

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JULY 19, 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
Cheri F. Grumbine	Township Manager
Harold L. Easter	Chief of Police
Frederick S. Wolf	Henry & Beaver LLP

Absent Edward A. Brensinger Treasurer

Chm Artz announced that Suv Ed Brensinger may join the meeting later as he was delayed by the Kochenderfer Road project. Also in attendance were several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Ron Miller – Brandthaven Drive; Introduce Volunteer for NLT Deputy EMA Coordinator

Ron explained to the Board and the public that it is difficult to get volunteers. He said Dave had approached him and said he would be interested in being his Deputy EMA Coordinator. Ron informed the Board that a State Police background check has already been completed and they have determined that David is acceptable for this position. He asked the Board to consider appointing Dave as the Deputy EMA Coordinator for North Lebanon Township.

MOTION was made and seconded to appoint David A. Kreider as Deputy EMA Coordinator for North Lebanon Twp. Motion unanimously carried.

Chm Artz said the Board appreciates everything Ron does for the Twp. He told David Kreider he will be working with Ron and learning a lot from him about the Twp.

B.) Earl Roberts – W Kercher Ave; Question RE: Insurance Coverage

Mr. Roberts mentioned the discussion at last month's meeting regarding health insurance. The Federal government has changed some of the requirements in reference to dependent children to the age of 26. Roberts asked a few questions about this benefit. He was told the new requirement by the Federal government did not affect the Twp's monthly premiums. Roberts stated the Twp employees seem to be receiving insurance benefits that the Federal employees do not receive. Sol Wolf explained that when the Twp switched to a new carrier, considerable savings were received. With the previous carrier the age limit was 25 years of age. The Federal government mandated the age to be 26 years of age and this change did not increase the premiums. Due to the switch coming half way through the year, it was felt the same coverage for children should be applied that was offered in the beginning of the year. Roberts stated he felt dismayed when he had heard this fact. Most parents pay a monthly percentage to insure their grown children.

Regional Comprehensive Plan

Mr. Roberts next questioned the meeting in May and again in June when the Multi Comprehensive Plan Committee was discussed. At the time he had questioned Twp representation on this committee to help draft RFPs and review any RFPs received back.

Regional Comprehensive Plan (con't)

Mgr Grumbine reported at that meeting the next meeting is scheduled to be held in August and she would question how the representation is going to be determined following the selection of a consultant.

Roberts asked if anything has changed since that conversation. Mgr Grumbine explained the first steps the Steering Comm took to get this project moving. The last issue that had been discussed and forwarded to the various Boards was the draft of the RFPs released to bidders in order to receive returned proposals. July 21 is the next meeting of the Managers and she would be seeing some members of the Steering Committee. August 30th will be the next meeting for the Task Force Committee. Mr. Roberts told the Board that he is currently working on projects similar to what is being talked about with the exceptions of the financial amounts that are being discussed. He stated he has the knowledge and the willingness to participate on this Committee which will be discussing land use practices. This topic is of concern for him and he would like to be considered for this Committee. He feels strongly about the issue of land use and the Comprehensive Plan deals with this issue.

Mgr Grumbine said she had not forgotten about his request. Her intention is to discuss the representation of the municipalities/schools during the August meeting. Roberts questioned at what time will the RFP be chosen and awarded. Mgr Grumbine stated that during the next Managers meeting the RFPs will be looked over and discussed. Those Managers will then make a recommendation to the Steering Committee at the August 30th meeting. The Steering Committee will then take back to their respective Boards the Committee's recommendation for approval by all those participating. Chm Artz told Mr. Roberts that Mgr Grumbine will discuss the question of representation at the next Manager's meeting and the Board will keep in mind Roberts' desire to sit on this Committee.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from June 21st Board of Supervisors. 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 (Read by Chairman Artz)**A.) Monthly Report – June**

Chm Artz reported the June activities for the 4 Fire Companies. There were 19 various calls responded to by the fire companies. There were several assists, training sessions and several mutual aid calls.

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

Chf Easter provided a summary of the calls taken by the Police Dept for the month of June 2010. A total of 872 Police/citizen contacts for service were reported in June. The highest day for volume calls seemed to be on Tuesdays.

B.) Request for Designated Handicap Parking on E Canal Street

A written request was received from a resident who resides on E Canal Street for a designated Handicap parking space in front of her residence. Mgr Grumbine asked Chf Easter what the next step should be. Should an ordinance be adopted so that the Highway Dept can go mark off the area? Chf Easter confirmed it must be adopted in an Ordinance so that it can be enforced.

