppliers no longer offer this as an option.

MOTION was made and seconded to table the fuel bids until the Solicitor is able to offer advice on re-bidding all items in the fuel bid or accepting the only bid we received for heating oil and diesel delivered to the township and re-bidding only the fleet card system where no bids were received. Unanimously carried.

D.) Easement Agreement – Rte 422 & 22nd Street; New CVS Store

As a part of the new CVS store construction, upgrades will be made to the corner of Rte 422 and 22nd Street located in North Cornwall Twp. There are 3 municipalities, along with businesses located on the corners that are involved in easement agreements. PADOT is requiring the 3 municipalities that are involved to sign an Easement Agreement regarding this signalized intersection. A copy of the Easement agreement has been provided to the Supervisors for their review and a signature. The Easement agreements will be included with North Cornwall Twp’s HOP application to PADOT.

Mgr Grumbine explained to the Supervisors that the only corner for North Lebanon Twp is the northwest corner at the bank. Ron Jones agreed to provide a document, which will include all the easements, for the township files. There will be no costs involved for NLT.

Easement Agreement – Rte 422 & 22nd Street (con't)

MOTION was made and seconded to authorize a signature on the Easement Agreement for the traffic signal located at Rte 422 and 22nd Street. Unanimously carried.

E.) Revised Age Restricted Development Ordinance (cluster design).

A revised copy of the Age Restricted Development Ordinance has been received and a copy is being provided to the Board for their review. Lebanon County Planning Dept has also received a copy for review and comment. The Twp Planning Commission will be reviewing the draft at their April meeting and Mgr Grumbine will be able to report to the Board and Sol Wolf at the April 21st meeting.

F.) Resolution No. 8-2008; Upgraded Streetlight along Weavertown Road.

Paperwork has been received from Met Ed regarding a 175-watt, mercury vapor, cobra head streetlight that was upgraded to a 100-watt high-pressure sodium vapor luminaire. The streetlight is located on Weavertown Rd between E Maple Street and 8th Avenue. The Board is being asked to adopt Resolution 8-2008 acknowledging this change.

MOTION was made and seconded to adopt Resolution 8-2008 regarding an upgrade of the streetlight located on Weavertown Rd between E Maple and 8th Ave. Unanimously carried.

G.) Pertinent Issues

1. County Tire Collection Program on Friday April 18th is being held at the Lebanon Fairgrounds.

The first 12 auto tires and 2 oversized tires are accepted free of charge until the Township money that had been allotted is spent. After that there is a charge of \$2.50 per tire for normal sized tires.

COMMENTS FROM BOARD MEMBERS

A.) Suv Dawn Hawkins

Suv Hawkins said she wished to also commend the Park & Recreation Board for the work they have put into the Master Sight Plan and the Grant application for the Lenni Lenape Park. She is appreciative of the fact there is recreation areas in the Township.

B.) Suv Ed Brensinger

Suv Brensinger stated he agreed with Dawn’s remarks. Their research and recommendations make the work required by the Supervisors much easier.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary