

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 4, 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
Frederick S. Wolf Henry & Beaver LLP

Also in attendance was Kathy Hackleman, a representative of the Lebanon Daily News and several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Floyd Shepps - Update on County-wide Re-Assessment

Mr. Shepps stated he was here to update the Board since his attendance at the August meeting when he addressed the County Commissioners thought on the re-assessment of Lebanon County properties. His concern is with the choice of firms that will be conducting the re-assessment, 21st Century Appraisals. Shepps summarized the County Commissioner meetings he has attended recently to discuss this firm. He has many questions and concerns about this firm that has failed to provide adequate services for other Counties who had retained them to complete re-assessment appraisals, according to Shepps.

Mr. Shepps told the Board he will be looking to this Board to keep him informed on the progress of this project as it will affect all the residents on North Lebanon Twp also. He finished his remarks by telling the Board that Cumberland County, upon completion of their re-assessment period, had to hire an expert because the assessment completed by 21st Century failed to meet the standards of the National Standards of the International Association of Assessments. It cost Cumberland County an additional \$15,000 for this expert. Mr. Shepps feels the Commissioners have been informed of the failings of 21st Century and have not taken the information seriously.

Chp Artz told Shepps he had personally spoken with 2 of the County Commissioners on this issue. He said the contract has been approved for 21st Century to complete the assessment project. At this point Chp Artz said he is not sure what can be done about all of this. Shepps stated there is a Bill 1661 which lists all court-ordered assessments, including Lebanon County. The re-assessment is not his concern. The choice of firms to complete the assessment is his concern. Chp Artz thanked Mr. Shepps for the update he has provided.

B.) Carol Sahonic – East (Old) Cumberland Street

Ms Sahonic informed the Board about a water runoff situation that had occurred this past Thursday when we had heavy rains. The Sahonic property is to the west of the Ebersole property located on Rte 422. She told the Board she feels they are receiving the runoff from the whole area. The water did not appear to drain off to any other location. She told the Board she has appeared before the Supervisors about this issue several times in the past. According to Ms Sahonic the Twp refuses to install water drains in this area to help eliminate the water runoff problem.

Ms Sahonic mentioned the lack of winter maintenance during the winter season. She said when they moved here many years ago winter maintenance was taken care of by the Twp for them. During the recent years there has been no maintenance provided on their street at all. A discussion took place about private roads versus dedicated roads.

Carol Sahonic – East (Old) Cumberland Street (con't)

Chp Artz told his fellow Board members he feels they should take a look at this area and try to get some answers. Suv Brensinger stated he would agree to review the area and the drains that are already located there.

Sandra Erhart, who is a neighbor of Mr. /Mrs. Sahonic, spoke to the Board. She addressed the Board about the lack of winter maintenance. The Board told the residents they would like some time to investigate the issues associated with the discussions tonight. Ms Sahonic told the Board she was in agreement with their request.

C.) David Porter – Penny Lane

Mr. Porter spoke to the Board about an invoice he received from the Township. The invoice was regarding Code Enforcement issues and inspections. Mr. Porter told the Board he is unhappy about the run around he received when he tried to speak to someone about the invoice. When he spoke to Officer Wengert, Porter stated that Wengert told him he needed to speak to the Twp as that is where the bill was generated. When he came into the Twp office the person he needed to see was not there.

Mr. Porter told the Board he is not satisfied with the breakdown of the invoice or the lack of communication from the Twp. Sol Wolf explained the process of Code Enforcement and the invoicing that gets completed once it is turned over to the Twp accounting clerk. After some discussion Sol Wolf told Porter it is his understanding that Porter is questioning the amount of the invoice. Porter indicated his agreement. Chp Artz told Porter the Board will have to review this issue with Officer Wengert before trying to address this situation.

D.) Glenn Kreiser – Shellie Street

Mr. Kreiser reminded the Board that when the Code inspection questions were raised 2 years ago, he had asked the Board why the Twp's Code Enforcement Officer could not perform these inspections instead of bringing an outside inspector in. Kreiser questioned if there has been any progress on this issue.

Chp Artz told Kreiser to perform these inspections, credentials are required. Kreiser asked if Officer Wengert is currently attending classes to obtain these credentials. Chp Artz said he could not say if he is or if he is not. The credentials are an issue the Board is reviewing. Kreiser next questioned if we are going to go to outside sources for these services, why do we need Officer Wengert. Suv Brensinger replied the Supervisors are looking at having another person or Officer Wengert being trained to be able to conduct inspections so the Twp would not have to rely on outside sources.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from September 20, 2010 Board meeting. Motion was unanimously carried.

APPROVAL PAYROLL and PAYMENT OF INVOICES

MOTION was made and seconded to approve payroll and invoices for payment, subject to audit. Motion unanimously carried.

SOLICITOR'S REPORT – Frederick S. Wolf (Henry & Beaver LLP)**A.) Ordinance Updates**

1. Knox Box Ordinance – After having adopted the previous Knox Box Ord, some questions were raised which prompted the Fire Chiefs and the Supervisors to conduct some review on the ordinance. A meeting is scheduled for October 7, 2010 @7pm which is open to the public.

2. Misc Ordinance – A draft of misc ordinance updates has been prepared based on suggestions from the department heads. Sol Wolf is hoping to revise and finalize these updates after receiving comments back from the draft. He is hoping the finished Ordinance will be ready the November meeting.

B.) Rockwood Sewer Project – This issue is about getting public sewer into the area known as Rockwood. The Swatara Board of Supervisors, NLT Municipal Authority and the NLT Supervisors has been working on securing grants and PennVest loans in order to accomplish this project.

C.) Ag Security Amendment–Waiting for Meeting/ Recommendation from Ag Security Advisory Board
A recommendation of adoption for this AG Security inclusion has been received from NLT Planning Commission and the County Planning Department. A recommendation is still needed from the NLT Ag Security Advisory Board. As soon as the recommendation is received Sol Wolf will move forward with advertising for a Public Hearing on this application.

D.) EIT Over/ Under Update

Repayment plan documents have been drafted and each municipality is being asked to sign the agreement. Once all the signatures are received each municipality will be asked to adopt an Ordinance. There was a discussion about the recent comments made by some of the overpaid municipalities. Suv Brensinger stated that he will go on record saying that if anyone thinks the underpaid municipalities will sit back and accept this matter as settled, they are in for a surprise. The underpaid municipalities will not let this issue go away. There is too much money at stake for NLT Twp, SL Twp, City of Lebanon and North Londonderry who are the underpaid. Sol Wolf agreed that the payment agreement will have to be signed by the municipalities. There is too much money for them to not pursue this agreement.

E.) County Burn Ban

Mgr Grumbine asked Sol Wolf if he received the information that had been provided by Officer Wengert pertaining to the burn ban announced by the County Commissioners. Officer Wengert read through the enforcement portion of the burning ordinance. In reference to the Twp burning ordinance Off Wengert would like to add a paragraph using the same wording as the Twp’s enforcement clause Chapter 7 “Special order of Supervisors – No Burning” and include the phrasing “Lebanon County Commissioners/ Officials.” By adding this wording to the Twp burn ordinance it would allow enforcement of the County’s declaration on burning. Mgr Grumbine asked Sol Wolf to consider what has been provided and include with our current misc ordinance updates.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine

A.) CLSD Regional Comprehensive Plan

On Monday, September 27, the Manager’s held an impromptu meeting. As previously reported, the Managers (Steering Committee) held a daylong interview session on September 2nd with all applicants. Following that meeting the Committee short listed down to 2 consulting firms. Creating additional questions the Steering Committee reached out to those 2 firms in order to finalize the quote along with a final scope of work. Everyone was reminded that we have a very short time line to getting the grant lined up. In order for the majority of municipalities to meet the October date, a Task Force (large group) meeting has been scheduled on October 7th beginning at 6:30 PM to be held at South Lebanon Township. This will replace the August 29th meeting that was postponed. The Managers (Steering Committee) will be making their recommendation and seek support for the selection of a consultant at this time. Mr. Roberts has been informed about this meeting so he can attend if he wishes to do so.

Suv Brensinger said he feels it might be difficult to have some of the overpaid municipalities included in the Regional Comp Plan if this overpaid/underpaid issue becomes a “battle” between the municipalities. Mgr Grumbine added her thoughts on the recent controversial remarks being spoken. However she reminded the Supervisors how important this Regional Comprehensive Plan is to all the municipalities, especially when considering the costs involved with creating a comprehensive plan.

B.) GLRA Waste Management Plan

The GLRA Advisory Committee and Board have been working on the Waste Management Plan for Lebanon County.

GLRA Waste Management Plan (con't)

In order to ensure that the Municipal Officials of Lebanon County have an opportunity to be briefed on the WMP and ask questions, the GLRA is holding a brunch at the Lantern Lodge on October 15th from 9:30-noon. Deadline to register for this event is October 7th. Suv Miller stated he would be attending. Suv Artz stated he would get back to Mgr Grumbine to let her know his answer.

C.) Winter Maintenance Material for West Lebanon Twp

NL Twp is again cooperating with West Lebanon Township to provide salt for the 2010/2011 winter season. The price of salt to be billed to West Lebanon is our price plus any fuel surcharges incurred for shipments (by the vendor). Again, we have a clause stating that we reserve the right to limit quantities should our reserve become low due to a higher number of storms and/or any restrictions placed on the Township by our suppliers as we experienced in the 2002/2003 winter season. Mgr Grumbine is asking that the Board approve and authorize the Chairman's signature on the agreement.

MOTION was made and seconded to authorize the Chairman's signature for continuation of the cooperative winter maintenance plan with West Lebanon. Motion was unanimous carried.

D.) Act 44 Requirements

Recently, Sheila and Mgr Grumbine attended a workshop on Act 44 of 2009, Best Practices Standards Imposed on Pennsylvania Municipal Pension Systems. Tucked away in Act 44 of 2009, which was intended to relieve the significant financial strain on plans throughout Pennsylvania (in particular Phila and Pittsburgh), the General Assembly imposed a set of best-practice standards on every municipal pension plan in the Commonwealth. Act 44 contains sweeping changes for the use of professionals by municipal pension systems by imposing substantial selection procedures and disclosure requirements. The disclosure requirements for current pension professionals and municipal pension officials are currently in effect, and, with an annual filing obligation, completed disclosure forms which must be submitted by December 17, 2010, for posting on the municipality's website. As more is learned about the requirements under Chapter 7-A of 2009 mandates through PSATS and the Boro's Association Solicitor Wolf and Mgr Grumbine will provide this information to the Board. There are regulations regarding A.) Competitive Selection Process, B) Disclosure Requirements; C.) Political Contribution Prohibitions; D.) Penalties; E.) Implementation of the Act, all of which are included in Chapter 7-A. In attending the recent workshop, many requirements stipulated in the Act are vague and need further interpretation by the experts. Mgr Grumbine has included a copy of the workshop outline for the Board's review. Solicitor Wolf has reviewed the Disclosure Statements and they will be provided to our Edward Jones investment rep and Conrad Siegel Associations, as our pension actuary for compliance with this section of the Act.

E.) Airport Zoning Ordinance

Recently the Twp was invited to attend a Workshop on Airport Hazard Zoning Ordinances. Because of a conflict Mgr Grumbine was unable to attend the workshop but had registered, so the materials would be available for Tom Kotay and Jon Fitzkee to attend on our behalf and bring back information to us. Because the south eastern tip of the township boundary falls within the "Deck Airport Surface Areas" conical area the Twp is required to adopt an Airport Zoning Ordinance. A binder containing various information was provided at the workshop, which includes a sample ordinance. County Planning is also looking at taking this sample ordinance and fine tuning for the municipalities in Lebanon County. This will enable all ordinances in the County to be similar.

Mgr Grumbine reported to the Board that she had received an email from LCPD informing her that their department will be meeting to look over what would best for all the municipalities. The possibility of creating one ordinance to be used as a similar ordinance by all municipalities effected.

F.) Civil Complaint Filed - E Lehman Street

Mgr Grumbine provided a copy of a Civil Complaint the County Zoning Officer has filed against a property on Lehman Street. They are hoping to bring the property into compliance.

G.) Street Light @ Jay Street and Rte 72

During the last meeting a resident presented a written concern about the area at Jay St and Rte 72 being so dark. Mgr Grumbine reported the wattage there is 175 watt mercury vapor. With the changes being completed to the high pressure sodium, the opportunity to upgrade the bulb is available. She is looking to the Board for an answer to this issue. Some discussion took place on the issue of upgrading to high pressure sodium to step up the wattage. The Supervisors agreed to go to the next wattage level which is the 150 watt HPS.

Suv Brensinger stated that the second concern this resident had pertaining to 25th Street signage has already been taken care of. One “Low Clearance” sign has been installed on 25th Street. A second sign has been ordered for installation. The truck drivers will be given 2 opportunities to get out of a bad driving situation.

COMMENTS FROM BOARD MEMBERS**A.) Suv Brensinger – Newspaper Collection**

Suv Brensinger announced that the newspaper collection will be offered this coming Saturday. The biggest change will be the acceptable method of bundling the papers. No plastic bags or boxes will be accepted. The papers must be tied with string or twine or can be collected loose.

B.) Suv Dick Miller

Suv Miller stated he had excused himself during the course of the meeting in order to obtain facts about some of the information presented to the Board this evening. He learned that not all of the pertinent information had been provided in regards to this issue. Often the Board is caught off guard when some of the issues are presented to the Supervisors. He wanted to comment that things are not always what they seem and not being here on a continual basis the Board is caught off guard when these topics are raised @ the meetings. Suv Miller stated he regrets that fact but realizes this will continue to happen, unfortunately.

BUDGET WORKSHOP – the Board will go into a Budget Workshop to review requests/issues for the 2011 budget. The public is welcome to stay for the Workshop; however, no comments will be taken until the Workshop is finished. It is anticipated the Preliminary Budget presentation will be held on November 15, 2010 with Final Budget for 2011 being considered for adoption at the December 20 Board meeting.

After a 15 minute break the Budget Workshop will be held and separate minutes are available that cover this session.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary