

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 20, 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. Brensinger	Treasurer
Cheri F. Grumbine	Township Manager
Harold L. Easter	Chief of Police
Thomas Harlan	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.

APPOINTMENT OF FIRE POLICE

Nicole Levack was asked to come forward to repeat the oath to become an active Fire Police. Nicole repeated the oath and confirmed she is a member of the Rural Security Fire Company. The Board thanked Nicole for volunteering her services along with all the other active volunteers in the fire companies. Suv Brensinger repeated his appreciation for all the volunteers involved in all the fire companies.

COMMENTS FROM THE PUBLIC

A.) Glen Kreiser – Shellie Street

Mr. Kreiser stated he was hoping to discuss a newspaper article he had read pertaining to the Cleona Police Officers. The article discussed officers using comp time instead of being paid overtime hours. As Sol Wolf is absent tonight the discussion will have to wait until the next time he sees Sol Wolf. Chp Artz encouraged Kreiser to discuss it with Sol Wolf at the next meeting when he is in attendance.

Suv Miller commented that the use of comp time is something that is usually spelled out in the Police contract. The use of comp time creates a headache for the person trying to schedule shift coverage. As one officer is using the comp time another officer will be required to work overtime hours to cover the hours of off time. Suv Miller said it is a circle that creates nothing but headaches for the person trying to schedule the working shifts.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from a Joint meeting held with the NLT Municipal Authority and Swatara Twp Board of Supervisors on August 12th and the August 16th 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 – August

George Gettler gave a summary report on the activities for 3 of the 4 fire companies. Ebenezer’s information is missing from the report. A total of 26 hours for the fire companies were volunteered for the month of August.

B.) Rural Security Fire Co Chicken Bar B Q; 9-25-10

Gettler mentioned the Rural Security Fire Company will be having its annual chicken bbq this coming Saturday. Suv Artz said it is something that the neighborhood seems to look forward to.

C.) Knox Box Ordinance Revision

Suv Miller and Suv Artz stated the issue of the revision to the Knox Box Ord is not quite ready to bring to the table. The Supervisors and the Fire Chiefs have not been able to meet as this date to discuss finalizing. Once this meeting takes place the issue will be ready for the Board's action.

D.) County Commissioners; 30-day Burn Ban

Suv Brensinger mentioned the burn ban that the County Commissioners enacted as of Saturday Sept 18. He wanted to make sure all the Fire Chiefs, as well as the public, were aware of the ban that is in effect for 30 days.

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

Chf Easter stated a total of 923 contacts were made by the Police Dept for the month of August 2010 and highlighted a few of the categories for the Board. When asked if there were any questions Chf Easter was told no there is not.

B.) Trick or Treat Night – Thursday October 28 – 6-8PM

Chf Easter reported the County Police Chiefs have announced Trick or Treat night will be observed the night of Thursday Oct 28 between the hours of 6-8pm. This will be Countywide. He is not sure what the City of Lebanon plans.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) CLSD Regional Comprehensive Plan**

At the August 16 meeting, the Board discussed with Earl Roberts the RFPs received for the purpose of compiling a Regional Comprehensive Plan for those municipalities in the CLSD that will be participating. There were many issues discussed at that meeting regarding this project including those appointed by the various municipalities to serve on a Steering Committee and those representatives appointed to the Task Force Committee. The 2 committees are mentioned interchangeable at times causing confusion when discussing the CLSD Regional Comprehensive Plan. The Steering Committee is comprised of the Managers from each of the municipalities in the CLSD. The Task Force is up to 3 appointed representatives from each of the municipalities within the CLSD. Most of the Task Force Committee members consist of the Manager, a Planning Commission member and a Supervisor/ Council member. In speaking with one of the Board members the week following our August Board meeting, it became apparent that there was some confusion regarding this issue. Therefore, Mgr Grumbine spoke to each Board member to determine what direction was wanted regarding the interview scheduled for September 2 with the Steering Committee. The Board's direction and conclusion was that they did not wish Mr. Roberts to attend the initial interviews with the Steering Committee. The Committee members include Curt Kulp- Mgr @ S Lebanon; Robin Getz-Mgr @ N Cornwall; Steve Danz – Mgr @ Cornwall Boro; Jeff Steckbeck –Engineer representing W Cornwall and Sheila Wartluft-Ass't Mgr for NLT and Mgr Cheri Grumbine. Mr. Steckbeck was appointed by W Cornwall when the full-time secretary resigned. Copies of RFPs received from all 4 consultants were provided to Mr. Roberts so he could review and provide his comments in order to be asked during the interviews. Both Dawn Hawkins and Charlie Allwein, Steering Committee members, received copies in order to provide their comments to Mgr Grumbine. Comments were received from Mr. Allwein prior to the interview process.