Chm Artz asked if the Twp is responsible for the costs or does the citizen pay for the sign? He mentioned other sign requests coming from residents and the individual being responsible for the sign costs. Suv Miller stated that he thinks in this situation, the Sol will draft an ordinance and the Twp would bear the expenses.

Request for Designated Handicap Parking (con't)

Mgr Grumbine questioned if this location, being an apartment, differs from a location that is owned by the individual? Chf Easter stated his opinion that the tenant should be required to keep the Twp informed should the individual decide to relocate to another address. Sol Wolf suggested that an annual written communication be required by the tenant confirming their continued residence at this particular address. Suv Miller asked about language being added that if and/or the individual moves from this address, no further action is needed from the Board of Supervisors. Sol Wolf agreed this could be added to the ordinance.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Property & Liability Insurance**

A Memo had been provided to the Board dated July 9th. A decision to change the Twp's property and general liability insurance carrier for the time period from July 10, 2010- July 10, 2011 was made. Not only was a savings realized but increased coverage in specific areas was gained.

Chm Artz voiced his appreciation of the savings that the Twp received. Suv Miller questioned the inclusion of liability for the Fire Police in this policy. Mgr Grumbine said she would verify the information. However, when the new carrier was doing their research they were provided with the existing coverage along with instructions to provide quotes for the exact same coverage. The only 2 differences were outlined in the Board's memo and referred to the Umbrella and uninsured motorists/extraordinary medical coverage. Mgr Grumbine told the Board she will definitely get confirmation about Suv Miller's question about the liability.

B.) Resolution 17-2010; Opposition to Force Local Government Mergers/Consolidation

PSATS is asking for help and support from municipalities across the state to adopt a Resolution stating opposition of HB 2431 and SB 1357. HB 2431, if adopted, would change the Pennsylvania Constitution and establish the county as the basic level of local government in Pa, with municipalities existing only under the jurisdiction of the county and having only those duties and responsibilities as determined by the county. SB-1357, would, if adopted, establish an unelected, statewide boundary commission to review and make conclusions to the General Assembly for the merger, consolidation, or annexation of municipalities.

Mgr Grumbine explained that in the past, the Board has always supported voluntary mergers and consolidations but not mandatory ones. She is presenting Resolution 17-2010 to the Board on behalf of PSATS for their consideration.

MOTION was made and seconded to adopt Resolution No. 17-2010 supporting PSATS stand on forced mergers and consolidations. Motion was unanimously carried.

C.) Update to June 29th Visit to Keystone

On June 29th, a group of 7 members of the Lebanon County EIT/TCC Committee visited the Keystone Collection Facility in Irwin, PA. Mgr Grumbine has provided to the Board a review of this visit by our municipal representative, Robin Getz-North Cornwall Twp Manager. This was her first visit to their facility. There were two repeat visitors and their noted changes are outlined in Robin's report.

The overwhelming message brought back from the group was the fact that 7 of Keystone's key people, including the 3 principals of the company, conducted the tour. The tour concluded with a question and answer segment held in their board room. These principals were not interrupted with phone calls, or any other distractions, during the time they spent with our group. The group saw firsthand the process involved regarding refunds and the verification that takes place to an individual's account. Keystone also recognized that Lebanon County is leaps ahead of other counties in our compliance to Act 32, which is the legislation that requires 1 EIT tax collector per County by 1/1/2012.

The Committee members felt it was important to again visit Keystone, as a Committee has been appointed to refine and renew the current contract with Keystone to continue with our tax collection service.

Visit to Keystone (con't)

This provided the Committee with first-hand knowledge of Keystone's operation. The document when completed will be forwarded to all municipalities and school districts. This is an issue which will come up again in the future.

Chm Artz questioned if this is a new contract with Keystone Collections. Mgr Grumbine stated the original contract was slated for expiration the end of 2011. However with the new Act 32 Acceleration being enacted it was voted to remain with Keystone Collection.

D.) Act 32 Acceleration

For a few months, the Lebanon County Tax Collector Committee has been discussing the pros and cons of Act 32 Acceleration to January 1, 2011. During the TCC meeting held on July 14th, the Committee spoke directly (via conference phone) to Joe Lazzaro, from Keystone to discuss this issue. Mr. Lazzaro stated that Keystone would work with the TCC and provide the following, if the group decides to accelerate.

1. Website access to submit electronically
2. Provide a toll free 1-800 number for "businesses only", as direct access to Keystone.
3. Work directly with businesses to set-up; step-by-step.
4. Each employee will need to complete a "Resident Certificate" form and Keystone will continue to verify this information because some people will miss report where they live, as they will confuse their mailing address with their situs address.
5. To date, the Jurisdiction Code has not been issued by DCED who was charged with this setup. However, Keystone has created their own Codes, so they will only need to be mapped over to the new code when established by DCED. Keystone is required by law to provide this Code by 1/1/2011.

In accelerating Act 32 to January 1, 2011, the Committee felt it would provide an opportunity to bring employers into compliance with their reporting before the mandated January 1, 2012, which comes with penalties and distribution regulations. Keystone has ensured us that they will work with the local Chamber, County Commissioners, and media, to spread the word, as well as send out informational packets to the businesses regarding the requirements. Mr. Lazzaro stated that for the most part the large employers and payroll companies are already compliant with the required detail report. They reported seeing more and more small businesses coming on board in 2010.

It is important to note that come January 1, 2012, any money that comes into Keystone without the required detailed report cannot be distributed by Keystone to the municipalities and school districts until the detail report is received. Thus by taking 2011 and using as an educational year, it is hoped that come January 1, 2012, NLT businesses will already be compliant and the Twp will not see a cash flow problem with distributions because of missing detailed reports.

E.) L&I Accessibility Audit of May 17th

The Township received a letter outlining 5 findings from an Accessibility Audit performed by PA Department of L & I on May 5th at the Always Bagels facility located in North Lebanon Twp. The letter also notes the audit it is not intended to be used for action against the inspector but to enable the municipal code officials to enhance their performance in this area.

Mgr Grumbine discussed the letter with Kris Troup, Executive Director of Lebanon County Planning Dept. LCPD serves as the designated building code enforcement agency for NLT. LCPD sub-contracts with Commonwealth Code Inspection Service for commercial building code plan review and inspections. Mr. Troup met with Mr. Horst, the current Building Code Official, on June 11th to discuss the letter in order to take appropriate action. Mgr Grumbine pointed out to the Board of Supervisors that Mr. Horst was not the inspector at the Always Bagels facility.

L&I Accessibility Audit (con't)

The inspection had been completed by a former employee of the Commonwealth. Commonwealth Code Inspection Service agreed to amend the code enforcement practices of the former inspector in order to come into full compliance with the Uniform Construction Code, administrated by Lebanon County Planning Dept. No action is required by the Board of Supervisors. Mgr Grumbine wanted them to be aware of the audit, the findings and the resolution to the problem. Suv Artz and Suv Miller discussed the audit findings and some of the minor details it outlines.

F.) NIMS Metrics – Completion by PD, Fire Chiefs, Twp Personnel/ Administration

On May 21, the Township received a memo from the Lebanon County EMA regarding the 2010 NIMS Metrics. The memo and form was forwarded to Chief Easter to complete by the June 30 deadline. Chief Easter forwarded the completed form to LEMA on June 29th. Mgr Grumbine received an email from LEMA stating that the completed form only included police officers and must include all municipal employees, firefighters and township supervisors.

Mgr Grumbine has forwarded the metrics to our 4 Fire Chiefs and asked that they provide me with the information regarding their respective fire company firefighters. Last Tuesday (7/13) she received the information from Ron Miller-Ebenezer Fire Company. Mgr Grumbine stated she is hoping to have the information shortly from the other fire companies in order to complete the metrics. At that point someone will need to complete the questions relating to our NIMS Compliance, sign and send the information into LEMA. Suv Miller and Mgr Grumbine discussed the IS 700 & 100 on the FEMA website, which he must complete in order to be in compliance. She told Suv Miller she has her book should he want to use it for his information.

G.) Traffic Study for LVEDC – July 20th Meeting

At the June meeting, the Board was provided with relevant portions of the Traffic Impact Study performed for the Lebanon Rails Business Park owned by the LVEDC. In addition, on July 14, a Supplemental TIS was distributed to the Board. Mgr Grumbine will be meeting with the LCPD staff tomorrow at 1:00 PM to go over their thoughts and comments regarding the TIS, as well as offer the Twp's thoughts and concerns. If there are any specific concerns from the Board, the Board is welcome to attend this meeting. Mgr Grumbine offered to review their comments at the meeting if their schedules did not permit attendance. An invitation was also extended the offer to our PC members, as well. Member Charles Allwein will be attending the meeting as the Planning Commission representative.

Mgr Grumbine has also been invited to attend the meeting at the LVEDC on Monday, July 26th at 8:30 AM to discuss the requirements for future development of the Lebanon Rails Business Park based on this study. Mgr Grumbine repeated to the Supervisors they are welcome to attend any of these meetings with her or she will communicate any questions or concerns for them. Mgr Grumbine repeated the history of the Lebanon Rails Business Park and the quick approval process for Valspar several years ago. Now the Traffic Study is being done before anymore businesses move into the park. She told the Supervisors now is the time to review what is needed as far as traffic improvements. These costs can be built into the developers' costs to locate within the business park. It is important to get everything covered now before the developers build and settle into the area. It will be difficult to require additional improvements after the fact.

H.) Invite to Annual Hot Dogs & Hayrides on the Landfill

September 7th @ 6 PM is the annual GLRA's Hot Dogs & Hayrides at the GLRA. An invitation has been extended to all Board members and their families. Mgr Grumbine asked the Supervisors to let her know the numbers as an RSVP is requested by August 31.

I.) Ag Security Applicant

The Twp received an application on Thursday, July 15th for inclusion with our Agricultural Security Area. The applicant is at 725 E Kercher Avenue – Raymond Royer. Mgr Grumbine and Sol Wolf will need to examine the regulations, as it has been several years since an Ag Security application has been received.

Ag Security Applicant (con't)

Sol Wolf informed the Board the statute will need to be reviewed for any changes that might have taken place since the last time this issue was before the Board. The Twp has an Ag Security Board appointed and this request should be forwarded to the Board. The Ag Security Board should also examine if there are any other areas which would like the opportunity to be included in the Twp's Ag Security. The AG Security Board does not have to be advertised as they are merely a recommending Board. The Board of Supervisors will make the final action on this issue. Suv Miller questioned what action should be taken by the Board tonight on this issue? Sol Wolf recommended a motion be made directing the Twp Manager to contact the current Ag Security Board about meeting to discuss this application and any other application that might be considered for inclusion.

Earl Roberts questioned the Ag Security Board members and the member who is now deceased. Will the position be replaced? Chm Artz said the Board had not considered a new appointment. Suv Miller explained the Board must take action on the application within 15 days and that places a tight time constraint on the Board. A new appointment may be considered in the future, however this action must be taken by the Board tonight. Mr. Roberts questioned the Ag Security membership. Mgr Grumbine read the list of current members.

MOTION was made and seconded to authorize Mgr Grumbine to contact the Ag Security Board, provide a copy of the application for the 75 acres and schedule a meeting to discuss the current application and any other related issues pertaining to the Ag Security. Motion unanimously carried.

J.) Clean Sweeps/ Greenways

Mgr Grumbine reminded the Supervisors about Harry Fenton's attendance at a previous meeting to discuss the cleanup projects he was involved with. The state identified areas which were known as illegal dumpsites and the group Fenton is involved with does the actual cleanup of these sites. Mgr Grumbine shared with the Board that a final report of the cleanup efforts completed in Lebanon County by this group has been received. She commended the group on their efforts.

SOLICITORS REPORT – Solicitor Frederick S. Wolf (Henry & Beaver Assoc)**A.) Ordinance Updates**

1. A Pre-Treatment Ordinance had been prepared by the Lebanon Municipal Authority and is now being revised. Until Sol Wolf receives the revised draft of the ordinance this issue is on hold.

2. Knox Box Ordinance was discussed at the last meeting. The Fire Companies requested the general content of the "applicability" section remain the same but clarify the language. Once Sol Wolf has the new draft completed he will provide it for the Supervisors and the 4 Fire Chiefs for their review. Chm Artz mentioned that the Supervisors would still like to meet with the Fire Chiefs prior to a hearing on this ordinance. The next monthly meeting of the Fire Chiefs is August 4th. Sol Wolf stated once everyone reviews the revised draft and everyone is in agreement, this ordinance could be advertised for adoption

3. Misc Ordinance Updates are usually done annually. Mgr Grumbine notified all the departments in order to get any comments or requests they might have in regards to specific ordinance updates. Once she receives the information, she and Sol Wolf will review and draft the updates in order to hold a public hearing after the Supervisors have reviewed the proposed updates. Sol Wolf mentioned the Knox Box issue could be included with the updates to the ordinances for a public hearing.

