

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
AUGUST 16, 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
Edward A. Bresinger	Treasurer
Cheri F. Grumbine	Township Manager
Harold L. Easter	Chief of Police
Frederick S. Wolf	Henry & Beaver LLP

Also in attendance were Kathy Hackleman and several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Floyd Shepps – County Commissioners Re-Assessment Program

Mr. Shepps introduced his daughter Holly Shepps Corson and explained that she has been helping him complete some research on an issue which will affect all the taxpayers in Lebanon County. The County Commissioners are in the process of committing to a tax re-assessment for Lebanon County as required by law. Upon hearing about the choice of firms the Commissioners are planning to contract with, Mr. Shepps attended a County Commissioners meeting to voice some concerns he had about 21st Century Appraisals, the proposed firm. Shepps told the Supervisors he was not pleased with the lack of attention the Commissioners displayed when he voiced his concerns.

Mr. Shepps owns property in Tioga County that had been involved in a re-assessment process. 21st Century Appraisals was the firm that completed that project. The whole assessment project was deemed a failure and was totally dismissed after having spent thousands of dollars on the project. He and his daughter have been researching the firm of 21st Century and were amazed by some of the information that was uncovered. There were several other failed projects completed by this firm. Mr. Shepps told the Supervisors he is very concerned that the Commissioners did not seem to listen to his concerns.

His goal for attending the meeting tonight is to alert or inform the Supervisors on what is happening with the re-assessment project for Lebanon County. As Supervisors, they, as well as all the boards and commissions in the County need to be aware of what is being proposed for the taxpayers' dollars. Information packets had been provided to the Supervisors prior to this meeting. Mr. Shepps said he is not expecting discussion tonight. He will be in attendance at the September 20th meeting to enter into a discussion if the Supervisors have any comments or questions about this issue.

Suv Bresinger stated that after talking to Floyd he took a few minutes to "Google" 21st Century and pulled up many of the articles that Floyd is presenting to them. Shepps told the Board that his daughter had been on the phone for the majority of the day calling various tax offices. She had called the Tioga County tax office.

Holly Shepps Corson provided a map of the counties that had engaged 21st Century Appraisals for services. The map was color coded and indicated the number of municipalities that had dealings with 21st Century. All the counties colored in black are counties that had contracted with 21st Century and are no longer are using their services. The yellow shading indicated counties currently using 21st Century, whether it be their services or just use of the software. In some of her phone conversations with the counties, some stated that although they are using software from 21st Century, the firm is no longer providing services.

County Commissioners Re-Assessment Program (con't)

Mrs. Corson told the Board that many of the counties she had spoken to would not specifically say they had been disappointed by 21st Century Appraisals but indicated their program had to be scrapped and another firm contracted to complete the required re-assessments thus thousands of dollars were spent and the counties had nothing to show for it.

Mrs. Corson said she had called Tioga County and asked when the last assessment had been completed. She was told it was in 2001 which she knew to be untrue due to the fact the family owns property in Tioga. Many of the counties will not admit to spending the money for a tax re-assessment that had been “tossed into the garbage can”. She shared some of the costs that were given to her from counties that are no longer using 21st Century. Most of these counties are to the northern part of the state. Many of these counties are, however, using the software.

Mr. Shepps told the Board in the course of them reading this material if they have any questions of him, his phone number is in the book. He wants them to know he will be addressing the County Commissioners on this issue. He will be attending the September 20th meeting after having provided his full packet of information to the Board the Supervisors prior to that meeting. Shepps commended Jamie Wogelmuth for his attention while discussing this issue with him. He told the Board he considered it to be a very intelligent conversation. Wogelmuth encouraged Shepps to continue on with this issue as it is an important issue to everybody.

B.) Glen Kreiser – Comments RE: Previous Meetings

Mr. Kreiser mentioned a previous meeting when residents from a Mobile Home Park had attended regarding an increase in their sewer bills. He wanted to know what resulted from that request from the residents. Chm Artz asked Sol Wolf to respond as it is sewer related. Sol Wolf stated that throughout the conversation it became apparent that their main issue was not the increase in the sewer rate rather they felt the park owner was not communicating the proper information on rates to the residents of the park. They also had other issues with the way the park owner was managing the park. At the end of the meeting the individuals stated they understood the increase in sewer rates was necessary and agreed to seek help on the other issues they had with the park owner.

Kreiser next told the public he had asked for the overtime amount from the Police Department for the month of April. Recently he was provided with the information. He announced that the Police Department had an overtime amount of \$6,915, not including holiday pay for the month of April. He next remarked if you multiply that amount times 12 it gives you an idea on the amount of overtime for the Police Dept.

Suv Miller addressed Mr. Kreiser, as well as the public; on the issue of the difficulties the Police Chief sometimes has when trying to accomplish proper scheduling. The Police Dept functions different than the basic daytime schedule. The amount of overtime mentioned by Chf Easter is fairly normal for overtime hours and is usually reflected in the annual budget. There are many considerations that a Police Chief has to deal with when trying to schedule adequate coverage for all 3 shifts. There are times when the Officers are required to attend court appearances, sick days; vacation days and personal time are all considerations when trying to accomplish the work schedule. He has had personal knowledge of how difficult it can be as he has had at least 30 years in his career when these various issues became definite considerations. Suv Miller said it is not always what it appears when these figures are randomly announced. There are many issues being considered “behind the scenes” so to speak.

C.) Charles Allwein – Ordinance RE: Feeding of Wildlife

Mr. Allwein stated he is making more of a request rather than a comment. He noticed a week or 2 ago signs were posted at Lions lake Park in reference to the feeding of the wildlife and violation of Ordinance 2-1994 which prohibits feeding of wildlife. Allwein informed the Board that not all of the birds at Lions Lake are wildlife, some are domesticated. Unfortunately there are some that are injured and do not leave the park area. These are the ones his wife and some of her friends are feeding. He felt the threat of a fine is unnecessary.

Ordinance RE: Feeding of Wildlife (con't)

Sol Wolf said this posting was done in answer to the growing population of the Canadian Geese at the lake. The geese are now creating problems for the surrounding property owners. Allwein agreed there does seem to be a problem with the number of geese. However, Allwein remarked that the feeding that is being done is for the injured ducks and domesticated goose. The Supervisors acknowledged his comments.

Mr. Allwein said he would like to mention one other topic in reference to the park. He expressed concern about the birdhouses that have been in the park for several years. They are beginning to fall apart and show disrepair. He wanted to bring this to the attention of the Supervisors as he considers Lions Lake Park an enjoyable park to walk.

D.) Earl Roberts – Regional Comprehensive Plan; Review of RFPs for Interviews

Mr. Roberts questioned his request at a previous meeting concerning the Regional Comprehensive Plan. The various Managers, which form the Steering Committee, have been reviewing the RFPs received for completing the Comp Plan project. At earlier meetings Mgr Grumbine reported the RFP's had been released and some replies have been received. The group's next step is to interview and recommend a selection to their various Boards for approval. Mr. Roberts stated he has expressed an interest in attending the interviews and the recommendation of a firm to do the Comprehensive Plan. Mgr Grumbine apologized to Roberts saying that she was under the impression he wanted to be involved once the meetings started on the comprehensive Plan. She was not aware that he wanted to be involved in the interview and selection process.

A conversation about the interview process and who is expected to attend was held. Mr. Roberts stated he does not wish to make any comment or question at the time of the interviews. He thinks he can add something to the process as he does this type of thing for a living. Mgr Grumbine told the Board it is their decision about whether or not the public should attend the interviews being held by the Steering Committee which is the Managers from each municipality participating from the Cornwall-Lebanon School District. The Board of Supervisors had previously appointed herself, Dawn Hawkins and Charles Allwein to sit on the Task Force Committee. The Steering Committee will be making their recommendation on the Regional Comp Plan consultant following the interviews. It is possible additional interviews will be conducted by the Steering Committee before a recommendation is made to each Board. After some discussion between the Supervisors, Mr. Roberts was told they have no objection to his attendance. Chm Artz requested Mgr Grumbine provide Roberts with the returned RFPs to review and inform him of the details for the next meeting. Mgr Grumbine told Mr. Roberts she would secure a copy of the RFPs for him to review and gave him the details of the next Steering Committee meeting.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from July 19th 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**A.) Monthly Report – July**

Mr. Gettler reported to the Board on the June activities for the 4 Fire Companies. For the month of July there were 58 calls responded to by the fire companies. There were 10 assists, 2 training sessions and 4 mutual aid calls outside the Twp. There were 248 volunteer hours provided by the 4 fire companies.

B.) Knox Box Meeting – August 4, 2010

Suv Artz told George Gettler that he appreciated the meeting held on August 4 with the Fire Chiefs and himself. Revisions to the current Knox Box Ordinance were discussed.

Knox Box Meeting – August 4, 2010 (con't)

Chp Artz said he thinks he has a good understanding about the direction the Fire Chiefs are heading. Gettler agreed another meeting with the Supervisors should take care of this issue.

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

Chf Easter provided a total of 912 calls taken by the Police Dept for the month of July 2010. When asked if there were any questions Chf Easter was told no there is not.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Final Minor Subdivision Plan – Greg/ Darlene Nolen; Heffelfinger Road**

Resolution 18-2010 – Planning Module; Park & Rec Agreement

Resolution 19-2010 - Additional R-O-W Heffelfinger Road

This plan shows the subdivision of a single residential lot containing 1.978 acres on the south side of Heffelfinger Road. The remaining lands contain 1.924 acres and all existing structures and improvements. A letter of recommendation for approval was received from Lebanon County Planning and the NL Twp Planning Commission also recommended approval at their August 9th meeting. The Park & Recreation agreement has been signed and payment received. A Planning Module has been provided for processing, along with Resolution No. 18-2010 adopting the Planning Module.

An additional R-O-W is being obtained for a 50' R-O-W on Heffelfinger Road. Sol Wolf has prepared the Deed of Dedication that will need to be approved and signed by the Board. Resolution No. 19-2010 is before the Board for adoption of the additional Right-Of-Way on Heffelfinger Road. Mgr Grumbine reminded the Supervisors this plan has been on the books for a long time. The Supervisors looked over the plans and indicated they were ready to take action.

MOTION was made and seconded to approve the Greg/Darlene Nolen Final Minor Subdivision Plans, the Planning Module (Res 18-2010), the Park & Recreation agreement and Resolution No. 19-2010 (the Deed of Dedication for additional right-of-way on the south side of Heffelfinger Road). Motion was unanimously carried.

B.) On Demand Energy Solutions Contract

The contract/proposal from On Demand Energy Solutions for the Chamber Choice Program has been received. The contract period runs from 1/18/2011 to 05/17/2013 and locks a rate of \$0.24833/kwh generation rate. The Twp's current rate is \$.048690/kwh. The contract deadline was July 30, 2010. After having distributed the proposal to the Board (as this program had been discussed in 2009) the contract was signed and returned.

Only accounts that use a minimum monthly usage of 25kw, have a full 12 months worth of history (data) and are metered are included in the contract. Street lights are not eligible for this program. After many hours of research and interviews conducted by a committee appointed by the Chamber, On Demand Energy Solutions was chosen by the Committee.

Our Met Ed representative was contacted and we have been informed that the street lights owned by Met Ed will be upgraded to high pressure sodium from the existing mercury vapor. All the street lights already owned by the Twp are high pressure sodium. If the Twp would want to upgrade to something even more efficient, such as LED lighting, There is funding available through Met Ed. However, the funding is not as high because you're upgrading from an already efficient light. Dave and Sheila had attended an informational meeting with Met Ed and have been working on upgrading the lighting at the various Twp owned properties in order to take advantage of the Met Ed funds available. During the August meeting for Department Heads, various areas for upgrading lighting in the municipal building were discussed in order to take advantage of the Met Ed Program. Chf Easter had indicated his interest in the garage lighting for the Police Dept being considered.

On Demand Energy Solutions Contract (con't)

The Board asked questions regarding who this program is available to. Mgr Grumbine stated that at this point in time the program is being presented for Commercial accounts. A question was asked if Met Ed indicated whether there would be a charge for use of their equipment. Mgr Grumbine replied that the other charges itemized on the bill apply, this only covers the generation portion. She said it is her impression that one billing would be done by Met Ed.

MOTION was made and seconded to approve the contract with On Demand Energy Solutions for the time period of 1/18/10 through 5/17/13. Motion was unanimously carried.

C.) Release of Integrity Bond for LVEDC – Windsor Drive

A request from Lebanon Valley Economic Development Corp was received. They are requesting the release of an 18-month Integrity Bond which is required for any street that is dedicated to the Twp to guarantee improvements during the 18-month period. Roadmaster Brensinger has provided a final inspection of Windsor Drive and recommends the release of the Bond.

MOTION was made and seconded to release the Integrity Bond for Windsor Drive per Roadmaster Brensinger's recommendation. Motion was unanimously carried.

D.) PADOT meeting at Rte 343/ Kimmerlings Road Intersection

As the intersection of Rte 343 and Kochenderfer-Kimmerlings Roads is an ongoing concern for the Twp, a meeting was held at the intersection with Roadmaster Brensinger, Mgr Grumbine and 2 representatives from PaDot District 8-0, Jason and Dean. At a recent LTAP seminar, instructor Pat Wright, an Engineer for Pennoni, discussed traffic calming techniques. A conversation about narrowing the travel lanes coming into an intersection by placing the yellow centerlines 4' apart with cross hatch in-between giving it a visual effect for motorists to make them aware that they are coming into an intersection was held. During the LTAP seminar Mr. Wright stated the technique has proven to be effective in areas where the intersection is wide enough to place the markings. During the discussion with Jason and Dean it was stated that they felt there would be enough space to accomplish this technique and were willing to try it. They were agreeable to preparing the paperwork, however because the centerlines on Rte 343 were just painted they couldn't guarantee that it would happen this year but would place on next year's work order. Jason stated they are preparing the work order for the white intersection crossings to be placed at both approaches to the intersection on Rte 343. This work will be completed in 2010.

Suv Brensinger told his fellow Board members about a signage issue he had discussed with Jason and Dean. He explained that when traveling in a large vehicle, such as the Twp trucks, traveling west on Kimmerlings Rd and arriving at the stop sign at the intersection, when looking north there is a Rte 343 sign which is posted directly in your sight line. He requested PaDot consider moving the sign to a different location. Suv Brensinger said he knows it is a minor detail but why make a bad situation worse with more sight obstructions. Jason and Dean indicated they would make note of his request. Tom Stewart, whose driveway is along Rte 343 told the Board he had noticed white markings on the road at his driveway location. Ed said it probably was in answer to a PA One Call which means the sign relocating is moving forward.

E.) AG Security Applicant

The Twp has advertised and posted the property located at 725 E Kercher Ave regarding the application received for inclusion with the Ag Security Program. The 15-day comment period from the date of application expires today. No comments have been received. The information will now be sent to the AG Security Advisory Committee, NLT Planning Commission and the Lebanon County Planning Dept to review the proposal and report back to the Board its recommendation concerning the application. After a 45-day period for comments to the Board, the Twp will need to advertise and post the property with information regarding a public hearing before the Board of Supervisors. A tentative date would be October 18 during the regularly scheduled Board meeting.

F.) Line Striping Contract

The three required quotations for line striping (yellow and white) have been obtained by Roadmaster Brensinger. The low bidder was Interstate Road Management (IRM) and is being recommended to the Board for approval at a cost of \$9875. A conversation followed about the process of choosing what roads get striped each year and how the determination is made.

Suv Brensinger mentioned there are more double yellow lines being applied and more areas requiring side fog lines. Suv Miller asked about reflective material being in the paint that is used. Suv Brensinger confirmed there are glass beads mixed in the paint which is reflective.

MOTION was made and seconded to approve Interstate Road Management for line striping in the Twp. Motion was unanimously carried.

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

Mgr Grumbine reported that all 4 Fire Companies have now submitted their NIMS information on training. The form to be completed and returned to County EMA has several questions related to Command and Mgmt, Preparedness Planning & Training, which she reviewed with Chf Easter prior to the meeting. The form is now complete and will be forwarded to Lebanon County EMA.

H.) Update on Lebanon Rails Business Park; TIS

A letter dated August 13 from Lebanon County Planning was received that outlines comments regarding the Traffic Study for the Lebanon Rails Business Park. A comment from North Lebanon Twp pertaining to no truck traffic being allowed on Windsor Drive was one of the comments. The Pansy Hill traffic light was mentioned as an area of concern as it is rated a category F, which is the worst rating possible. A reminder to include North Cornwall Twp should there ever be a traffic light requested for N 25th St and Rte 422 was included with the comments also. Some discussion followed about the various issues mentioned.

I.) PADOT Notice; Paving Project

A notice about upcoming engineering and paving on Rte 343 was received by the Twp. A small area of Rte 343 within our Twp is involved. There is an area of about 800' south of Heffelfinger Road that is being proposed for paving by PaDot all the way to Rte 22 in Fredericksburg.

J.) Fire Police & Liability Insurance Issues

Suv Miller had questioned the Fire Police being covered by the new insurance the Twp now has in effect. Bonnie had contacted Strickler Insurance and they have confirmed the Fire Police are covered by the new policy.

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

1. Pre-Treatment Ordinance is the responsibility of the City of Lebanon Authority. They will be submitting a pre-treatment Ordinance which is a revision of their existing Ordinance that had been adopted by North Lebanon Twp. This is being done under mandates from new governmental regulations. Jon Beers continues to work on this pre-treatment Ordinance update. The Twp will then be asked to adopt the new Ordinance.

2. Knox Box Ordinance revision is an issue that Suv Artz had met with the Chiefs of the 4 Fire Companies to discuss. After the meeting it was decided the full Board would meet with the Fire Chiefs to get exact language for the revision to the existing Knox Box Ordinance.

3. Misc Ordinance Updates is a project that is completed annually. Chf Easter has provided some information from the Police Dept to be included in this update process. Mgr Grumbine has met with Sol Wolf to go over some suggestions the various departments have submitted to her for review.

Misc Ordinance Updates (con't)

Any additional suggestions for updates should be submitted to Mgr Grumbine as soon as possible. Once drafted, the revision Ordinance will be provided to anyone who has submitted suggestions for their review. After review of the revisions by everybody the finished Ordinance would be advertised for Public Hearing. Sol Wolf had hoped the pre-treatment Ordinance would be completed in time to be included with the advertised Public Hearing for the misc Ordinance updates. However if the Lebanon Authority does not have their Ordinance ready, NLT will move ahead with the Public Hearing on our Ordinance updates.

B.) Rockwood Sewer Project**Update on Joint Meeting of August 12; Swatara Board/ NLTMA/ NLT Board****Revised Resolutions for Planning Module – DEP comment Letter**

Sol Wolf stated there had been a joint meeting held on August 12th between Swatara Supervisors, NLT Board of Supervisors, the NLT Authority along with the Engineers and Solicitors from both municipalities. The requirements of DEP for this proposed sewer project was discussed. There are approximately 66 potential Swatara residents and 9 North Lebanon residents that will be involved in this project. The financial aspects of this project were discussed. An H₂O Grant has already been applied for but the announcement will not be made until November 1st. A meeting was also held with Penn Vest to discuss possible financing for the project. The user rates were discussed at some length during this meeting.

The Board of Supervisors had adopted Resolution No. 14-2010 regarding the Rockwood sewer project. DEP has indicated the Resolution is not satisfactory as it stands and needs to be revised. Sol Wolf is providing Resolution No. 20-2010 containing the revisions DEP has asked for. This Resolution will repeal the previously adopted Resolution No. 14-2009. In order to move forward with the Grant application and the Penn Vest funding this Resolution must be acted on.

Sol Wolf next reviewed some of the information that is involved with the grant/ loan applying and securing process. He asked the Board to act on the revised Resolution he is providing. Suv Brensinger asked Sol Wolf for assurance that NL Twp or NL Municipal Authority will not end up being financially responsible for Swatara residents/ customers on this sewer project. His other concern is that NLT Authority recoups the costs for engineering and legal fees that have been incurred to this date for this project. Suv Brensinger said that even though there are 9 residents in NL Twp, there are 66 located in Swatara Twp. Sol Wolf said if and when this project moves forward, these costs will be included in the project.

Sol Wolf mentioned the Grace Avenue issue. PADOT has scheduled Grace Ave for paving in September 2010. The sewer pipe must be installed in that specific area before the paving is completed. Swatara Twp has made the commitment to be responsible for all the costs of the pipe installation before September. This install will be completed whether this project moves forward or not.

Suv Miller questioned if the income study survey, which is part of the Redevelopment grant money being sought, is being completed at this time. During the Penn Vest meeting last week, the name of a company that does these income study surveys was discussed. For this type of survey 100% participation is required. Information from the property owners is required to back up their responses in the survey. This type of survey will take door-to-door visitation. Sol Wolf repeated that the letter dated August 3rd from DEP states that approval of the revised Resolution does not dictate that this project will be completed if it becomes apparent it is not financially feasible to accomplish. Mgr Grumbine read the exact language from the August 3rd DEP letter, which states, “An approval of the plan does not dictate the project must proceed regardless of how high the costs maybe.” Following more discussion about the financial issues with this project, the Board indicated they were ready to take action on this Resolution.

MOTION was made and seconded to adopt Resolution No. 20-2010 repealing Resolution No.14-2010 in regards to the proposed Rockwood Sewer project. Motion was unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.) Kochenderfer Road Project Update; Suv Brensinger**

Suv Brensinger reported the top coat was to be applied to Kochenderfer Road today and tomorrow. However due to the weather the finished paving was pushed back on another project which delayed the Kochenderfer Road paving. It is now scheduled for Tuesday and Wednesday. That will complete the paving however there will still be issues to finish up the project. In answer to Suv Artz's mention of lowering the speed limit, Brensinger stated Chf Easter had done a preliminary study and found out the area does not warrant a lower speed limit. Chf Easter told Suv Brensinger speed enforcement will be conducted by his department.

B.) Fourth Ave / Canal Street Storm Water Update (Dundore/ Schaeffer/ Noll)

Suv Brensinger informed the public there had been a long time water problem in this area. When the Dundore's constructed the new townhouses, the problem was increased. With the City owning the park in that area we involved the City in the discussions. All parties cooperated by adding some effort and Ed is hopeful the water problem is now resolved, as a stormwater pipe was run from the end townhouse over to the creek across Bob Schaeffer's property at N 4th Avenue.

C.) Stormwater Issue Kochenderfer Road

Suv Brensinger commented on the existing issues with stormwater on the Kochenderfer Road areas. New inlets have been added during the paving project however the downstream piping remains a problem. It runs parallel to Sandhill Road and the piping is just too small to redirect all the water away from the area; Mrs. Beard's property in particular. PADOT indicated they were not interested in replacing with larger pipe. They did provide an HOP to the Twp to replace the piping. PADOT has suggested the pipe be upgraded to a 24" plastic pipe. Mrs. Beard has indicated to Ed she did not expect to see these water issues get addressed in her lifetime. She is very happy to see some progress being made to resolve this problem.

D.) Suv Miller

Suv Miller stated he wanted to commend Ed, the Highway crew and Pennsy on the excellent job he feels was completed on the Kochenderfer Road paving project.

With no more business to conduct, the meeting adjourned. Executive session will follow regular business meeting for personnel & litigation matters, if required.

Respectfully Submitted,

Theresa L. George
Recording Secretary