On September 2, the Steering Committee conducted individual interviews with 4 consultants for the CLSD Regional Comp Plan. Following the interviews, the Steering Committee discussed all 4 consultants and determined the top 2 recommendations. At that point it was agreed there were a few items, such as number of draft copies, number of final copies and a website link, all of which have significant importance.

CLSD Regional Comprehensive Plan (con't)

The Steering Committee agreed to confirm these additional items for inclusion in these 2 proposals and ask for any adjustments in order to guarantee that both proposals are equal in content. Following the response from both consultants a meeting will be scheduled with the entire Task Force to review the 2 proposals, discuss the interviews, and determine the recommendation as a Task Force Committee regarding the consultant. Following this Task Force meeting and the resulting determination, each member of the Task Force will take back to their respective boards/councils the recommendation of the Task Force and ask that they approve the hiring of the consultant in order to move forward.

It is anticipated the Task Force will meet and make a recommendation by the end of September in order to move forward in a timely manner. In January 2010, Mgr Grumbine requested a grant extension on the application and that extension expires October 31, 2010. In order to complete the Step 2 process of the application we need definitive numbers on engineering costs relating to the project, as well as confirmation by each participating municipality. Thus it is important that each participating municipality approve a Resolution in October, as well as approve the hiring of the consulting engineer. The next step will then be a signed multi-municipal agreement to be signed regarding the participation in the Regional Comp Plan.

Earl Roberts – W Kercher Ave questioned Mgr Grumbine about the form of communication she used to relay the information to him pertaining to the Board's change in thinking about his attendance at the Steering meeting when the interviews took place. Also he wanted to know when she communicated this information. She replied she had emailed the information. Roberts asked where she obtained the email address and Mgr Grumbine responded that either he or his wife listed the email address on a past sign-in sheet for the Board meeting. Mr. Robert asked Mgr Grumbine if she remembered him telling her the email address she was attempting to use was invalid. Mgr Grumbine replied yes, he mentioned this during their telephone conversation that it may not be correct as he thought there were numbers in her email address and the one Mgr Grumbine used did not have numbers. Mgr Grumbine stated Mr. Roberts had contacted her within minutes of her sending out an email to him. Roberts confirmed he had placed a phone call to her. She had not tried to phone him beforehand, as she sent the email first.

Mr. Roberts recalled the discussion with the Supervisors at the last meeting regarding his attending the interview process for the RFPs. He commented on the timing of the phone calls and the emails. A lengthy discussion about the sequence of events was held. There was a difference of opinion about the timing of the emails and the number of phone calls.

Suv Miller interjected saying that he felt this was not accomplishing anything. It is his opinion that Mr. Roberts is not happy about not being present at the interview process. He stated his feelings on the issue of the public being present for this interview process. Typically it is not open to the public. Suv Miller said it is not his intent to further upset Roberts however this discussion is not accomplishing anything. After hearing that the other members of the Steering Committee had voiced their opinions on public attendance, he could not disagree with what was being explained to him during that phone conversation. Suv Miller stated that Mgr Grumbine did discuss the issue of public attendance with the Steering Committee at their meeting and it was determined that any future meetings will be open to the public. He told Mr. Roberts he will be welcome to attend any future meetings. Mr. Roberts was asked to understand that this is not NL Twp's committee. Our Twp participates in the Committee however we do not make the decisions. Suv Miller said he understands Robert's unhappiness over what has happened and he extends his regrets to him for that.

Mr. Roberts told Suv Miller that he agrees it is not important about who did what and the timing involved. However it is his opinion that it speaks to how the Twp relates to a citizen who was granted approval for attendance and then the approval being withdrawn. If he had not initiated contact, according to Mr. Roberts, he would not have known the information. He feels that is the point. Although it would have been unpleasant to receive the information via a phone call, he could deal with it. However he feels the courtesy of a phone call was not extended to him. Suv Miller told Roberts his point is noted.

CLSD Regional Comprehensive Plan (con't)

Mr. Roberts stated he is heartened to hear the public will be able to attend the future meetings. After having reviewed the RFPs he has a concern about the public's involvement versus the Steering Committee's involvement. The signed agreement calls out the Steering Committee will be the guiding factor in how this comp plan is accomplished. He is very interested in being involved in this process. Suv Miller replied as long as Roberts understands that the decisions are not made by NLT. It is the Committee that together decides these issues. Roberts indicated he does understand that point.

Mgr Grumbine repeated that the Steering Committee has chosen 2 consultants for this project. The consultants were given a number of items that the Committee wished to see clarified in order to receive an RFP that is equal in all aspects. The 2 consultants will then take the information to the Task Force, which is a larger group than the Steering Committee, to give their presentation. The meetings of the Task Force are open to the public. Mgr Grumbine stated she is uncertain of the status of the Steering Committee once the 2 presentations go to the Task Force. The Steering Committee may have only 1 more meeting or there may be more. At this time there is no meeting scheduled for the Steering Committee other than the meeting that will be in conjunction with the Task Force. After the Task Force makes a recommendation from the 2 consultant firms, the recommendation will come before the NLT Board of Supervisors, as well as all other Boards/Councils participating in the CLSD Regional Comp Plan. All Boards and Councils will make the final decisions. Along with the consultant recommendation will be a signed multi-municipal agreement defining how this process will work.

Mr. Roberts expressed his confusion about the Steering Committee and any future meetings. Mgr Grumbine explained the process that had brought about the Steering Committee and the Task Force being created. Suv Miller stated he understands the Steering Committee not wanting the public in attendance in the initial screening process. He is questioning now that the process has been narrowed to 2 applicants, will the Steering Committee allow public presence? Mgr Grumbine repeated that at this time there are no future Steering Committee meetings scheduled. Mr. Roberts referred to one of the RFPs. It is mentioned there are 1181 hours of which there are 17 meetings listed. Eleven of the meetings are to meet with the Steering Committee. Once a consultant is chosen and the "steering committee" is formed, will the public be permitted to attend the meetings, asked Mr. Roberts? Mgr Grumbine explained that while the Steering Committee met with the consultants, they informed the applicants that this group wished to follow the outline of the County Comp Plan exactly. One of these requirements was the creation of website links which would allow anyone who wished to follow the process could go to the website to read the information. This would allow anyone who, for whatever reason, could not attend any of the meetings, could stay informed at their convenience.

Mr. Roberts stated he wants to go on record, once the consultant firm is chosen and the "steering committee" is formed, he would like to be informed as to whether or not he can attend those meetings. Suv Miller replied that once a firm is selected and the committee is formed, an attorney's answer to the questions about public attendance will be provided. Attorney Harlan asked Mgr Grumbine to explain the Steering Committee and what he sees as the end of their responsibility. Mgr Grumbine replied once a decision is made by the Steering Committee as to their preference, the Steering Committee will schedule a meeting with the Task Force to discuss the Steering Committee's recommendation. At the point when the issue goes to the various Boards and Councils, it is her understanding, a decision will be made whether to retain the original Steering Committee or create different committees. Mr. Roberts requested a copy of the original RFP document that was issued to various firms in order to get their responses. He would also like to have a copy of the signed partnering agreement.

Chp Artz asked Mr. Roberts if he has gotten any answers to his questions. Roberts responded he feels the questions were discussed. Chp Artz stated his regrets that this dilemma has arisen.

CLSD Regional Comprehensive Plan (con't)

Glen Kreiser told the Board that after listening to this exchange, he is wondering if the Board should be taking a look at the responsibilities/duties of some of the Twp employees.

B.) Met Ed (First energy) Efficiency Program

The Met Ed program is designed to reduce energy costs and demands. It has good incentives to encourage changes in old equipment. The Twp was pre-approved for \$1120 which will be applied to motion sensor fixtures. An invoice of \$834 will be received for the sensor fixtures. The Police garage was not included but will be included when ordering the sensor fixtures for an amount of \$322.10 (5 fixtures). The Twp will be responsible \$147.10. Once the entire math was done, there were enough funds to order 3 extra sensor fixtures. Upgraded lighting in the shop was also approved in this program. The shop light upgrade should show a 50% savings within a year for the shop area.

Chp Artz questioned if the lighting power will be reduced by trying to achieve these savings. Suv Brensinger asked his fellow members if they recall the lighting at the GLRA when they had been there for the event held last week. Both Suv Miler and Artz replied they do remember. Suv Brensinger stated the new lighting we are considering is the same as the lighting in the shop area of the GLRA. Visiting the GLRA answered Suv Brensinger's doubts about the candle power of the lighting. The candle power will not be compromised by the newer efficient lighting.

C.) Met Ed Streetlight Change-Over to High Pressure Sodium Vapor Lights

During a previous Board meeting the upgrading of the mercury vapor streetlights was discussed. Met Ed is ready to begin ordering materials and schedule a work plan. Mgr Grumbine gave approval to Met Ed to proceed. The streetlights will be replaced with high pressure sodium vapor lights at no charge to the Twp. The current cost for mercury vapor streetlights per month is \$1847.16. Following the changeover the monthly bill for the streetlights that have been changed will be \$1680.89, for a \$166.27/ month savings. As most of the newer streetlights are already high pressure sodium, the savings will be realized from the streetlights being changed over.

D.) Letter of Credit Release – Street Cut Permit for 1106 Jay Street

A street cut permit for the connection of utilities to a new house located at 1106 Jay Street is ready for release. A final inspection was completed by Ed and he has recommended the release of the Letter of Credit for HOR SHAA Builders.

MOTION was made and seconded to approve the release of the Letter of Credit held for HOR SHAA Builders in regards to the home at 1106 Jay Street. Motion unanimously carried.

E.) Bond Release – Len's Concrete

In August of 2008 a street cut permit for a sewer extension on Miller Street was secured by Len's Concrete Service. In lieu of the 24-month corporate surety bond required by the permit, Mr. Snyder provided a cash escrow. The 24-month bond requirement has now expired and Ed provided a final inspection of the area and is recommending the bond be released. Mgr Grumbine is asking the Board to take action for the release of the cash escrow. The check will be signed after the meeting tonight and released tomorrow.

MOTION was made and seconded to release the Miller Street Cash Escrow provided by Len's Concrete. Motion unanimously carried.

F.) 904 Grant – 2009

The Recycling Coordinator has completed the 2009 (204) grant application which calculates to \$20,265.62. A note about the past history of this Grant was provided by Bonnie. The amount has fluctuated but has remained in the ballpark with each award.

MOTION was made and seconded to authorize the Chairman's signature on the Grant application. Motion unanimously carried.

G.) Snow Event Reimbursement

During the May 17th meeting the Board authorized the processing of the paperwork with PEMA for reimbursement of expenses during the winter storms on February 5-7, 2010. Earlier this month a reimbursement check totaling \$17,248 was received from PEMA. This amount was 75% of the costs outlined in the application. The breakdown of the reimbursement was distributed as follows:

- \$ 809.50 – Municipal Authority employee hours
- \$ 4,437.30 – Liquid Fuels Fund for materials
- \$12,001.35 – Highway/ Admin hours plus equipment and fuel

Mgr Grumbine is recommending the \$12,001.35 which was mostly for equipment and fuel be allocated to the Capital Reserve Fund, which is specifically designed for future equipment purchases.

MOTION was made and seconded to approve Mgr Grumbine's suggestion for distribution of the reimbursement funds. Motion unanimously carried.

H.) County Convention for Township Municipal Officials; Thursday, October 21, 2010

Mgr Grumbine told the Supervisors the County Convention will be held at the Quality Inn on Thursday, October 21. There will be representatives present to discuss various issues such as: Keystone Collection, PSATS, Met Ed, Penn State rep for Chesapeake Bay Initiative and Mr. Kauffman from EMA. During the afternoon session a representative from 21st Century Appraisals will be present to speak.

I.) Recycling of Newsprint

Mr. Meily has contacted Ed to inform him the Meily family will no longer be accepting the newspapers for their farming purposes. Another avenue for recycling the newsprint will have to be decided. Suv Brensinger has contacted another farmer who may be interested. He has also contacted CSR to get information about payment per tonnage. An answer will need be to given soon as October is approaching.

Suv Brensinger informed the Board the other farmer has indicated his interest. He is not sure if this person would agree to the same procedure the Twp had followed with the Meily family, as far as manning the collection of the newsprint on the drop off Saturday. He feels consideration should be given to having a container available in the recycling yard for residents to drop off newsprint. The down side of that option would be the residents who do not have the card to enter the yard. To try placing the container outside the yard, invites the possibility of contamination, which would almost assuredly occur. Another option is to continue pulling the container out on the scheduled second Saturday of the month, knowing the residents are trained for this process. Suv Brensinger feels we should experiment with a process and take the comments of the residents under advisement as to what will work the best.

J.) Two Traffic Requests

Mgr Grumbine shared with the Board a diagram of 2 different traffic issues and suggestions from a resident as to how best address the problems. The first situation deals with the railroad underpass at 25th Street and the truck traffic. Suv Brensinger told the Board this situation will be resolved once the Twp receives a sign order that had been previously placed which warns of low-overhead clearance.

The second request deals with additional street lighting at Ebenezer Rd and Jay Street. In this person's opinion it is too dark. None of the Board members could recall the lighting at that corner and it will have to be checked on. Suv Brensinger stated it may be a street light that is scheduled to be updated with new lighting. Research will be done to find out an answer to this issue.

SOLICITORS REPORT – Attorney Thomas Harlan (Henry & Beaver Assoc)**A.) Ordinance Updates**

1. Pre-Treatment Ordinance is still in the Lebanon Authority's and Jon Beers' hands. They are not yet ready to release for action.

2. Knox Box Ordinance will require a meeting between the Fire Chiefs and the Board of Supervisors.

3. Misc Ordinance Updates were been provided to the Board in draft form. The Board will need to meet with the Fire Chiefs regarding the Knox Box ordinance, which is a part of the overall Ordinance update ordinance. Following that meeting, the Board can authorize the advertisement of a public hearing.

B.) Rockwood Sewer Project**1.) Update on Joint Meeting of August 12; Swatara Board/ NLTMA/ NLT Board**

A joint meeting had been held August 12 between Swatara Supervisors, NLT Supervisors and the NLT Municipal Authority.

2.) Application Completed for H₂O & Penn Vest Loan was submitted with a November announcement of a possible award.

3.) Appointment of Supervisor liaison for future Joint Meetings is something Swatara Twp, North Lebanon Twp and the Municipal Authority are being asked to complete.

MOTION was made and seconded to appoint Ed Brensinger to serve as the liaison for the NLT Board of Supervisors. Motion unanimously carried.

C.) Ag Security Amendment – Waiting for Meeting/ Recommendation from Ag Security Advisory Board

The Board will schedule a hearing after receiving a recommendation from the Ag Security Advisory Board. Chp Artz stated he will be making contact with the Ag Chairperson in reference to getting a recommendation. Suv Brensinger questioned the property posting that had been completed in August that informed the public about the receipt of the application. He questioned if those postings can be removed. Mgr Grumbine replied those specific signs can be removed but the property will have to be re-posted once a Public Hearing date is scheduled.

D.) EIT Over/Under Update

A preliminary agreement has been submitted. However there have been many comments and suggestions for revision from other Twp Solicitors on the agreement. This issue is not ready for action at this time. It could be ready at the November meeting.

COMMENTS FROM BOARD MEMBERS**A.) Ed Brensinger – Kochenderfer Road Project**

Suv Brensinger said the project on Kochenderfer Road is finally finished. The grass that had been planted is growing. He extended his thanks to the Twp employees and all the helpers who assisted in this project. It is his opinion the project was successful.

Suv Miller asked Ed about the line striping project. Is that finished? Ed confirmed it is finished but he was not happy with the results. The work did not compare to the work completed in the past by this company.

B.) Dick Miller – Future Committee Projects

In light of the earlier conversation this evening, he feels the Board should, when involved in projects such as this one, get clarification from the beginning as to what public involvement will be. He stated that everyone sitting at the front table has strong beliefs in open government. If the clarification is announced at the beginning of committee development it will help to eliminate the confusion that has happened with this particular issue. Suv Miller commended Mgr Grumbine for trying to answer the questions asked of her in the best way that she is able.

With no more business to conduct, the meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary