

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JULY 20, 2009**

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
Frederick S. Wolf	Henry & Beaver LLP

Also in attendance was Brad Habecker of the Lebanon Daily News and several other individuals. The meeting was called to order and the pledge to the flag was done.

**COMMENTS FROM THE PUBLIC**

**A.) Clarence & Ethel Buchmoyer Subdivision Plan – Prescott Drive; Res. 19-2009 Planning Module**

This subdivision plan shows the division of a 4+ acre lot into 2 individual 2+ acre lots. One parcel will contain the existing structure and facilities and the other will become a single residential lot. As Prescott Drive is a PADOT road a driveway permit must be obtained from PADOT and has been received. Lebanon County Planning and the Planning Commission have both recommended approval as all requirements have now been met. Brian Hockley of Brian Hockley Assoc was present to discuss the details of the plan with the Supervisors. After some discussion the Board indicated they were ready to take action.

**MOTION** was made and seconded to approve Resolution 19-2009, the Planning Module, Park & Recreation agreement and the subdivision plan for the Clarence & Ethel Buchmoyer plan. Motion unanimously carried.

**B.) Glen Kreiser – Shellie Dr**

Kreiser questioned the Board on a discussion that had been held at the last meeting on yard sales. Chm Brensinger stated that the adoption of the revised Ordinance has already been accomplished. During the meeting the Supervisors decided the language would be revised from a single daily event to a weekend event counting as 1 yard sale. Kreiser asked the Board when they will start addressing car lots operating in a residential zone. Sol Wolf replied that this type of situation is already addressed within the Zoning Ordinances. Lebanon County Planning administers the zoning violations. Kreiser said he is aware of a property on E Lehman Street which is located in a Residential district and has been operating as a car lot for quite a long time already. He was told this is an issue for Lebanon County Planning to handle.

**C.) Bruce Sattazahn; Narrows Glen Screen Plantings**

Sattazahn questioned the outcome of Mgr Grumbine's meeting with Landmark concerning the height of the evergreen plantings. Mgr Grumbine stated that Landmark was willing to include language addressing the continuous maintenance requirements of the screen plantings for any new deeds now being sold. However Lot #6, which is directly behind Sattazahn's property, does not include the language. Her suggestion is to check in to a corrective deed containing the language, if it can be done. Sol Wolf stated that something could be recorded in the misc docket that refers to Lot #6 number.

Mgr Grumbine continued on to say that regarding the height of the evergreens, as Landmark is not asking to have the bond money reduced or released, the height of the trees is not an issue at this time. When the request for release of the bonding is made, if the trees are not 6 ft in height the Twp can refuse to release the bonding until the trees grow to that height or ask that new plantings be installed. Sattazahn said that does not seem right to him.

---

**Narrows Glen Screen Plantings (con't)**

Mgr Grumbine suggested that we take this learning experience and in the future review of development that require screen plantings, clarify with the appropriate language placed on the plans.

**D.) Bob Hoffman; Windsor Drive Storm drains**

Mr. Hoffman stated he wanted to make the Roadmaster aware of the storm drains located at Windsor Drive. The grass had been cut and all sorts of debris went into the drains. The drains were not cleaned out and should be. Roadmaster Brensinger told Hoffman he had received this message earlier today. He continued onto say LVEDC is responsible for the maintenance of the storm drain and do not seem to be acting responsibly on this issue.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the minutes from June 15, 2009. 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 for Brian Vragovich****A.) Monthly Report – May/June**

George Gettler, chief for Rural Security Fire Co, was present to read a report prepared by Brian Vragovich. He reported on all the activities for all 4 volunteer fire companies in North Lebanon Township for May. The report for June was for 3 of the 4 volunteer fire companies. Weavertown had not compiled their information yet.

**B.) August 5<sup>th</sup> Chief's Meeting – Supervisor and Manager to attend/ discuss Knox Key Box Policy**

Gettler explained with the opening of the new Holiday Inn Express, a policy for the Knox Box system was suggested to the NLT Fire Companies. He explained this is a system when entry keys to high volume structures become available to the fire companies immediately during an emergency situation. Keys are provided to the fire companies and kept in a secured location on the apparatus that only a selected few will have access when needed. The fire companies will work in conjunction with EMA on this program. A meeting is scheduled for August 5 to discuss this program in more detail and the Supervisors are invited to attend. Mgr Grumbine has indicated she will be attending the meeting also.

**C.) Weavertown Fire Company – Phantom Box Changes**

Mgr Grumbine reported a Don Steiner from Weavertown Fire Company had stopped in the office to review Phantom Box changes that had been made. This was a project that had been on their agenda for many months and has now been completed. The forms will be filed with our NLT fire Company information.

**CHIEF OF POLICE REPORT - Harold Easter****A.) Calls for Service – June 2009**

The total calls for service in the month of June were 284 with the high day being Tuesday, Monday being second highest and then Saturday. Chf Easter mentioned some of the various calls received and the total amount of miles logged on the vehicles. The public questioned Chf Easter on some of the misc violations and citations the Officers are doing.

**B.) Code Enforcement Report – 2<sup>nd</sup> Quarter 2009**

Chf Easter confirmed with the Supervisors that they had received the quarterly Code Enforcement report from Lt Wengert. The report outlines the resolution of a few problem properties and the status of the ones that are currently ongoing.

**C.) Code Enforcement Officer**

Martin Barondick questioned the Chief about the duties of the Code Enforcement Officer. He said he did not remember any talk about Lt Wengert also performing Police duties. Chf Easter replied the agreement was that Officer Wengert would also perform part-time Police duties. Barondick stated he did not remember this being part of the conversations. Chm Brensinger stated that the agreement with Officer Wengert was that he had to maintain his Act 120 in order to serve as a part-time Police Officer in addition to Code Enforcement Officer. Kreiser questioned whether Lt Wengert ever received certification to inspect building for safety. He was answered no. Kreiser stated he thinks the inspection training should be mandatory for the Code Enforcement Officer position He next mentioned he is still waiting to hear what amount of funds was paid to the outside agency for unsafe structure inspections. Chm Brensinger told Kreiser he will note his request.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) Resolution No. 13-2009; Support of Lebanon Valley Conservancy**

Ralph Duquette of the Lebanon Valley Conservancy had attended the June 15 meeting to discuss the Heritage Trail that the Conservancy is proposing. The idea is to educate the public about all the historic features available in Lebanon County. Mr. Duquette asked the Board of Supervisors to show their support by adopting a Resolution referring to the Heritage Trail. The sample Resolution contained some language which the Supervisors were uncomfortable with adopting. A revised Resolution has been prepared and is before the Board for their action tonight. Once the Resolution is signed, it will be forwarded to Mr. Duquette.

**MOTION** was made and seconded to adopt Resolution No.13-2009 providing support to the Conservancy for the creation of the Lebanon County Heritage Trail. Motion unanimously carried.

**B.) Chamber Meeting June 25; Tenaska Presentation**

Mgr Grumbine had attended a breakfast meeting hosted by the Chamber of Commerce on June 25<sup>th</sup>. A presentation was provided by Tenaska on their proposed power plant project. Earl Meyer of County Planning had also attended the breakfast as well as some of the LCPD staff. Mr. Meyer has indicated to Mgr Grumbine that the County staff has been directed to complete some research on related issues to the proposed Tenaska project. This will enable us to make better decisions in the future. If there are any specific questions or research the Board would like to have, Mgr Grumbine will forward the request to the LCPD. She mentioned that Tenaska is also proposing a site in Westmoreland County. Earl Meyer and Mgr Grumbine are of the opinion it would be valuable to speak to the Westmoreland people.

Paul Schwab questioned the amount of water this facility is expecting to use daily. Chm Brensinger staid during the presentation it was reported approximately 5-7 million gallons daily. Schwab expressed his opinion that this research should be totally completed and reported before a decision is made about any approvals for this plant. Mgr Grumbine stated that there are too many unknown variables at this time. Chm Brensinger stated that Tenaska has hired Gannet-Fleming to conduct the water studies for this area. After some discussion Schwab stated he is of the opinion that this plant should not be allowed to drain the water levels for this area.

**C.) Letter of June 25<sup>th</sup> from Lebanon Valley Chamber of Commerce**

A letter was received from the Chamber of Commerce outlining the many benefits, programs and services they offer to their members. Currently there are 5 municipalities that have become members. Mgr Grumbine told the Board a membership could be a useful tool in the future when looking at the potential Tenaska project. Another advantage would be the sharing of information when county-wide EIT (Act 32) requirements kick in. It will be important to get the businesses to understand the payment changes and the new requirements that will be taking place for 2012 compliance. Another option mentioned is an electricity pool which affords the members a savings.

Suv Hawkins questioned how the annual renewal works. Is it calendar year or anniversary to anniversary? Larry A. Bowman, President of the Chamber, was present and responded it is anniversary to anniversary.

---

**Lebanon Valley Chamber of Commerce (con't)**

Mr. Bowman added that the Chamber has now enacted another program which is helpful to its members, pooling office purchases to get discounted rates. When asked about the cost to participate, Chm Brensinger replied it is \$170 initially to join and then \$150 afterwards. The Supervisors discussed the idea and then indicated they were ready to act on this issue.

**MOTION** was made and seconded to complete an application to become a member of the Lebanon Valley Chamber of Commerce for a year. Motion unanimously carried.

**D.) Application for County Aid - Liquid Fuels Allocation - \$6489**

The Township has received an application for our annual allocation of Liquid Fuels funding from the County in the amount of \$6489. The specific use must be listed on the application. The superpave project for Redwood and Poplar Lanes has been listed. The estimated total for these 2 projects is \$45,295. The \$6489 will be placed towards the superpave project with the rest of the funding coming from our Liquid Fuels Fund.

**MOTION** was made and seconded to complete the application for the County Liquid Fuels. Motion unanimously carried.

**E.) Resolution No. 17-2009; Met Ed Luminaire Replacement**

The Board is being asked to adopt Resolution No. 17-2009 to approve the upgrade of (1) 175 watt mercury vapor cobra head streetlight to a 100-watt high-pressure sodium vapor Luminaire located on a pole at 2111 Water Street. The upgrade is due to a faulty Luminaire.

**MOTION** was made and seconded to adopt Resolution No. 17-2009 approving upgrade to the streetlight located at 2111 Water Street. Motion unanimously carried.

**F.) Resolution No. 18-2009 – Supporting County-wide Inter-municipal LED for Traffic Signals**

The Board is being asked to adopt Resolution No. 18-2009 which will authorize the Twp's participation in an inter-municipal cooperative project to implement energy efficient upgrades to existing traffic signals in Lebanon County. The thought is to develop and operate a county-wide asset management system for this infrastructure through the Lebanon County Signalization Improvement Project. The County will be filing through the PA Conservation Works! Recovery Grant Program. Although the Board had agreed to participate in this project earlier this year, a formal Resolution is needed in order to file a Grant application. Suv Artz questioned the project being delayed. Mgr Grumbine explained some of the events that occurred in the past few months and some of the hurdles that had to be overcome to get this project back on track again. The County is now pursuing a Grant which will be helpful with this county-wide project.

**MOTION** was made and seconded to adopt Resolution No. 18-2009 giving support to the inter-municipal LED upgrade for traffic lights project. Motion unanimously carried.

**G.) CLSD Task Force Meeting – Held June 29**

When the representatives for the CLSD Task Force met on June 29<sup>th</sup>, most representatives indicated they were ready to move onto the next step which is to review a multi-municipal agreement for a joint comprehensive plan. A review of some sample agreements from communities that have already gone through the process for the multi-municipal comprehensive plan would be done. It was decided each member would go back to their respective municipality to get authorization for the Manager to work with the other Managers that make up the CLSD Task force and review together sample agreements and RFP's for a recommendation to the respective Board/Council. The Managers group would also discuss and recommend a Solicitor who will represent everyone which simplifies the review. Bob Sentz has agreed to obtain sample multi-jurisdictional agreement from Palmyra and Annville-Cleona areas, as they have already completed this step and are continuing with an engineer that was selected for their multi-municipal comprehensive plan.

**CLSD Task Force Meeting (con't)**

The following managers would be part of the group:

Steve Dantz – Cornwall Boro  
Bill Care – Mt Gretna Boro (yet to be confirmed)  
Cheri Grumbine – North Lebanon Twp  
Robin Getz – North Cornwall Twp  
Curt Kulp – South Lebanon Twp  
Carol McLaughlin – West Cornwall Twp

Once a multi-municipal agreement is drafted and signed by the participants of the multi-municipal comprehensive plan, it is the intention of the group to involve CLSD staff in all of the meetings to gain their input as well. Suv Hawkins, who attended the meetings, mentioned some of the issues involved with all the municipalities that are participating. All of them either have to have their comp plans updated or adopted as there was 1 municipality that did not even have a comp plan.

**MOTION** was made and seconded to appoint Cheri Grumbine, Twp Mgr, to work with the Managers from the other Municipalities in the CLSD for the CLSD Task Force. Motion unanimously carried.

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

The County MPO has reviewed and given their nod of approval for the 11<sup>th</sup> Ave project description and costs. They have indicated funds are available for this project. Sol Wolf will inform the PUC that they may now give their approval of the amount stated. Also he will reiterate that the City of Lebanon and North Lebanon Township will be responsible for annual costs estimated to be \$2000 to \$4000. He will request this information become a part of the court order.

**B.) Resolution No. 20-2009 and 21-2009; Pension Fund Asset Smoothing**

Sol Wolf explained that with the current economic situation and the collapse of the Stock Market, the Pension funds have definitely been impacted. In the year 2011 this will impact the Township. At that time the Actuary will inform the Township what amount of money will be needed to keep the Pension plans sound. It is hoped in the meantime the Stock Market will rebound somewhat. Dave Killick, Conrad Siegel Twp plan administrators, have offered the Twp an option of “asset smoothing”. This is a method of securing the Pensions and the Twp would not take such a hard financial hit in 2011. The option is to begin preparing now by spreading the payments out over a number of years. There is also the hope that there will be some improvement in the Stock Market by the year 2011. The Actuary is also hopeful the State will develop a plan and this plan will become available to the municipalities. In order to take advantage of this option of “asset smoothing” a Resolution must be adopted.

Sol Wolf told the Board they have the choice of keeping the Pension plan as is and see what happens in 2011 or adopting the Resolution for “asset smoothing”. The public asked some questions about this method of “asset smoothing”. Sol Wolf repeated the process that is involved and finished by saying there will be payments made whether it is in 2011 or by spreading it out over the next few years. A question was asked if it is tax dollars used for these Pensions. Suv Brensinger said the State contributes a portion to these funds and it is dependent upon what amount is received from the State as to how much the Twp contributes.

Mgr Grumbine explained the 2009 valuation the Actuary is working on is on hold until the Supervisors make a decision on this issue. After a decision is made the report will be filed with the State. Suv Hawkins said she feels we would be better off by spreading out the payments. Should the evaluation report for 2011 be better than the report for 2009, the Twp is able to act on the 2011 report.

**MOTION** was made and seconded to adopt Resolution No. 20-2009 and Resolution No. 21- 2009 regarding the smoothing plan for the Pension Plans for Uniform and Non-Uniform employees. Motion unanimously carried.

**C.) 2009 Tolling Agreement (Resolution No. 15 -09)-- EIT Over/Under Issue**

Previously the Board had approved the over/under payment executing a Tolling agreement. At that time the exact language had not been determined. At this time the agreement language is now completed and has been provided to Mgr Grumbine and the Supervisors. While the rest of this situation is being resolved, this agreement will stop the Statute of Limitations from expiring. This agreement must be signed by all municipalities and school districts. The agreement does offer a 60-day notification option of removing any municipality from this plan. Action from the Supervisors is not required. However a signature from Chm Brensinger and Mgr Grumbine is needed on the Tolling Agreement. Sol Wolf stated that there is a meeting Thursday night and most of the Solicitors will be present. At that time an answer will be received as to how many municipalities are in agreement with this plan. A verbal report was given to Sol Wolf stating participation is almost at 100%.

**D.) Act 32 Compliance – EIT Countywide Collection Law****1. Res 22-2009; Appointment to Lebanon County TCC Voting Delegate/Alternate Appointment****2. Lebanon County Tax Collection Committee – Sample****3. Draft Bylaws****4. County/EIT Bureau joint information meeting; Wednesday 9/16 @ 7pm – Appoint TCC Delegates****5. County Call first Meeting to Order, Adopt Proposed Bylaws; Wednesday 10/21 @ 7pm**

Sol Wolf explained it is spelled out in the statute that the County Commissioners will call a meeting to order within specified period of time. This will be done in September of 2009. During that meeting a decision will be made about representation on this Board. It is expected to have 6 municipal representatives and 6 school district representatives. Resolution No. 22-2009 is to appoint Twp representatives to attend the County Commissioners meeting.

Suv Hawkins questioned what the duties of this Lebanon County TCC Board would be. Will they meet regularly as the current EIT Board is doing? Sol Wolf is of the opinion that the Board will meet monthly, similar to the current EIT Board. There will be one contract with a tax collector. If Keystone Collections is doing a good job of collecting he expects them to remain as the contracted collector. One change that has been discussed is for the representative to sit on the Board longer than a one year term. Some of the issues take longer to resolve. Also the suggestion of an alternate for each representative seat is new. In discussion with Sol Wolf, Mgr Grumbine pointed out that with a 6 and 6 ratio, there could be situations where a tie breaking vote is needed. Resolution for these types of situations will become part of the bylaws. The first step for the Supervisors is to appoint a representative and then an alternate for this Board. His suggestion is to appoint Cheri Grumbine as the representative and Sheila Wartluft as the alternate. Mgr Grumbine said she and Sheila had discussed this and felt the September and October meetings would be the times these appointments would be needed. If all the other municipalities reaffirm the current system operating, these new appointments would go away. Cheri would be the voting delegate for the municipalities in the CLSD and Robin Getz of North Cornwall would remain as the alternate. The public was reminded these meetings are always open to the public.

**MOTION** was made and seconded to appoint Cheri F. Grumbine as NL Twp representative and Sheila M. Wartluft as an alternate voting delegate as provided in Resolution No. 22-2009. Motion unanimously carried.

**E.) Homeowners Association Documents – The Crossings @ Sweet Briar**

The Twp has received a copy of the proposed declaration of the proposed 55 and over community. However we are waiting for the Bylaws of the Homeowners Association and the Public Offering Statement. The Declaration document has been reviewed by Sol Wolf and Mgr Grumbine. A draft of their comment letter to Landmark is being provided to the Supervisors. It is a list of the items that need to be addressed before a second review is completed.

---

**The Crossings @ Sweet Briar/ HOA (con't)**

Upon receipt of Landmarks' response, the Bylaws and the Public Offering Statement the Supervisors will be informed of their remarks so that work can continue until all issues are in place.

**F.) Truck Traffic Agreement; Kreiders Property- Tunnel Hill Rd**

Bob Gerhart of Matthew & Hockley Assoc is still working on gathering information on the truck traffic patterns important to this issue.

**G.) Code Enforcement Issues**

Lt Wengert has prepared and submitted to the Supervisors a quarterly report on Code Enforcement issues within the Twp. Some of the situations are close to conclusion and some other problems continue to move toward resolution. Some situations require outside expertise from Chris Miller.

**H.) Verizon Agreement; Hiring of Certain Attorney for Multiple Municipal Review**

During the last meeting the discussion of Verizon's agreement was discussed. At that time Sol Wolf explained the 8 municipalities that are involved have asked their Solicitors to examine this agreement. The Solicitors met and were of the opinion it would be beneficial to seek bids from an attorney in Pittsburgh and have one specialized attorney look over this agreement. A response was received from the attorney. However his proposal contained more than what the municipalities were looking for. The solicitors will be redefining the information that is being sought. Sol Wolf said he is anticipating a cost of \$750 to \$1000 per each municipality.

Chm Brensinger questioned what is going to happen in the future when municipalities that are not currently involved, decide to enter into an agreement with Verizon. Will they be asked to pay a portion of the original expense or will they get a free ride on this expense? Sol Wolf stated one municipality has already signed the agreement with Verizon. The answer to that question will have to be answered when the situation arises if it is not spelled out at this time.

**COMMENTS FROM BOARD MEMBERS**

There were no comments this evening.

Respectfully Submitted,

Theresa L. George  
Recording Secretary