B.) Rockwood Sewer Project – Grant Application Deadline July 1

Sol Wolf reported the application and all required materials for the H₂O grant were submitted by the July 1st deadline. A discussion about PADOT's paving project planned for Grace Avenue took place. The various time constraints involved with this project have been a concern ever since this sewer project was first discussed by DEP.

Rockwood Sewer Project – Grant Application (con't)

As Pennsy is the contractor working the PADOT project, discussions have been held regarding Pennsy installing the sewer pipe along a specific portion of Grace Avenue before completing the paving of the street.

Mgr Grumbine stated that the Grant application is a difficult and time consuming task. She said Sheila Wartluft, Scott Rights and Sol Wolf should all be commended for spending countless hours trying to get this application accomplished. Not only did they get it accomplished, it was done in a very limited timeframe. Chm Artz issued thanks to Senator Folmer's office for helping with this application and to Rep Swanger's office for their letter of support.

A discussion about what other Grants would be available was held. Chm Artz questioned the Redevelopment Grants. Sol Wolf stated this is one Grant that has been researched and found not to be \$500,00 but closer to \$80,000. However there is some preparation work that must be completed for this application. At this time every Grant application available for this project will be pursued by NLT Municipal Authority and Swatara.

C.) Meeting w/3 Boards – August 12 – Swatara Board/ NLTMA/ NLT Board

Sol Wolf told the Board the NLT Municipal Authority meets August 12 for their regular monthly meeting. That also happens to be the night that Swatara Supervisors meet. The Authority suggested that Sol Wolf try to schedule a meeting with Swatara Supervisors, NLT Municipal Authority and the NLT Supervisors to meet at 5 pm on August 12 to discuss the Rockwood Sewer Project. This meeting would be a public meeting. There is a possibility that there will be several joint meetings to discuss all the issues involved with this sewer project. Sol Wolf said he has not discussed this with Swatara Solicitor yet. After finding out if Suv Brensinger is available for August 12th he will make contact with Swatara.

COMMENTS FROM BOARD MEMBERS**A.) Kochenderfer Road Project Update; 16th Street RR Crossing**

Suv Miller told the public the water flow that has been seen running down the side of Kochenderfer Road was the result of a water tank that is being emptied by the City of Lebanon Authority. It is not a water main break. The tank will be repaired and painted once the water tank is empty. Another location is the 16th Street railroad crossing and will be closed for the next 2 weeks to allow for repairs there. The widening process, as well as the reclamation of Kochenderfer Road is well under way.

B.) Twp Audit

Suv Miller announced the annual Twp Audit Report has been received and everything seems to be in good order. He feels the report is a good reflection on the financial condition of the Twp considering the economy.

C.) Passing of Act 46

Mgr Grumbine wanted to inform the Supervisors about the passing of Act 46 which deals with state permits. The expiration period on the all permits, state and twp, have been extended for a period of 5 years. This applies particularly to developers. Mgr Grumbine said the problems arise when considering the Bonding which was put into place at the time of application, which is 2 years. The Bonding issue will be examined by PSATS whether it be to extend the expiration time or a re-bonding process.

D.) 15th Ave Traffic Signal Cabinet

At last month's meeting the repairs to a traffic cabinet which was damaged during a truck driver training session was discussed. Suv Miller asked if there is any update on this issue. Mgr Grumbine replied the truck driving school was not happy with the estimate for the new cabinet. However the CM High representative volunteered to speak to the SEGA Company in regards to the costs involved with this type of equipment. She stated she has not heard anything since that last conversation with CM High.

E.) EIT Over/Under Payment Plan

Suv Artz questioned the Resolution that the Board had adopted during the June meeting. Sol Wolf said that several of the municipalities have adopted the Resolution during their meetings. There were a few municipalities/schools that had not met yet and so will be adopting a similar Resolution during their scheduled meetings for July. The municipalities/schools that were overpaid will be provided with the list of all the underpaid municipalities/schools that have adopted the Resolution and agreed to the “Grumbine Plan”. They will be asked to participate in this plan also. Sol Wolf told the Board he and Mgr Grumbine will keep them updated as this process moves along. Sol Wolf felt that by September it should be known what municipalities/schools will be involved with the agreement and which ones are not.

With no more business to conduct, the meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary