

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JULY 21, 2008**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the Municipal Building located at 725 Kimmerlings Road, Lebanon, PA with the following people present:

Edward A. Brensinger	Chairman
Kenneth C. Artz	Vice-Chairman
Dawn M. Hawkins	Treasurer
Cheri F. Grumbine	Township Manager
Harold L. Easter	Chief of Police
Solicitor Frederick S. Wolf	Henry & Beaver LLP

Also in attendance was Kathy Hackleman of the Lebanon Daily News, rep Rose Marie Swanger, Scott Miller of Stackhouse Bensinger, Cliff Weaver and Paul Zimmerman of Landmark Homes and many other individuals. The meeting was called to order and the pledge to the flag was done. It was announced that at 7:30 PM the regular meeting will adjourn and the scheduled Conditional use Public Hearing will begin.

COMMENTS FROM THE PUBLIC

A.) Martin Hoover – 1021 E Maple Street; Special Agreement

Mr. Hoover had contacted Mgr Grumbine regarding the construction of a new home and the demolition of the existing older home located on his property on 1021 E Maple Street. He has discussed his plans with Lebanon County Planning and has applied for a permit. In the past the Supervisors have offered an agreement in these types of situations. An agreement with some conditions has been prepared and reviewed by Mr. Hoover. A timetable has been outlined and Mr. Hoover has indicated his agreement with all stipulations.

Suv Artz asked Mr. Hoover if there is anything in the prepared agreement he would like to discuss. Mr. Hoover stated he is very comfortable with the timeline given in the agreement. Suv Ed Brensinger confirmed that Mr. Hoover's property is the same place that now has the greenhouses. Mr. Hoover confirmed this is true. After some discussion the Board was in agreement to enter into this agreement with the Hoovers.

MOTION was made and seconded to approve the agreement between Martin Hoover, Carolyn Hoover and the Township regarding the construction of a new home and the demolition of the older home. Unanimously carried.

Mr. Hoover told the Board he had a question concerning in-law quarters. While discussing his project with LCPD he was told that if he incorporated in-law quarters into his new home, he would not be permitted to have a kitchen area in the quarters. He was wondering what he could do to receive a permit to allow this. Chm Brensinger explained the ordinance he is referring to probably is because of the zoned district that Hoover's property is located in. Mgr Grumbine explained the Supervisors do not have the authority to override the Twp Ordinances. The Board could look at changing the Ordinances but it was agreed the Board did not want to make changes regarding this issue. However if the Hoovers file a petition with Lebanon County Planning to ask for a variance and a zoning hearing, the questions would go before the NLT Zoning Hearing Board. Sol Wolf agreed this would be the option for the Hoovers to follow. Mr. Hoover stated he would ask about the variance when he goes into the County to obtain his permit to build the new home.

B.) Paul Schwab – Hunters Chase Lane

Mr. Schwab questioned the Board about any further communications from Bethel Twp in regards to Police services. He asked the Board if they are aware that Bethel Twp covers twice the area of North Lebanon Twp.

Paul Schwab – Hunters Chase Lane (con't)

All three Supervisors told Schwab they are aware of the size of Bethel Twp. Suv Hawkins stated there is not much to discuss since NLT has not heard from Bethel Twp in 3 months since their original request to meet. Schwab repeated this is not something he considers to be in the best interest of the North Lebanon Twp taxpayers. Chm Brensinger told him his remarks are appreciated and have been noted.

C.) Martin Barondick – New Street

Mr. Barondick said he wanted to bring up another issue he has raised before. He asked what it will take to get a NO burning Ordinance in the Twp. He finds it offensive and people burn all types of things they are not supposed to be burning. Suv Artz told him he should be calling the Police Dept. Suv Hawkins asked Barondick why an ordinance should be passed because of one or two requests. Mgr Grumbine told the Board she recently received a letter of request from another resident requesting a No burn ordinance also. She told them this issue has been raised from time to time from other residents also. Chm Brensinger said he sees this becoming an issue this winter when people are seeking alternative methods to heat their homes other than heating oil.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from June 16, 2008. Unanimously carried.

Suv Hawkins said she had a question regarding something that had been discussed last meeting. She was referring to the mention of all the brush piles along Tunnel Hill Road. She asked Ed Brensinger if the piles were collected yet. Suv Brensinger replied it is one of the items on the list of “things to do”.

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. He read the report on calls for service for the months of May and June for Weavertown, Rural Security and Glenn-Lebanon Fire Companies. Ebenezer Fire Company did not attend the meeting. the report also noted that the fire companies would work on completing the ISO forms.

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

Chf Easter updated the Board on the calls for service from the month of June. A total of 312 calls were logged in the month of June with Saturday being noted as the highest day for calls. He also noted the miles logged on the cruisers were higher than usual.

B.) Misc Items

1. **National Night Out** – Tuesday, August 6 – Being held at Lions Lake. Chf Easter invited everyone to attend and mentioned that if anyone would like to volunteer to help, we could put them to work!
2. **Brandt Pflueger** – Chf Easter reported that that Officer Pflueger’s son Brandt is making some favorable progress in his treatments. The reports have been positive and the proposed surgery for September will probably take place as planned.

****** PUBLIC HEARING******

Chm Brensinger stated that it is now 7:30 PM and he is turning the meeting over to Sol Fred Wolf to conduct the hearing regarding an application for Conditional Use (CU1-08) by Landmark Homes. The property being reviewed is the former Ed Arnold farm.

Sol Wolf provided the guideline he would like to follow for the Public Hearing. He mentioned the various documents he will mark for the record including advertising of the public hearing and the letters mailed by the applicant to the surrounding property owners. Other items will include a map indicating the areas the property postings had been completed by the Roadmaster and the certification of the list of addresses of notices that were mailed to property owners. A copy of the minutes from the Planning Commission discussion and recommendation of approval has been provided for the hearing this evening. Lebanon County Planning has provided a written letter recommending approval for this requested land use also.

This property is located within an R2 district which does allow single family homes as well as multiple dwelling units. The Conditional Use the applicant is seeking is varied lot sizes for single family homes while planning more open space and recreational areas. A checklist has been prepared for the Supervisors to follow tonight that will be included as part of the proceedings. All of the documents mentioned this evening will be marked as Exhibits and the proceedings of the meeting are being recorded by a Court stenographer, which is required by the MPC. If a verbal decision is rendered this evening by the Supervisors, it is required to be followed up by a written decision within 45 days of the hearing. Sol Wolf stated that the applicant will now be able to give his presentation.

Sol Wolf asked anyone in the room who intended to speak or give testimony to raise their hand. After swearing them to truthful testimony he asked those individuals to answer, I do. The public responded accordingly.

Scott Miller, of Stackhouse & Bensinger Inc, introduced himself and his clients Cliff Weaver and Paul Zimmerman of Landmark Homes. The development in question is being proposed as The Crossings at Sweet Briar. The development consists of 198 single family homes with 3 commercial lots fronting Mt Zion Road area. Scott described the internal collection system which will connect Kimmerlings Road and Mt Zion Road. All the roads inside the development will be maintained by the developer and remain private in nature. The development itself will be an age restricted development similar to the neighboring development, Briar Lake.

Miller referred to a previously adopted Ordinance which allows for smaller lot sizes. The lots will be transferred to the individuals who will own the lot and the structure. There will be a home owners association that will be responsible for maintenance of roads and the open space areas.

Mr. Miller stated he would now address the compliance checklist that Sol Wolf had spoken about earlier.

1. Age Restricted Development definition – 198 single family detached dwelling units with a proposed community center located on the Mt Zion Road side of the development. A network of trails and open spaces will be placed systematically throughout the development. Scott indicated some environmentally protected areas (wetlands) that will be incorporated into the recreational areas through the use of gazebos and benches.

2. At this time the submitted Preliminary plan is still under review of the NLT Planning Commission and Lebanon County Planning Dept. The Final plans will be submitted in phases. Scott stated he feels there is a very good dialog between the County, the Twp and his client as far as getting items accomplished as requested. Financial guarantee will be posted as required by Municipal Planning Code, as well as the Township and County requirements as improvements proceed.

Conditional Use (CU1-08) Hearing (con't)

3. Scott Miller stated that any requirements which cannot be met, waivers will be requested as the process goes along.

4. The 50 acre tract size is met.

5. All streets must comply with the Township regulations. Landmark is working on their response to the second review round concerning the streets and all improvements including stormwater design.

6. Public sewer and water approvals have been received for this project. Electric, gas and other utilities are being worked on.

7. All utilities will meet the requirements of the Township.

8. All maintenance issues for streets, open spaces and recreation areas as well as the community areas will be the responsibility of the homeowners association. A draft of this document will be provided and will be similar to the document for Briar Lake.

9. Maximum density of 6 dwelling units per gross acres of land. This development will contain 1.95 dwellings per acre.

10. Per requirements, 20% of the lots will comply with the R2 zoning ordinances. Miller indicated the lots along the main street (Briar Rose Avenue), which runs throughout the development, will be in compliance with the R2 regulations.

11. The building heights will not exceed 35 feet as they are proposed as single story homes.

12. Spacing between the units will allow for adequate areas for easement placement.

13. Off street parking for 2 vehicles is provided by a garage and a driveway for each unit.

14. Open space and recreation is addressed by the Federal requirements for Age Restricted Communities and will be complied with. The overall project area allows for 26.83 acres which is 26% of the development and contains facilities for passive as well as active recreation.

15. The Current Federal Fair Housing Act will be complied with by including the language in the Homeowners Association documents.

16. The Homeowners Association document will be recorded once all revisions and corrections have been completed and at the time the Final plan gets approvals.

17. The incorporation of all the utilities will be completed in compliance with all township and County regulations.

Scott Miller summed up his remarks saying he feels overall the project will be a good use of the property. There will be a slightly higher density of the area than the conventional R2 zoning. Because of the ARD community there will not be the drain on the local schools that a normal R2, multi-family development might have. He feels they have met the burden of proof as outlined in the Conditional Use application. The traffic from this development will not impact the area as much as the normal R2 use would have. This is verified by the traffic impact information that they have provided to the Township. County is currently reviewing the traffic study information that has been provided.

Conditional Use (CU1-08) Hearing (con't)

Suv Kenneth Artz questioned the 20% of the lots that are not included in the cluster design of the development. Will these homes still abide by the Homeowners Association? Scott Miller answered, yes they will. The whole project will be an age restricted community. The lot size is the only thing that will differ for the 20% of the homes. Suv Artz said he has concern about the maintenance of the open spaces, as well as the homeowner's policies. He asked about the homeowner association policies. Will that be something that is soon submitted, as he has not seen it as of yet? Miller responded yes it will be submitted shortly. It is part of the land development process. Miller stated that could be something that the Board wants to make as a stipulation, the Solicitor's review and approval of the documents. Sol Wolf added that along with the homeowners documents, the Twp will have enforcement rights as far as maintenance issues.

Suv Artz next questioned the road systems. Will the requirements of the Twp be followed when constructing the roads? Miller responded that all Twp and County requirements will be met when designing the road system.

Suv Brensinger asked if the homeowners' association fees will cover the individual lot maintenance. Scott stated he is getting a no from his client as an answer to that question. Each homeowner will be responsible for their individual lots. The open spaces and recreational areas, as well as the community center, will be under the homeowner association's responsibility. Suv Brensinger questioned the 2 parking spaces required. Do County and/or the Twp allow the garage to be one of those required spaces? Mgr Grumbine replied it is permitted as long as the area is not "stacked parking". That means entrance in and out without having to move one vehicle to allow the other vehicle to move.

Mgr Cheri Grumbine stated she does have a few questions when she was asked to comment. Mgr Grumbine asked if there were pictures of the types of houses which are being discussed for the development. Do the homes compare to what is being constructed in Briar Lake? Pictures of the proposed types of homes were submitted to the Board and will be placed into the record. When looking at the pictures Mgr Grumbine asked if 2-car garages are being planned. Scott Miller stated that these pictures are not necessarily the exact homes that will be constructed but are very similar. Scott's client replied they all will be 2-car garages. Scott repeated the only difference between this development and Briar Lake is the footprint or size of the actual lot. Sol Wolf asked that the pictures from Landmark Builders be labeled as exhibits 1 through 6 and represent the types of dwellings Landmark will be offering.

Mgr Grumbine stated that she wanted to verify that the issue being discussed and possibly decided on tonight is the actual use of the property. The plan process is still being conducted and is not before the Board tonight for approval. It is the land use question only and compliance with the ARD ordinance. All other issues such as streets, open space areas and sidewalk will be reviewed while the process is being conducted. Sol Wolf indicated he was in agreement with Mgr Grumbine's remarks.

Sol Wolf stated since there are no further questions from the Board, the public will now have the opportunity to ask questions or comment. Raising of your hand and the announcement of name and address will be required before making a comment or question.

Cliff Rohland – Richard Drive had questions about the actual digging and construction activities. He expressed concern about his property (Mt Zion Rd area) which backs up to the rear portion of the proposed development. He stated he has 2 wells on his property and is concerned that his wells not be disturbed by the construction or digging activities. Scott Miller stated that the community will be serviced by public facilities, both sewer and water. When Rohland indicated his property on the map and the depth of his wells, Miller stated it will not interfere with Rohland's wells.

When there did not appear to be any more questions or comments, Sol Wolf stated the matter is now before the Supervisors for their consideration and a decision on how they wish this request to be handled.

Conditional Use (CU1-08) Hearing (con't)

Sol Wolf reminded the Board that the decision must be announced at a public meeting. their choices tonight are: 1. Make a decision tonight. 2. Adjourn the public hearing to review notes and concerns. Then come back to the meeting room and announce the decision. 3. Conditions that are wanted could be drafted and submitted to the Board and then announce a decision at another public meeting. Another reminder he explained to the Board was the written decision must be completed within 45 days. When looking at the calendar, there is only one meeting in August so the written decision could be given at the August meeting.

Chm Brensinger asked his fellow Board members for their wishes on how to handle the request. He said he personally does not feel there is anything that cannot be openly discussed. Suv Artz stated his concern about not seeing the homeowners' documents. Sol Wolf mentioned that there are many aspects of the actual land development which would be dealt with a part of the plan approval process. A general condition could be made that things that are set forth in the Ordinances would follow normal procedures and compliance in order to get plan approval. Suv Hawkins verified this is a decision on the use of the land NOT approval of the plan. Sol Wolf confirmed her remark. She followed up by saying she thinks everything presented is pretty clear. The problems with the actual plan will be cleared up during the plan process.

Scott Miller repeated that the only request this evening is the use of the land. All the details with the plan and the legal issues will be dealt with in the normal development plan process.

Mgr Grumbine asked about the possibility of a timeline. She referred to some other plans which were conditionally approved and have remained on the open files for 5 years or more. She does not expect that this would happen with Landmark but she would like to discuss the possibility of a definite timeline. She said we could discuss what time would be appropriate. Sol Wolf asked Scott to give an opinion. His question was a timeline for the preliminary approval or the Final approval? For Preliminary approval he feels 18 months is plenty of time. A Final approval is harder to gauge due to PA Dot permit processing. Mgr Grumbine stated the Preliminary is spelled out in the MPC as 5 years and cannot be changed. She is suggesting the Preliminary Plan and she thinks 18 months for approval is a good choice. Scott suggested adding the opportunity to apply for one extension, if needed. Everyone seemed to agree to this comment.

Sol Wolf summarized the proposed action, (1) action to accept all conditions that have been discussed and the (2) conditions referred to in the Conditional Use Ordinance, (3) the requirements of the North Lebanon Twp Ordinances and (4) meeting all LCPD Land and Subdivision Ordinances as well as any Federal and State requirements within the 18 month timeline that was discussed. Also the Homeowners Association documents have to be approved by the Supervisors, as well as the maintenance of the interior streets per Twp Ordinances and the Conditional Use application. Suv Hawkins pointed out the Ordinance for Conditional Use calls out that the Homeowners Association documents should be submitted to the Supervisors at the time of application. Sol Wolf and Scott Miller agreed that a condition of receipt of the documents within 2 weeks could be added to the MOTION.

MOTION was made and seconded to approve the Conditional Use application, CU1-08, of the applicant conditional to the above listed items discussed to be entered into the written decision. Unanimously carried.

The Public Hearing portion of the meeting was ended and the regularly scheduled Board of Supervisors meeting resumed at this time.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) U.S. Board on Geographic Names**

Information has been received from the United States Board on Geographic names, the Federal agency responsible for decisions on geographic names. A request has been made to change the name of Swatara Creek to Swatara River. The reason cited for the name change is to reflect the more accurate size of the waterway.

U.S. Board on Geographic Names (con't)

Because local acceptance is important, the US Board is asking for opinions from residents and officials. Positive responses have been received from Lebanon County, Berks County Conservation District, Lebanon County Conservation District, North Londonderry Township Board of Supervisors, Palmyra Boro Council and the PA State Names Authority. A written response by August 15th is requested. Should no response be received, the US Board will consider the opinion to be neutral.

Chm Brensinger said he is a little confused as to the request for a name change. Although he did mention that no matter what the name is changed to he will still call it the Swatara Creek. Suv Hawkins asked what advantage there is to changing the name. When asked, Rep Swanger stated the change is probably linked to some sort of Grant funding that is available. Some discussion continued and Suv Artz expressed his opinion that if there is some funding available, he feels we should respond favorably.

Suv Brensinger stated he would be comfortable with suggesting we have no opinion and will allow their decision on this issue. Suv Hawkins asked the public if anyone had a preference on an opinion. She received no response.

MOTION was made and seconded by Chm Brensinger and Suv Hawkins to have the US Board render a decision without a recommendation from the Board. Suv Artz disagreed with the MOTION. Majority vote carries the MOTION.

B.) Complaint on Valspar Trucks using N 25th Street for Access

The Township continues to receive numerous complaints about trucks getting lost in the Tunnel Hill Rd/ N 25th St area while trying to find their way to Valspar. The drivers miss the 22nd St sign and wind up turning off Tunnel Hill Road onto N 25th St. Once there, they are stuck and are causing damage to surrounding properties. Mgr Grumbine has contacted the Manager at Valspar who has agreed to meet with Mgr Grumbine and Ed to review a possible resolution to this continuing problem. Chm Brensinger agreed that a better solution needs to be found. Some discussion about the truck traffic and this area was held. Suv Artz asked if better signage would help. Chm Brensinger said that is one of the reasons they decided to meet with the new manager of Valspar. Mgr Grumbine reported that Chf Easter and the traffic people from Lebanon County Planning have also been invited to attend. The Board was in agreement a meeting with Valspar is probably a good starting point.

C.) W.A.M. – Proposed 1.5 M SF Warehouse off Rte 72/ Orange Lane

In the past 30 days many meetings have been held regarding this proposed warehouse project. The proposed warehouse is to be 1.5 million square feet in size. There have been no other details offered about the proposed project. To date all the meetings have been regarding traffic issues and the scope of the impact on this area. The proposed entrance will be in the Orange Lane area. The developer is planning to have a traffic impact study completed to show ALL required improvements necessary to handle the entire large scale warehouse project. During a recent meeting held on July 7 at PADOT, handouts were provided to show information on various intersections to be included in the study. Per the Board's request Jay Street has been added to the list.

During the conversation Suv Artz asked if there was a reason the entrance is being proposed for Orange Lane as opposed to Heilmandale Road. Chm Brensinger replied the sight distance and stacking distance is not available northbound at the Heilmandale Road intersection. This is for information only and the traffic discussions will be continuing.

D.) Update from July 16 EIT Executive Committee Meeting

Mgr Grumbine reported on an EIT executive meeting she had attended as the CLSD/municipal voting representative. After attending the meeting Mgr Grumbine had sent an email to other Managers in Lebanon County to keep them informed about the progress and activities of the six-member Tax Collection Services Committee. This committee visited several of the organizations being considered and watched the employees as they performed their duties.

Update from July 16 EIT Executive Committee Meeting (con't)

They were able to observe random calls and how each was handled on the computer screen, as well as verbally, by the employees. All 3 private collection agencies have now been visited and the information will be reviewed at a meeting scheduled for Tuesday, July 22 at 6:30pm in the Cedar Crest High School LGI Room. The committee will be making a recommendation to the Executive Committee and they will in turn be making a decision which will be announced that night. The following day a second meeting will be held at the same location at 10:00 until noon. All the information from the previous meeting will be announced during this meeting. Mgr Grumbine is strongly encouraging the Supervisors to attend the Tuesday meeting, along with her, to hear the committee's presentation. The representative from CLSD will want to hear from the municipalities present before casting a vote.

Another action that was taken by the Executive Committee on July 16th was to approve the proposal from McKonly & Asbury to perform work on verifying numbers from the over/under distribution reports. Once all the research and verification work is completed by them they will prepare a written report of findings and recommendations to the Lebanon County Earned Income Tax Bureau and the Executive Committee. After much discussion about the progress that is finally being made on this important subject, Chm Brensinger told Mgr Grumbine he would like to attend the meeting on Tuesday evening with her. The Board expressed their appreciation of the hard work this Tax Collection Services Committee has put in. Mgr Grumbine confirmed that the Executive Committee will be making an announcement of their decision on one of these collection agencies at the meeting Tuesday evening.

E.) Letter from Mayor Anspach – EIT Collection

As a continuation of this subject, Mgr Grumbine reported that the Twp has received a letter from Mayor Anspach of Lebanon City. He is inviting area municipalities to join him in a search for agencies and companies who provide collection services, other than Lebanon County Earned Income Tax Bureau. He is hoping there will be interest from other municipalities so that better pricing can be obtained. Mgr Grumbine reminded the Board of the history with this whole subject. She remarked on the achievements already gained.

Another factor is a house bill that was passed which will mandate that all municipalities be under “one umbrella” for collection services. It does not make sense to seek a different avenue at this time. She stated that we need to maintain unity as an agency working together for the benefit of everyone in Lebanon County. Some conversation followed about the long road that has already been traversed while dealing with this subject. The Board indicated their agreement with Mgr Grumbine to continue working together and move forward in a unified direction with the Earned Income Tax Executive Committee and create a method/service that will benefit all of Lebanon County. It is also their hope that all municipalities will come on board and the whole County will be unified under one program.

F.) Release of Integrity Bond- LVEDC for Hanford Drive

Providing an update to the Board on the dedication of Hanford Drive, Mgr Grumbine informed them that as all issues have now been completed the 18-month integrity bond has now been released. This issue has now been totally completed.

G.) Proposal from Rettew – Land Development Plan – Lenni Lenape

In anticipation of being awarded a grant for the construction of Phase I for the Lenni Lenape Park, a Land Development Plan will have to be prepared and approved. Rettew Associates have been contacted to provide a proposal for this service in conjunction with their existing signed contract. The cost of their original contract will include an additional \$6000. Another issue Tim Staub has informed us of is the fact that DEP is requiring a level 2 study for bog turtles at this site. Tim is reviewing a price for their biologist to perform this study. A ballpark figure was estimated at \$800 to \$1200. Even if this round of grants is not awarded to us we will need to have an approved Land Development Plan before any construction can commence now or in the future. The Board is being asked for approval to proceed with the land development process and be ready when the time comes to begin construction. This expense would come from the Fees in Lieu Of fund.

Proposal from Rettew – Land Development Plan – Lenni Lenape (con't)

MOTION was made and seconded to adopt the addendum to the original proposal from Rettew which includes the completion of a Land Development Plan. Unanimously carried.

H.) Conrad Siegel Actuaries

A proposal has been received from Conrad Siegel to redefine the Twp's two pension plans to include various Federal law changes and regulation changes that have occurred since the last update. The IRS is requiring a restatement to be signed by January 31, 2009. Therefore the Board is being asked to authorize the signing of the required Authorization Form so the necessary documents can be drafted and adopted to meet the deadline of 1-31-2009. The cost is \$2000 per plan and is an expense of the respective pension plans.

MOTION was made and seconded to authorize signatures to prepare required revisions for the pension plans of the Uniform and Non-Uniform employees. Unanimously carried.

I.) Spring Creek Development Deadline –July 21st

During the April 7th meeting of the Supervisors, the Board granted an extension for the Spring Creek Development to either sell the property and withdraw the plan or complete all the necessary paperwork in order to meet the conditional approval received from the Supervisors on September 18, 2006.

Up until today there was no word from the developer or Keith Wagner who had approached the Board at the April meeting. Today some of the required items had been provided to the Twp office. However there are still a few outstanding items missing. Mgr Grumbine told the Board she feels we have been more than fair with this whole issue. She feels strongly that a letter should be issued from Lebanon County Planning that the plan has been denied. Some conversation took place about the previous history of this whole plan. Sol Wolf suggested he meet with Cheri and Kris Troup tomorrow to review what had been submitted and what is still missing. Mgr Grumbine agreed saying then they will be able to note what documents and/or fees have not been provided. If everything has not been received, a rejection letter from County Planning should be sent. After much discussion the Board was in agreement this would be the best course of action to follow.

J.) Pertinent Matters**1. Grant Workshop – Senator Folmer**

The Board has received an invitation to attend a 2008 Emergency Services State Grant Workshop which is to be held on Monday July 28th from 6-8PM at the Lebanon County Courthouse Auditorium. As part of the workshop a reference manual will be provided that contains a comprehensive listing for grant programs and important contact information. Pre-registration is necessary. Mgr Grumbine reported Chf Easter is planning on attending. The Board requested that we check with our fire companies to insure they have received this information.

2. Lebanon Valley Rail – Trail Northern Extension Feasibility Study

Earl Meyer – Executive Director of the Lebanon County Planning Dept has informed us, by letter that the Lebanon Valley Rails to Trails (LVRT) has begun a feasibility study to determine if a rail-trail can be extended into northern Lebanon County. A sub-committee of local citizens has been formed and the LEBCO MPO and LCPD have been providing assistance as needed. The study area begins at the City of Lebanon and goes northward to the Swatara State Park where DCNR has an active rail trail system in place. Ideally the trail would be situated on or near the former Lebanon – Tremont Branch of the Philadelphia-Reading Railroad and would connect Jonestown and other adjacent residential areas as well as sites such as the Union Canal Tunnel Park. The first mailing was done to affected property owners including information about the Northern Lebanon County rail-trail and rail-trails in general. Constance Snavelly, who is our Park and Recreation Chairperson, is the Northern Feasibility Study Chairperson.

3. Update on Rte 422 Hotel (Holiday Inn Express)

During the July 16th meeting the Board granted conditional approval to the Holiday Inn Express Hotel to be located Rte 422. An agreement was to be agreed upon and signed concerning the contribution of \$19,173 towards future traffic improvements in the area of Rte 422 and Narrows Drive. The Board has been provided with communication from Attorney Tshudy on behalf of his client dated July 7th and then a subsequent letter dated July 11. Sol Wolf has prepared an agreement which has been signed by the developer and is before the Board for action. As an update the settlement of the property was scheduled for Thursday July 17, however did not take place. It was noted that it was not Township business that postponed the settlement of the property.

