

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JUNE 16, 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
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.

**COMMENTS FROM THE PUBLIC**

**A.) Holiday Inn Express land Development Plan & TIS**

**(Mike O'Donnell – M.P. O'Donnell & Assoc; Tom Kotay-LCPD)**

Mike O'Donnell stated that Doug Plank was not able to attend this evening. Tom Kotay was asked to speak about the traffic study information regarding the proposed Holiday Inn Express Plan. This Land Development is located in an area where the traffic situation is being closely watched as it is an area of concern. Tom Kotay explained this is an area the County has taken an interest in as part of the Metropolitan Planning Organization. Traffic Impact Studies present a source of information for this group. Municipalities look to developers to complete these studies to provide the municipalities with current information as well as looking to the future. The hotel has been asked to provide what is called their "Fair Share" of any future traffic light that might be required now or in the future. The hotel has agreed to provide \$19,713.00 to be escrowed toward this intersection of Narrows Drive and E Cumberland Street. The developer has agreed to provide the escrow at the Twp's request. Tom said he could provide answers to background information but O'Donnell would probably be better at answering the specific questions.

**Suv Hawkins** questioned some of the comments in the study which referred to "warrants". Mike O'Donnell explained that the verbiage in the study can be confusing. The study says "the traffic could warrant a traffic light". The study does not say the "traffic requires a traffic light". Suv Hawkins asked Mgr Grumbine if the other businesses (Union Canal School) or developers (Narrows Glenn, Seyfert's & Countryside Mobile Home Park) in this same area that were asked to place money in escrow for a possible future traffic light. Mgr Grumbine replied they were not asked to do so in the past. This is the first time the Twp is working with County to establish this escrow. Tom Kotay stated that his may be the first time for N Lebanon Twp however this type of escrow has been completed in other municipalities. There are a variety of factors PADOT looks at when determining the need for a traffic light. Sometimes a traffic light will not solve a problem and in some instances may make the problem worse, warned Tom Kotay. PADOT is currently saying the traffic may warrant a signal but it does require a signal. Although that time may come.

**Suv Hawkins** next questioned the report saying "a left turn lane is not warranted". Mike O'Donnell replied that is per PADOT's standards. He said the majority of the study information is following a formula in a Manual. He cautioned the Board to remember although this might seem like a big hotel with a big use; the traffic is not all at one time. Guests arrive and leave at various times, employees and deliveries also are arriving and leaving at staggered times. Suv Hawkins mentioned the hotel is not the only concern there. There are other concerns such as the roads that lead into South Lebanon. Her next question was about the mention of no improvements to the access driveway off Narrows Drive.

**Holiday Inn Express Land Development Plan & TIS (con't)**

Mike O'Donnell explained that means no widening, no turning lane and no signalization. There will be future curbing installed which will be deferred until development of the other lot. The Narrows Drive access will also provide access to the other lot when it is planned for developing. That lot will be restricted to the Narrows Drive access only.

**Suv Brensinger** said he does not have any further questions. He is confident in Tom's knowledge and that of the traffic specialists.

**Holiday Inn Express Land Development Plan**

**Location/Zoned:** Rte 422 & Narrows Dr/ C 2A

**Submitted:** 7-20-07

The Board looked over the final plans for the development of the Holiday Inn Express. Mike O'Donnell reviewed some of the highlights of the plan as far as the access routes and the traffic flow. He explained that although Bruster's has withdrawn their plans, when designing the hotel some of the basic design work includes the other lot not yet being developed. A discussion about some future possibilities of more parking was mentioned. O'Donnell stated that is something that may happen in the future but not at this time.

**Attorney David Tshudy** discussed the "fair share" being submitted for the future traffic light. He expressed that there should be some verbiage of agreement between the Twp and his client. As his client is not mandated to provide these funds and is doing so voluntarily, there should be a recorded agreement that specifies his client's amount of contribution and the cap of that contribution as well as the timeframe in which it must be paid. He suggested he and Sol Wolf could take care of this agreement without holding up the approval of this plan.

Mgr Grumbine suggested to the Board that the plan action be tabled until this agreement is completed. County has assured Mgr Grumbine that this is something the Twp is within their rights to request. A discussion followed about the specifics of this request as opposed to being mandated. Attorney Tshudy mentioned a conditional approval would be acceptable until the agreement is completed. O'Donnell stated that he is of the opinion that their client is looking for a statement from the Twp that says "you are paid in full. Thank you for the check". He is merely looking for a statement that his commitment is fulfilled and that the Twp cannot come back looking for more.

**Sol Wolf** agreed that if they are willing to accept a Conditional approval, conditional upon signing an agreement and that the money will be paid. Mgr Grumbine informed Sol Wolf that the letter the Municipal Authority is expecting was provided to her late today. Sol Wolf stated that the contribution will be made to the Twp. If the other lot is never developed and there is not a need to ever install a traffic light at this location, the money then belongs to the Twp. However if a traffic light becomes necessary the Twp cannot come back to the developer to ask for more money. Suv Brensinger and Hawkins agree this plan has been reviewed several times and the main issues seem to have been dealt with.

**MOTION** was made and seconded to approve the Land Development Plan for Holiday Inn Express conditional upon receiving a written signed agreement and the check for the traffic light escrow. Unanimously carried by Suv Hawkins and Suv Brensinger.

**B.) Comprehensive Traffic Signal Upgrade Program**

Mr. Kotay informed the Supervisors that the goal of this program is to upgrade all the traffic signal lights within the County and bring all of them up to date with LED lights and out of the 60's. He mentioned the expense will, of course, come from County funds. The next step in the program is to look at improvements beyond that, with municipality approval of course. As a municipality, North Lebanon Twp does not have too many traffic signals that it is responsible for. Mgr Grumbine stated we have 2 and a half, as we share responsibility with South Lebanon Twp for the light at Prescott Dr and Rte 422.

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**Comprehensive Traffic Signal Upgrade Program (con't)**

North Lebanon Twp and some of the other municipalities contract with one maintenance provider and several other municipalities, within Lebanon County, contract with different providers. Various fees are paid by the individual municipalities. By paying one provider, one fee there is a potential for savings in the maintenance issues alone. Tom Kotay finished up his remarks saying that what the program is looking for from the various Supervisors is input and comments, questions or concerns that they might have.

Mgr Grumbine asked Kotay to verify that the program is expecting to have the LED upgrade begin in 2009. Kotay confirmed that if the program gets the support of the municipalities, it is expected to begin in 2009. He explained some of the benefits of having LED lighting and some of the improvements that will occur once all the upgrades are completed. Mgr Grumbine asked the Board to give Mr. Kotay an indication of the Twp's interest in this particular program. Suv Hawkins stated she has looked over the information which had been provided and she is excited about the program. Suv Brensinger agreed absolutely that the program has great benefits by tying everything together as a Count project. Great savings should be seen by doing so.

A discussion took place about the only negative was drawback is that the LED does not throw heat. So it could be a potential problem in areas where there is large amounts of snowfall. The lights could become covered and the snow would not melt off the lights.

**C.) Brooke LP Subdivision Plan; Brent McFeaters – Matthew & Hockley Assoc****Location/Zoned:** Sandhill Rd & Beta Ave/ R1**Submitted:** 1-26-07

Brent McFeaters was present to discuss the Brooke LP Subdivision Plan which has been hanging around for quite a while. Mgr Grumbine stated the NLT Planning Commission and Lebanon County Planning have recommended their approval of the plan. Suv Brensinger confirmed a driveway for the one lot will onto Sandhill Rd while the other lot will have a driveway onto Beta Ave. Brent confirmed that fact.

**MOTION** was made and seconded to approve the Brooke LP Subdivision Plan. Unanimously carried by Suv Brensinger and Suv Hawkins.

**D.) Waiver Request for Dundore Plan; 4<sup>th</sup> Ave & Canal Street; Tom Barton – Brian Hockley & Assoc.**

Tom Barton, of Brian Hockley & Assoc, is present to discuss the request for a waiver from the curbing and sidewalk for the Dundore Land Development Plan located at 4<sup>th</sup> Avenue and Canal Street. Mgr Grumbine provided pictures that B Hockley & Assoc had provided to the NLT Planning Commission. She explained the proposal is for 3 townhouses to be constructed at this site. Suv Hawkins asked if it would be 3 separate deeded lots. Tom Barton confirmed that is what is proposed.

Tom Barton confirmed that once these units are completed there will be 3 townhouse units for sale, not rent. Suv Brensinger asked where the existing curb line is in relation to the existing trees. Barton explained the location of the proposed utility locations and some of the other feature that have been discussed for this site. The concern is the mature trees in the area and the desire to maintain the neighborhood appeal. Barton stated there is definitely one tree which will be removed as it is already dead. However there are 4 remaining trees which the developer would like to maintain.

Suv Hawkins mentioned she had driven to this area to view the site. She noticed that the areas across the street do have sidewalks. Also, she noted, it looked as if at one time there may have been sidewalks in this area. She is in favor of having the sidewalks installed and providing pedestrians with a walking area, not in the street. It is her feeling the area would be more appealing to have the sidewalks. Barton explained it would be difficult to keep the trees and place sidewalks. The sidewalks would have to be pushed outside of the right-of-way. The space is tight. His concern is to keep the sidewalk within the right-of-way. Suv Hawkins repeated she is of the opinion that the sidewalks need to be installed.

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**Waiver Request for Dundore Plan; 4<sup>th</sup> Ave & Canal Street (con't)**

Mgr Grumbine asked Suv Brensinger if the trees are impacting the roads at all. Suv Brensinger stated some of the tree roots do impact the road. Another problem is the canopy which always needs to be trimmed back in the winter time when plowing is being completed. Suv Brensinger mentioned some of the other features noted on the plan in this neighborhood. Tom Barton stated that although there are other sidewalks in the neighborhood, the sidewalks do not necessarily lead to anywhere. One sidewalk leads to a field and the other sidewalk looks as if it may have been connected to a former driveway apron.

Suv Brensinger asked Sol Wolf for his opinion about the location of the sidewalks. Must it be located within the right-of-way? Sol Wolf stated it would not. However there would have to be an agreement with the owner about maintenance. Mgr Grumbine said her concern is that someone walking down the sidewalk would then be on private property, not the public right-of-way. Sol Wolf said he is concerned about the sidewalks being disturbed by the trees eventually.

Mgr Grumbine said she is wondering how the large construction equipment will enter the property if the trees are not removed. Tom Barton said the 4<sup>th</sup> Ave access is a public right-of-way. Mgr Grumbine corrected him by stating that portion is not a Twp right-of-way. As far as the blending in with the neighborhood, Barton said he does not see it tying in with anything existing. The sidewalk would have to be pushed back and would not blend with anything that exists. More conversation followed about the neighborhood appeal.

Suv Brensinger said he is not too concerned about the sidewalks but he is of the opinion that curbing is necessary. He would prefer to see the trees removed and feels the developer will have to remove the trees in the end anyway. In order to market the property, the developer is going to want to “showcase” the townhouses and the trees will block the view of the homes. When an objection came from the public, Suv Brensinger stated that the maple trees being discussed are so hacked up from the utility companies and the condition of the trees is questionable; they are not that appealing to look at. Suv Hawkins said she is still in favor of the sidewalks being installed.

**MOTION** was made and seconded to deny the waiver request from sidewalks and curbing for the Dundore Land Dev Plan. Unanimously carried by Suv Brensinger and Suv Hawkins.

**E.) Stacey Morgan; Easement Agreement for Lebanon CP-CVS Project**

Ms Morgan stated she represents Lebanon CP-CVS project. The proposed CVS store is to be located across from the Lebanon Valley Mall. The situation is that there has now been a request to place sidewalks and crosswalks at this intersection. The traffic signals have been approved by North Cornwall Twp. She is present tonight to discuss any questions about the improvements and crosswalks which will be installed along with the traffic signals. Suv Brensinger said his concern is Lebanon Valley Mall, and/or Boscov's, involved? He questions this because currently Boscov's is totally responsible for the maintenance and upkeep of the traffic signal. He asked if CVS will now be involved with maintenance also.

Ms Morgan answered that all improvements will be at the cost of CVS. Once all improvements are completed the area will be dedicated to the municipalities for maintenance and responsibility of the signal. Sol Wolf stated that would be different from the agreement at this time. When the Mall first was constructed the agreement was that Boscov's would be responsible for the installation of the traffic signal and also be responsible for all maintenance issues of the signal. Ms Morgan said she was not aware of this agreement. Sol Wolf told Ms Morgan this needs to be tied into this arrangement with the traffic signal. Suv Brensinger stated we are happy CVS is provided the finances for the improvements however we need to make sure Boscov's responsibility for maintenance remains intact.

Ms Morgan explained language will be added into the easement agreement to reflect the maintenance issues. Suv Brensinger said that although North Lebanon is only a small piece of this agreement, it is important to keep what we have in place for the maintenance.

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**Easement Agreement for Lebanon CP-CVS Project (con't)**

Ron Jones told the Board that we will be receiving LED lighting at this intersection, pedestrian signals, crosswalks and ramps. The easements are the result of all the improvements being made. He pointed out on the plan the various proposals for improvements. Suv Brensinger looked to Sol Wolf for an opinion on approving the easement agreement contingent upon the added verbiage regarding Boscov's responsibilities for maintenance. Sol Wolf agreed that would be a good solution.

**MOTION** was made and seconded to approve the easement agreement for the Lebanon CVS project contingent on the verbiage being added to mention Boscov's responsibility for continued maintenance. Unanimously carried by Suv Brensinger and Suv Hawkins.

**F.) Eric Nearhoff; Sprint/Nextel**

Eric Nearhoff told the Board he runs the Sprint/Nextel location at the Lebanon Valley Mall. Some of the Police Officers had recently stopped at the booth and discussed an interest in upgrading the Nextel phones. He told the Board that Sprint has purchased Nextel and that within the next year Nextel will be obsolete. A Hybrid phone has been designed by Sprint that will work the direct connect feature for the Nextel's.

Nearhoff said he had provided a phone to the Officers for use to see how they liked the phone. Nearhoff stated he had feedback from an Officer Gross, who indicated he liked the phone. As a result Sprint prepared a proposal for the Township to consider. The proposal was for phones @ \$19.99, along with a car charger; Sprint has agreed to consume ten \$18.00 fees for the switching of service provider and local service if there is a problem with the phone. The phone will be repaired or replaced by Sprint.

Suv Brensinger asked about the direct connect. Will it no longer be available? Nearhoff stated Nextel trademarked direct connect. Sprint will be providing a service in 2009 called que check. The Sprint phones that are able to provide that feature will offer que check.

Nearhoff told the Board the owner of his store, in order to expedite this deal would offer the handset for a price of 99 cents, which is basically giving the handset away free. This offer is good until June 30, 2008. Mgr Grumbine confirmed this would be a 2-yr contract. Nearhoff agreed. She then said the agreement also was to waive the fees for leaving the current contract with Nextel before August, when the current contract is up. Nearhoff confirmed that is correct. Suv Hawkins questioned the phone numbers. Do we keep all the same phone numbers? Nearhoff said yes the numbers remain the same and Sprint will download information off the old phones onto the new phones.

Mgr Grumbine wanted to confirm the pricing for the 2 different phones; 502 at 99 cents and 602 at \$5.99. Nearhoff agreed that the pricing she mentioned is correct. He repeated that the current offer is good until June 30, 2008. Mgr Grumbine asked for confirmation that the plan we currently have will all remain the same. Nearhoff replied yes it will with the exception of mobile-to-mobile. Mobile-to-mobile is dialing to each other and not being charged for any minutes. Nextel does not have this option.

Suv Brensinger and Suv Hawkins agreed it sounds like a great deal. However a decision will not be made here tonight. There is another Supervisor to consult and the Police dept will be included in the discussion. They thanked Eric Nearhoff for his time.

**G.) Bruce Sattazahn – Maple Street**

Mr. Sattazahn started his remarks by telling the Board he was not happy with the poor communication PADOT provided to the neighboring property owners when starting the paving project for N 22<sup>nd</sup> Street. The detouring of the traffic was also handled poorly according to Sattazahn.

**Bruce Sattazahn – Maple Street (con't)**

His next issue was the area along Narrows Dr which the Twp calls the Seyfert 7. Someone has been parking a truck along the front of the property in this area and the traffic lanes are so tight that there is no longer the option for two lanes of moving traffic. Sattazahn addressed Chf Easter asking if this is something that can be enforced as there are no white lines painted on this portion of the road. Chf Easter stated that until an Ordinance is adopted for a NO PARKING designation, the white lines are merely fog lines for motorists. Chm Brensinger and the Board told Sattazahn this is something that will need to be addressed with a future Ordinance. Narrows Drive is scheduled to be topped by the developer this year.

Sattazahn's next topic was E.I.T. He mentioned an article he had read in the paper about Lebanon City making the decision to withdraw from E.I.T. A lengthy conversation followed. Sol Wolf pointed out Lebanon City is in a unique situation. The City is one of the entities that are owed a large sum of money from E.I.T. thus they do not wish to sit on the EIT Executive Board at this time. Sattazahn agreed that it was a unique situation. Suv Brensinger also mentioned that although this whole situation has moved very slowly to this point, the progress being made now seems to be picking up. It is his opinion the municipalities being involved and sitting on the Board is making a difference regarding resolving some of the issues.

**H.) Ed Arnold – Proposed Traffic Signal @ Narrows Dr & Rte 422**

Mr. Arnold questioned the length of time that had been discussed this traffic signal could take. His opinion was that when the school was constructed the traffic light would also be a part of their responsibility. Is there no way the Twp can go back to the district and request some financial help from the district? Suv Brensinger told him the only way the school could be asked for financial contribution would be if they came back with a land development plan for future expansion. Suv Hawkins mentioned it is still the taxpayer's dollars. Suv Brensinger reminded Arnold that when the school lobbied for a traffic signal at the intersection Evergreen Rd and Lincoln Ave the school did not financially contribute at all, if he remembers it correctly. He mentioned some other developers that could be future developers in the Narrows Dr area. There will be some options for other contributors.

**I.) Robert Huffman – Ebenezer Road**

Mr. Huffman said he had a comment to make pertaining to the Historical Society and all the brush/trimming piles they have stacked along Tunnel Hill Road. He questioned what is going to be done with these piles as the Spring cleanup has long been over. Chm Brensinger told Huffman that the Twp has agreed to pick up the trimmings however he too was not happy how close to the edge of the road the piles were placed. This is on the list of chores for the Road crew but they have not gotten to it just yet.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the minutes from May 19, 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.

**FIRE CHIEF'S REPORT**

A written report was provided by Donald Steiner of the Weavertown Fire Company. Chm Brensinger explained the Monday night meetings are difficult for Weavertown members to attend as they have BINGO scheduled at their fire house every Monday.

**CHIEF OF POLICE REPORT - Harold Easter****A.) Calls For Service – May 2008**

Chf Easter updated the Board on the calls for service from the month of May. A total of 289 calls were logged in the month of May with Friday being noted as the highest day for calls and Monday as the low day.

**B.) EOP Update**

Chf Easter reported to the Board that the work on revising the Emergency Operations Plan (EOP) for North Lebanon Township is ongoing; however he has nothing new to report this evening.

**C.) Request from Bethel Township**

There has been no further contact from Bethel Twp in regards to scheduling a meeting for a discussion on Police services.

**D.) Misc Items**

1. **D.A.R.E. Graduation** was held on for June 1 at the Ebenezer Elementary School. Chf Easter remarked a good time was had by all who attended.

2. **The Brad Pflueger Family** has asked Chf Easter to express their appreciation for all the support they have received from the Township and the public in this time of crisis for their family.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) Lebanon County Comprehensive Plan Implementation**

The Township has received notice from Earl Meyer that the Planning Department is hosting a meeting on Thursday June 26 in the Auditorium of the County Municipal Building from 6:30 to 7:30 pm. The meeting is to outline the County's vision for how to implement the County Comprehensive Plan, the role that municipalities can play as planning partners and the funding opportunities being offered to facilitate the initiative. Those attending will receive a copy of the Implementation Grant Program guidelines and application forms as well as an orientation of the program.

Earl is suggesting at a minimum we send 1 elected official, the manager/secretary, and a representative from the Planning Commission. Sheila will be attending in Mgr Grumbine's place as she will be on vacation. Planning Commission members will be contacted to see who can attend as a representative on their behalf. Mgr Grumbine is asking the Board who will be attending on their behalf. Some discussion was held and Suv Brensinger volunteered to attend as Suv Hawkins has a previous commitment.

**B.) Grant for AED Unit**

A check in the amount of \$664 for the AED (automated external defibrillator) unit which represents one half of the cost of the unit. The unit was received and installed in the lunch room, which is in a central area for all employees. Training will be provided by Tom Camasta who is a certified trainer due to his association with the Hebron Fire Company. This unit is for Adults only as a separate cartridge would be required for children less than 45 pounds.

Mgr Grumbine stated she would like to extend her appreciation to the Safety Committee for recognizing the importance of having this unit available at the Twp building and the efforts on behalf of Sheila Wartluft in preparing the Grant application to help offset the cost of this AED unit.

**C.) Tire Collection Program Results**

Paperwork has been received from Phil Hall regarding the tire collection that had been held in April. There were 44 persons from North Lebanon Township who participated in this year's event. A total of 402 small tires and 22 large tires were dropped off at the collection by our residents. The amount owed by North Lebanon Township has been adjusted following a review of the information to \$588.75. The Township had budgeted \$800 from our Special Projects (Recycling Fund) so we are well within the budgeted amount. Suv Brensinger stated he is most appreciative of this service by the County as it has eliminated most of the tires being cast along the roadsides.

**D.) 2008 Junkyard License Renewal – Reazer’s Junkyard**

Upon receiving a written report from Lt. Wengert on an inspection of Reazer’s salvage yard, the Board is being asked to approve the renewal of the 2008 license for this facility.

**MOTION** was made and seconded to approve the renewal application and 2008 licensing for Reazer’s Junkyard. Unanimously carried by Suv Brensinger and Suv Hawkins.

**E.) Application for County Aid – Liquid Fuels**

Our annual application for county aid in the amount of \$6489 has been received. This is the standard amount received from the County Liquid Fuels program and must be used for specific highway projects. We have completed the application for the funds to be used for our Weavertown Road project. The Board is being asked to authorize execution of the application, so we can forward to County for final approval. Once a completion report is filed on the project, the money will be released from the County in the amount of \$6489. Suv Brensinger questioned if this specific amount ever varies. It has been the same amount since he started here several years ago. Mgr Grumbine replied it has remained the same as long as she has been here.

**MOTION** was made and seconded to authorize the execution of the County Liquid Fuels Aid. Unanimously carried by Suv Brensinger and Suv Hawkins.

**F.) Pertinent Matters**

**1. Upcoming EIT Meeting Dates for 08/09**

Mgr Grumbine has provided the following dates of upcoming EIT Executive Committee Meetings for July 2008 through June 2009. The meetings are all scheduled for the third Wednesday of the month starting at 6:30 pm at the Lebanon High School.

July 16	Oct 15	Jan 21	April 15
Aug 20	Nov 19	Feb 18	May 20
Sept 17	Dec 17	Mar 18	June 17

**2. Newsletter to be Mailed Week of July 1st**

Mgr Grumbine informed the Board we have completed our first Summer Newsletter in-house using the Publisher program on the computer system. Estimated mailing to the residents is approximately the first week in July. She told the Board she would like to commend Theresa and Rebecca for pulling the draft together and keeping this project moving in order to get it out on time.

**3. 902 Recycling Grant Application; June 20<sup>th</sup> Deadline to Submit**

Mgr Grumbine told the Supervisors Bonnie and Ed had been working on the 902 Recycling Grant Application and it is now ready to submit. The deadline for submission is June 20<sup>th</sup> and Bonnie is asking the Board to authorize the Chairman’s signature on the application and submission. A review of the items quoted in the application led to a discussion between Suv Hawkins and Suv Brensinger. After hearing about the financial match the Twp would have to meet and the fund it would be released from Suv Hawkins stated she was ready for action on this request for authorization.

**MOTION** was made and seconded to authorize the Chairman to sign the 2008 902 Recycling Grant Application. Unanimously carried.

**4. Establishing a New Bank Account for NLT Fire Police**

Mgr Grumbine told the Board that with the Fire Police now being coordinated under the Police Department’s supervision, she is requesting that a separate bank account be established for the Fire Police. All financial issues would then be put through this specific fund but would be shown on our General Fund financial statements.



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**New Bank Account for NLT Fire Police (con't)**

**MOTION** was made and seconded to authorize a specific bank account be established for the Fire Police unit. Unanimously carried.

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

Sol Wolf explained all the briefs have now been filed with the Commonwealth Courts. Now we wait for the decision.

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

Sol Wolf told the Board Sheila has been waiting to hear back from the Football Assoc for several months now. She has had communication with the Assoc and they have indicated they have no comments on the athletic agreement however they have not returned the signed agreement either. A final letter of notice is being prepared by Sheila to send to the Football Assoc and then the Twp will move forward with further action if we do not receive the signed agreement back. Sol Wolf mentioned it is soon going to be fall and that is the football season. He expects to hear something from the Assoc soon.

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

Sol Wolf has had communication with Brian Vragovich, of Glenn-Lebanon, and Donald Steiner of Weavertown Fire Company. Brian stated there are still some financial activities pertaining to the former account for the North & South Association. Once all financial activity is completed a date for the audit will be scheduled. Once the audit is completed the split out of the North/South Lebanon Relief Assoc will be totally completed.

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

Sol Wolf mentioned the Ordinance regarding right-of-ways that the Municipal Authority, Supervisors and he have been working on. A draft of the Ordinance has been provided to the Supervisors for their review. The Municipal Authority has already had the opportunity to review the contents of the Ordinance draft. This proposed Ordinance could possibly be approved during the July meeting.

**E.) Dedication of Windsor Drive**

The issues that needed to be addressed for the dedication of Windsor Dr have now been completed. The dedication is scheduled for the July meeting.

**F.) E.I.T. Update – Notice to E.I.T.**

Sole Wolf explained a letter, which all the attorneys for the various municipalities who are EIT clients have decided to send to EIT. The letter outlines a time frame they wish to impose on EIT regarding a decision on collection for 2009 and to reserve the right to appoint someone other than EIT to collect the 2009 taxes.

**G.) Code Enforcement Issues**

1. Complaints to be filed against 3 property owners whom Officer Wengert had worked with are an ongoing task. Officer Wengert and Sol Wolf decided to give the property owners one more chance to settle on any outstanding invoices they owe to the Twp.

2. The actual billing process had been reviewed and a procedure has been established. Officer Wengert will generate a letter of violation notifying the property owners of the issues being cited. Along with the letter will be an invoice Bonnie generates for the original citation.

3. Violations which had required follow up visits are also a problem. Currently there are 8 outstanding invoices that Officer Wengert and Bonnie are trying to collect.

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**Code Enforcement Issues (con't)**

4. Sol Wolf has suggested that Officer Wengert provide a monthly report on the violations and other projects he is working on for property code enforcement. The Supervisors will be able to track the code enforcement activities and the invoicing process should run more smoothly.

**H.) Petition filed by Comcast w/FCC**

Sol Wolf stated the Twp has received a copy of a filing, by Comcast, to the Federal Communications Commission regarding satellite companies. The filing has to do with the prices being charged. The Twp will not be affected as far as the funds received from Comcast. It is merely to inform the Twp that the petition has been filed. Sol Wolf stated no action was necessary by the Supervisors on this filing.

**I.) Prevailing Wage – Supreme Court Decision**

Sol Wolf explained that during the paving bid process, due to the amount of the bids and the type of work being completed, the issue of prevailing wages may be an issue. After checking with Labor & Industry the answer came back that the project will definitely fall under the prevailing wage law. The Supreme Court recently ruled in favor of L&I's determination. Pennsy Supply, who had been the low bidder was contacted and asked for an amendment to the original bid submitted. Pennsy Supply will now be required to submit copies of all the paperwork to the Twp regarding their payroll during this project. An agreement was provided by Sol Wolf to amend the contract with Pennsy Supply to include prevailing wages and stipulate the increase to the original contract.

**MOTION** was made and seconded to approve the amendment to the paving contract. Unanimously carried by Suv Hawkins and Suv Brensinger.

**COMMENTS FROM BOARD MEMBERS**

**A.) Chairman Brensinger** announced the Twp offices will be closed Friday, July 4 in observance of Independence Day. Also, as a reminder, he stated that in July and August the Supervisors will be meeting only one time a month. It will be the 3<sup>rd</sup> Monday of each month. Suv Brensinger announced the Board will go into executive session following this meeting to discuss personnel and litigation issues.

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

Respectfully Submitted,

Theresa L. George  
Recording Secretary