MOTION was made and seconded to approve the agreement regarding the Holiday Inn Express Hotel and the future traffic improvements for the area on Narrows Drive and Rte 422. Unanimously carried.

4. Kreider Truck Demo – Tunnel Hill Road

A video copy of the truck demo performed previously on Tunnel Hill Road has been received. It contains two camera views of the three which were taken that day. It demonstrates the tractor trailer exiting and entering the property. Two of the Supervisors have had the opportunity to view the video and the third one will have the opportunity. Chm Brensinger confirmed with Mgr Grumbine that to date there still has not been any plan submission. Mgr Grumbine replied that is correct. Sol Wolf informed the Board that an agreement is being drafted and has not yet been received. He told the Board that at this time he could prepare a document outlining the Kreider's commitment and their responsibility to honor what was shown on site, as well as enforcement remedies for the Twp is not complied with. The Board agreed Sol Wolf could begin a draft document for the Kreider location on Tunnel Hill Road.

5. Change to Met Ed Trimming Policy

The area manager from Met Ed stopped in the office to speak with Mgr Grumbine regarding changes to their current tree trimming right-of-way policies. He informed her that property owners will still receive notice before work begins-either in person, phone call or with a door card. However there will be times during emergency storm restoration efforts-when work may be completed without any notification to the property owner in advance. Met Ed had revised their vegetation management program to remove overhanging branches and defective trees outside the corridor before they cause outage. Mgr Grumbine was told this maintenance work is completed on a circuit basis which is primarily a four year basis. Met Ed manager, Dan Logar wanted the Board to be aware of some of the Met Ed changes in the event the office receives any phone calls from their residents.

6. Sprint/Nextel Proposal

Mgr Grumbine informed the Board that the individual that had offered such an attractive package to them concerning hybrid phones has already moved on to another area. Another representative had contacted her to discuss the proposal. In speaking to the municipal sales rep, Mgr Grumbine learned about some of the negatives involved with switching phones at this time. The municipal rep will continue doing some research and provide to her the best solution to the problems some of the phones have been presenting. The rep will also try to get a hold of a demo hybrid phone for the Twp to try out. Mgr Grumbine reminded the Board that the existing contract will only expire in August. Our service will continue even after that time - at the current plan agreement with Nextel.

7. Petition from Laurel Street Residents – Dusk to Dawn Lights

At some point in time a dusk to dawn light had been installed, per a request from the property owner, on a Met Ed pole in the Laurel Street area. Met Ed has since decided to no longer maintain these types of lights. Mr. Jeffery Levengood of Laurel Street has requested the Township take on the responsibility of maintenance for this light. A letter was sent to Levengood telling him the Township will not be responsible for this dusk to dawn.

Petition from Laurel Street Residents (con't)

Should the residents in the neighborhood wish to have a street light installed they must petition the Township to do so. Mr. Levengood has provided a signed petition to the office. However, not all the residents in this neighborhood are North Lebanon residents. After much discussion the Board decided to invite Mr. Levengood to the next Supervisor meeting to discuss with him all the details of this request. Also contact must be made with all the NLT residents to inform them should a street light be installed, they will all be billed a street light tax just like all the other residents in NLT receive. Mgr Grumbine reminded the Board that they will have to take a look at what the expenses would be and what rate per foot would be assessed to the residents. The Supervisors were in agreement to invite Mr. Levengood to the next meeting. They also agreed that each of them would visit this area in order to be familiar with the request.

Mgr Grumbine suggested to the Board that a definite policy be established regarding the dusk-to-dawn light transition to the cobra head street lights. A specific amount must be determined to charge as a streetlight tax for each area. She agreed all the residents should be contacted to ask their wishes regarding this issue. Chm Brensinger said he was in agreement the Board needs to discuss setting a definite policy for these requests.

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

Sol Wolf told the Board this issue is still in the waiting portion. We will have to wait to hear a ruling from the Court.

B.) Progress of North/South Lebanon Fireman's Relief Assoc Split

This issue is also a wait issue. Both North and South Lebanon have their new organization formed and operating. The split will not be completely finished until all financial matters are resolved and the final audit is completed.

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

Sol Wolf has been working on this Ordinance for several weeks and was provided to the Board in June. The ordinance will be presented to the Supervisors during the August meeting for approval.

D.) Resolution No. 13-2008; Dedication of Windsor Drive

The dedication of Windsor Drive has been discussed for quite awhile now. All issues have been addressed and it appears dedication of Windsor Drive to the Township is now ready. Resolution No. 13-2008 will complete the dedication process and the Board is being asked to take action on the Resolution tonight.

MOTION was made and seconded to adopt Resolution No. 13-2008 accepting dedication of Windsor Drive located in the Lebanon Rails Business Park conditional upon all outstanding invoices be paid by LVEDC and the costs of the 3 required new deeds being recorded. Unanimously carried.

E.) Resolution No. 14-2008; Moravian Manor Bond Issue

This Resolution would be a continuation of the previous Resolutions, 2001 and 2003, concerning the Moravian Manor conduit issue. The Municipal Authority has entered into agreements with Moravian Manor to act as a conduit. The request this time is for an expansion project Moravian Manor is planning. One of the requirements is to hold 2 Public Hearings, which are scheduled to be held at the Henry & Beaver offices. Sol Wolf reported there are no financial responsibilities on behalf of the Twp or the Authority to act as a conduit. The Authority receives an annual fee for acting as conduit. This amount is used by the Authority to help defray the operations and maintenance costs on the existing Authority lines.

Resolution No. 14-2008; Moravian Manor Bond Issue (con't)

Sol Wolf explained a summary of the services that Moravian Manor offers. He also explained his understanding of the IRS requirements that are offered to the lending institution when dealing with non-profit organizations. He told the Board they are being asked to restate the Resolutions from 2001 and 2003 notes and new financing for 2008, with a limit of \$8,800,000. The certificate is not signed until after 2 public hearings are conducted. The approval sought tonight is for the Authority to proceed, subject to the 2 public hearings being held, and report back on any questions that were raised by the public. After all that is completed the certificate is then signed.

Mgr Grumbine questioned if this is an additional amount to what the Authority is already receiving from the 2001 and 2003 notes. Sol Wolf answered that the Municipal Authority will receive a one-time specific amount and then a yearly sum to follow.

MOTION was made and seconded to approve Resolution No. 14-2008 regarding the Moravian Manor bond issue and the Municipal Authority acting as a conduit. Unanimously carried.

F.) Code Enforcement Issues

Sol Wolf reported that the outstanding invoices he has been working with Officer Wengert and Bonnie on have been sent. Five of these individuals have been sent to the District Judge for action. One person has filed for a hearing one has paid. The other 3 have not responded in any way.

Officer Wengert has been asked to provide a quarterly report of the Code violations to the Supervisors in order to try to keep current with the issues that are getting reported and the issues that are not getting completed. The Board should receive their first report in September.

G.) Restoration Connection Subdivision Plan – Transfer to Mase & Marks;**Agreement from Atty. Feather**

The Board had taken action on 12-16-2006 to conditionally approve a subdivision plan for the Restoration Connection Plan located on Water Street. The plan had been held at the County office to be recorded and to date had not been completed. The plan is back before the Board listed under the name of new owners, Jeffery A. Marks and Ralph A. Mase. Due to new ownership the plan should be relabeled and the Supervisors are being asked to sign the new plan. Mgr Grumbine stated there are documents that should be signed by the Supervisors regarding the Park & Recreation agreements and assignments. The Municipal Authority has signed the agreements pertaining to the public sewer arrangements. When asked if there are any changes other than the names of ownership, Mgr Grumbine replied everything else remains the same. Sol Wolf, after a review of the documents, said he has a concern about the assignment of duties not being mentioned. It was suggested that the word “duties” be inserted right beside the word “rights” and then initial the verbiage change. Mgr Grumbine stated she has an agreement signed by Wynanne Demler on behalf of the Authority. Also the Park & Recreation agreement signed and the fees had been paid previously. Lebanon County Planning will handle the bonding issues regarding the subdivision plan.

MOTION was made and seconded to sign the 2 agreements with Marks and Mase, along with the verbiage inserts, pertaining to the property located at 1998 Water Street. Unanimously carried.

MOTION was made and seconded to authorize signatures on the Jeffery A. Marks and Ralph A Mase subdivision plan. Unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.) Lebanon County Comprehensive Plan – Attendance @ June 26 meeting – Suv Brensinger**

Chm Brensinger reported the Supervisors had attended the County’s meeting about their Comprehensive Plan and they are offering some Grant money and help with other municipal comprehensive planning.

Lebanon County Comprehensive Plan (con't)

Some discussion was held during the meeting by other municipalities, located within the Cornwall-Lebanon School District, about multi-municipal planning. Meetings have been scheduled to discuss these issues.

Mgr Grumbine stated that NLT has been asked to submit a list of names that would serve as representatives from NLT to attend the meetings. These representatives would then be contacted directly as the meetings are determined. Chm Brensinger stated he does not have any suggestions at this time.

B.) August – One Meeting; 3rd Monday of Month

As a reminder Chm Brensinger informed the public that there is only one meeting for the Board scheduled in August.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary