

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 19, 2009**

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

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

Also in attendance was Julia Maxwell 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.) Oath of Office – Gregory A Detweiler, NLT Fire Police Officer

Chm Brensinger asked Gregory Detweiler to step forward and speak the Oath of Office for a Fire Police Officer. Following the Oath of Office the Board members thanked Mr. Detweiler for volunteering his services.

B.) Earl Roberts – W. Kercher Avenue; May Minutes of BOS

Mr. Roberts started his remarks by recounting previous issues he had brought to the Board of Supervisors in regards to Tenaska's proposed power plant. Mr. Roberts stated he had some exceptions to the minutes that were typed and recorded for the May 5 & May 18, 2009 Supervisors meetings. He is questioning whether the contents of the minutes accurately reflect what had taken place at the meetings. Upon hearing the importance of the recorded minutes, Mr. Roberts wanted to make it known that what he had heard during these meetings and some of what is recorded in the minutes is not the same thing. Another fact he wanted to make the Board aware of is that on the 20th of this month, it will be 1 year since he had first approached this Board on the Tenaska issue.

At this time Mr. Roberts started his outline of the various exceptions he has with the recorded minutes from the May 5 & May 18, 2009 Supervisor minutes. May 5th minutes involved area neighbors who attended the meeting and expressed some concerns, comments and questions they had pertaining to the proposed power plant and some of the communications Mr. Dan Culver was initiating with the property owners within the area of Kercher Avenue. Roberts read at least 3 statements typed in the minutes that he disagrees with the way it is written. He explained to the Board his recollection of the sequence of when some of the remarks were made during the course of the meeting. He feels the minutes contain the contents of the meeting but the information is listed out of sequence as to when the statements were made. One of the issues was Suv Brensinger's response about attending the luncheon hosted by the LVEDC. Roberts said he thinks Suv Brensinger had responded about his attendance earlier in the meeting than what has been recorded. Mr. Roberts stated he thinks the minutes are misleading. He again told the Board he thinks the recorded tapes should be kept from the meetings to verify what is contained in the recorded minutes.

Earl Roberts (con't)

Mr. Roberts next referred to the May 11th meeting of the Planning Commission. The minutes refer to Mgr Grumbine making a statement in regards to Swatara Twp receiving a “footprint sketch” for the proposed plant from the Tenaska group that North Lebanon Twp did not receive. Roberts feels this is an untrue statement. He said Swatara was provided with a map that contained a bull’s eye location with geographical coordinates which Tenaska had provided to PA in a permit application. The bull’s eye had been placed on the map by the Swatara Twp engineer, according to Mr. Roberts. Roberts continued his comments about the Swatara documents and a location being depicted. In Roberts opinion after North Lebanon Twp was provided with this map from Swatara, it was the Twp’s notice of Tenaska’s plans. This occurred in March. Robert’s repeated his feelings that the recordings/tapes should be maintained.

Suv Hawkins commented that she recollects several times during the meetings verification being made of the fact that Suv Brensinger attended the dinner hosted by the LVEDC when Dan Culver was in attendance. She is confused by what Mr. Roberts is upset about. He seems to be saying the contents of the minutes is accurate but is not happy about the sequence in which some of the comments and remarks are typed. She commented her opinion is that the minutes are true and correct. Does she remember the actual timing sequence when each remark is made? No, she does not. However the actual contents of the minutes are true and correct. Everything that is typed is what she remembers taking place. Regarding the “footprint sketch” he mentioned, Suv Hawkins said her understanding is that it was what Tenaska was proposing. It was not to indicate this is the final decision for a location. It was a suggestion of what they are thinking about. Suv Hawkins repeated the fact that the Board not being contacted by Mr. Culver did make her angry. It was a real problem for her. She also remembers Mgr Grumbine trying to encourage Culver to come to the meeting and explain some things to the Board. Culver’s actions indicated he was not willing to come to the meeting until June or July, for whatever his reasons were. When he indicated he was ready to attend, Mgr Grumbine scheduled a time for Tenaska’s attendance. Suv Hawkins said she has read and reread these minutes and finds everything written to be true and accurate. She does not find anything misleading or untrue.

Mr. Roberts looked to Sol Wolf to answer his questions about the sequence of the questions that are asked during the meetings. Sol Wolf told Mr. Roberts that as far as the accuracy of the recorded minutes, it is his responsibility as a concerned citizen to attend the meeting when the minutes are approved. It is his obligation and his right to read the minutes immediately after they are approved. At that time is when the questions should be raised. Sol Wolf told Roberts this is the standard method that is used by almost all municipalities to handle the writing and recording of the minutes. A meeting is recorded; the minutes are transcribed and submitted to the Board of Supervisors or Borough Council for review and approval. After approved the tapes are not maintained. A citizen who is concerned about how the minutes are being recorded and approved should be at every meeting and ask to review the minutes before they are approved. That is the time to express comments and concerns. Not now months after the minutes have been approved and no one can remember clearly as to the remarks made and the sequence of the remarks.

When asked about the importance of recounting an activity, to ascribe the proper answer to a proper question, to the proper person or is it alright to have it noted as an answer to a question that a person did not ask; Sol Wolf stated that the minutes should reflect what took place at the meeting, whatever that is.

Earl Roberts (con't)

Roberts asked Sol Wolf again if accuracy is important. Sol Wolf replied it is important that the minutes reflect what took place at the meeting.

Mr. Roberts said although he could mention several statements made in the May 18th minutes he will refer only to the remarks Mr. Culver made about Real Estate values. He referred to a comment/question made by Carol Shaak during the May 18th meeting when she addressed the concern about Real Estate values of the surrounding properties. Mr. Roberts said Mr. Culver made a comment about Tenaska's policy of an outright purchase of a property, which is a practice that had been done by Tenaska in previous situations. This remark was quoted in a newspaper article after the May 18th meeting but was not mentioned in the minutes. Mr. Roberts feels this may be important to some people in the future.

Roberts' next issue was with the article placed in the Twp newsletter as an update to the residents. He feels there are several pieces of information missing from this summary that should be added. The Board of Supervisors attended a luncheon which was held on 1-24-2008 and was hosted by LVEDC. The summary spells out 4 locations that were discussed by Tenaska during that luncheon. He questioned if he is correct that only 1 of the 4 are located within North Lebanon Twp. Suv Brensinger replied the majority of the Landfill is located within North Lebanon Twp. Roberts next quoted the information in the summary about how there are some companies who come into the area and prefer to not reveal their identity. Roberts questioned if Tenaska informed the attendees at the 2008 luncheon of their identity. When Suv Brensinger said he thinks they did identify themselves, Suv Artz disagreed with him. Suv Artz stated that although Dan Culver introduced himself and talked about a possible power plant, he did not say the company name at all. Not during that meeting. Suv Brensinger said he remembers Dan Culver introducing himself to them but he is not sure if he did mention Tenaska at the time.

Mr. Roberts questioned if the Township is aware of the date that Tenaska made its first offer of option to buy property. Chm Brensinger said he has no idea of a date but would guess it was the former Snyder farm. Roberts informed the Board it was the Snyder farm and it occurred 53 days after the January 2008 meeting. Suv Brensinger verified it was an option to buy not an actual sales agreement. Roberts agreed it was an option to buy. Roberts stated after the option to buy was received Tenaska next approached John Hain. He told the Board that he feels it is important for the public to know that Mr. Culver knew when he came to Lebanon that he had already targeted North Lebanon for this power plant. During the meeting of the Swatara Watershed, Mr. Culver responded to a question about how the locations are determined for these plants. He had answered that there is a company that reviews and determines properties for possible locations. Mr. Roberts referred to a contact made in November of 2008, from a Twp representative, to the Hain family about the sale of the Hain property. Mr. Roberts said he had discovered this information while in conversation with the Hain family. As a result he contacted the Twp Manager on November 10, 2008 to meet with her to discuss this issue. During that phone call Mgr Grumbine referred Roberts to Charles Blankenship of the LVEDC. Blankenship told Roberts the information he had pertaining to his client who was looking for locations with overhead lines and gas lines being present. He confirmed he had held the luncheon meeting. Blankenship also told Roberts after that meeting he had not had any further contact from Mr. Culver. This conversation with Blankenship occurred on Wednesday morning and by Friday afternoon a voice mail message was on Roberts' home phone from Mr. Culver. He also received a voice mail on his cell phone from Mr. Culver.

Earl Roberts (con't)

Several more voicemails followed that weekend. Mr. Roberts stated the only person he had given his cell phone number to was the Twp Manager and he was upset about this. Approximately 14 days later Roberts appeared before the Supervisors, the Solicitor and the Twp Manager to start voicing his concerns. He remembered everybody being mute when he made his concerns known. Roberts insisted the Twp knew the power company was trying to buy properties within the Twp. He continued by going over what had occurred at that meeting and the Solicitor's remarks to him. Roberts reviewed his appearances at the Twp meetings and some of the phone conversations he had with Mgr Grumbine.

Sol Wolf questioned if Roberts is being accurate in saying the Supervisors met with Tenaska. Or is it more accurate to say the Supervisors were at a meeting hosted by another party when this issue was presented? Sol Wolf repeated that Roberts keeps saying "they met with them". Isn't it more accurate to say 2 Board members went to a dinner meeting being offered by the LVEDC? Roberts agreed with Sol Wolf's remarks. Sol Wolf's point is that the remark he just made is more accurate than when Roberts keeps saying the Board met with Tenaska.

Suv Hawkins agreed saying she has issues with Roberts remarks because she had not met with Mr. Culver until he attended the regularly scheduled Supervisors' meeting in June or July. The reason for the mute response during Roberts's appearance at the meetings was due to the fact that Roberts was more informed than she was. She was not aware of everything that had been happening. Roberts took exception to Suv Hawkins opinions. He stated that if 1 of the 5 people who sit at the table knew anything about what he was telling them, it was their duty to tell him that someone was aware of what Tenaska was doing. He feels he was misled by the Twp Manager and did not receive direct answers from the Supervisors when he asked questions. Suv Hawkins repeated the Supervisors did not have direct answers to give him. She said although 2 of the Supervisors attended a general meeting hosted by another group, this Board had never met with Tenaska to discuss anything. She asked Roberts if he has information and a date about the other properties in other areas that Tenaska has bought. The property in North Lebanon is not the only property that Tenaska has purchased as a possible location for a power plant. She told Mr. Roberts there still has not been anything submitted to the Board. Tenaska's actual plans are still unknown to the Twp. When Suv Hawkins stated that the Twp does not have any concrete and factual information to give him, Roberts told her that is not a fair and accurate statement as she is speaking for herself. He told her it is not true for the people surrounding her.

Suv Artz commented he had attended a luncheon presented by LVEDC and he knew it was in regards to a power company. That was the only information that was given. Nothing else was revealed. He is uncertain what Roberts expects from them. Roberts seems to want the Board to tell him things they do not have knowledge about. Suv Artz explained his frustration about not knowing what to tell Mr. Roberts. Suv Hawkins said she feels as if he is accusing the Board of doing something but she is not sure what the accusation is. When Roberts asked what exactly they are being accused of, Suv Artz replied he is accusing the Board of doing things behind Roberts back. Mr. Roberts responded that he has not said that. Some conversation followed about dates and times and the timing sequences involved in these meetings and phone calls.

Earl Roberts (con't)

Sol Wolf questioned Roberts if he has information about meetings Suv Brensinger and Artz attended other than the one hosted by LVEDC. Roberts replied none that he knows of. Sol Wolf next questioned the meeting held by the Twp which Tenaska attended with the intent to answer questions/comments given by residents. Roberts again stated that it was 1 ½ years after Culver came to town.

Sol Wolf questioned Roberts what makes him think the Supervisors could control when Culver decided to attend or not attend a public meeting? Roberts stated you just have to look at his conduct. It is obvious he had visited the Twp offices during that year and a half. Mgr Grumbine stated she does not deny he had stopped in the office a few times. She does not have her notes to give a chronological order of any visits when Culver stopped in the office. Mgr Grumbine said he did not stop to see any of the Board members. She said she certainly will not deny Culver stopped in the office occasionally. However he did not present any information to her. She told Roberts that it was him that seemed to have more information on this issue than any of them have ever had. Information pertaining to dates that Culver first met with Twp residents is not information she would receive.

Mr. Roberts stated he will end this discussion now. He asked that the minutes be reviewed in light of the things he has mentioned tonight. If they feel there might be a proper adjustment to be made, fine. If they feel no adjustment should be made that is fine also. Sol Wolf told Roberts the minutes have already been approved. The comments made tonight will be a part of the current drafted minutes. He advised Roberts to review the minutes of this meeting to see if he is in agreement with what is typed. Chm Brensinger confirmed with Sol Wolf that the previously approved minutes do not get altered. The minutes from tonight will note Mr. Roberts's opinions about the recorded minutes. Chm Brensinger asked Mr. Roberts if that is all he would like to say on this issue. Mr. Roberts indicated it was and he apologized for taking so much of their time.

C.) Constance Snavely – Janet Avenue Neighbors; Localized Stormwater Issues

Ms Snavely said she is attending regarding a stormwater runoff issues that she had first brought to the Board's attention in 2005. Several of the neighbors are in attendance also as they are experiencing water problems in their yards and basements as well. In 2007 Constance had approached the Board again after some particularly heavy rains and experienced some really severe flooding in her yard and basement. In the winter months the standing water in the street becomes one large sheet of ice creating hazardous conditions. Erosion and driveway damage is now occurring as a result of water damage. Ms Snavely told the Board some of the information that had been repeated to her about the properties previous to the developing of Creston Drive and Lake Drive areas. The elevation of these 2 newly developed areas is creating standing water for the Janet Ave homes. The placement of the grates for the new properties located on Creston and Lake Drives is another problem. The grates are too high for the water runoff to reach in order to drain away. The water then is directed to the lower areas such as Janet Ave.

Ms Snavely told the Board she is hearing about possible available Grant monies and has read about the work proposed for Kochenderfer Rd. She told the Board she wanted to appear tonight and remind them of the property owners on Janet Ave who are still getting flooded out whenever it rains. After the developing of Creston and Lake Drives, the property owners on Janet Ave had to resort to seeking solutions from all the water problems. In the event these owners would like to sell their properties, they are forced to disclose the fact they are located in a flood zone.

Janet Avenue - Stormwater Issues (con't)

Chm Brensinger asked Ms Snavely if they, as a group, see a solution they think would be best for them. He can think of a few possible solutions but would like to hear input from them. Measurements and distances would have to be gotten before anything else is done. Is their idea of a solution to capture the water before it runs off Janet Ave and redirect it? Ms Snavely stated there is an option of a grate being installed between 1820 and 1822 stated Ms Snavely. Or there is the possibility of piping the water to where an existing grate is already located. Suv Hawkins said she was thinking of a swale to carry the water. Ms Snavely said in 2005, when she first approached the Twp, a swale was created on her property and it was nothing but a large pooling area. This swale idea created 13" of water in her basement. Some of the other property owners agreed with what Snavely was telling the Board about the existing grates and the heights at which they were installed. Another property owner informed the Board she is having difficulty selling her home because potential buyers see the sump pump in the basement.

Ms Snavely told the Board it does not have to be a heavy rain. As soon as the rain starts, the water is starting to pool. She provided some maps she had printed showing the neighborhood and all the potential problem areas. Some discussion was held between the Supervisors about some of the water problems and some possible solutions. Chm Brensinger told the Janet Ave people that along with any Grants that would be applied for, there would need to be easement agreements from a lot of property owners. A lot of conversation took place about the start of the Martin development and this area being the holding area for water at that time. Chm Brensinger agreed the grading of Creston Drive and Lake Drive is extremely poor. Ms Snavely repeated the existing grates cannot handle the water that is being generated because the water is not being directed to the grate to carry the water away.

Suv Hawkins said when she thinks about all the paperwork involved with a Grant she would like to know if Ms Snavely would be willing to volunteer some of her time to help prepare the Grant application. Chm Brensinger said he does not wish to create false hope for anyone. Applications for Grants can be done but there is no guarantee. The first step is to get some elevations and some sort of plan as to what will alleviate the conditions. He will start by going out and taking some measurements. In the meantime Mgr Grumbine will be able to keep the property owners posted as to what if any progress is being made. The property owners offered to provide pictures they have been taking of all the water problems.

C.) Glen Kreiser – Shellie Street

Mr. Kreiser asked if the Board has anything to report on the car lot being operated that is located on 1150 E Lehman St. Chm Brensinger stated he does not have anything to report. The issue was handed over to Lebanon County Planning as it is a Zoning issue. Mgr Grumbine said she will check with County what is happening with the issue.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from October 5, 2009 meeting minutes. Motion unanimously carried.

MOTION was made and seconded to approve the Budget Workshop meeting minutes also held on October 5, 2009. Motion unanimously carried.

APPROVAL PAYROLL and PAYMENT OF INVOICES

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

FIRE CHIEF’S REPORT – Brian Vragovich**A.) Monthly Report – September**

Brian gave the Supervisors a summary from all four of the volunteer Fire Companies located within the Township. They had responded 34 times to various calls. A total of 420.27 man-hours were logged for the month of September.

B.) Knox Box Update

Brian reported the Knox keys have now been received. The actual Knox boxes for the equipment have not been received as of yet but will be in the near future. Mgr Grumbine told Brian she has received a copy of a Resolution from Annville regarding the Knox Box policies. She and Sol Wolf will be reviewing the information.

C.) Fire Prevention Week

A program was presented for at least 3 of the 4 schools located in the Twp, Union Canal, Ebenezer Elementary and the school located on N 8th Avenue.

CHIEF OF POLICE REPORT – Harold Easter**A.) Calls For Service –September 2009**

Chf Easter provided a summary of the calls for the month of September. A total of 274 calls for service were reported. The high day was Wednesday with the second highest being Thursday. He is happy to report he is in possession of a “failure to dim” citations as well as 57 faulty equipment cards were issued.

B.) Police Manual for Police Department

Chf Easter has asked the Board to table the manual discussion until a later date.

C.) Humane Society Contract – 10/01/2009 to 9/30/2010

Chf Easter told the Supervisors that he has not received any information from the Humane Society regarding the contract for 2009-2010. When questioned if he had made contact with the Humane Society. Chf Easter replied No he has not. It is on his to do list.

D.) Motion to Donate Bikes to Marines Toys for Tots Program per Resolution 8-2000

The Police Dept is ready to donate the accumulated bikes to the Marine Corps Toys for Tots program. He is asking the Board to approve this per Resolution 8-2000 which gives the department the authority to donate.

MOTION was made and seconded to approve the donation of bicycles to the Marines Toys for Tots program per Resolution 8-2000. Motion unanimously carried.

E.) NLT Twp Police Officers and County Detectives

Chf Easter said he would like to commend the NLT Police Officers and the County Detectives for a superb job they had done in responding, investigating and preparing a case for the murder that occurred on Lake Drive on September 21st. An excellent job was done.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Resolution No. 26-2009 – Adoption of Revised Rules and Regulations**

During the 10-05-09 Board meeting revisions to the Yardwaste Facility were reviewed and approved by the Supervisors. Resolution 26-2009 is being provided for adoption of the revised rules and regulations for the facility.

MOTION was made and seconded to adopt Resolution 26-2009 regarding the revised rules for the Yardwaste Facility. Motion unanimously carried.

B.) Act 32 Meeting – Next Meeting October 21 @ 7pm – City Council Chambers

Wednesday, October 21 the Lebanon County Tax Collection Committee will be meeting at 7pm in the City Council Chambers. The meeting will be following the regularly scheduled Lebanon County EIT meeting which is scheduled for 6:30pm at the same location.

During the Tax Collection Committee meeting the County Commissioner Chair will convene the meeting and an election of Chairperson, Vice Chairperson and Secretary will take place. At that time, the County will have no further role after the election of the officers.

The Tax Collection Committee will then be adopting bylaws. The proposed Bylaws will create “a Board of Delegates” that looks exactly like the current EIT Bureau’s Executive committee. The Committee will consist of 1 Tax Collection Committee delegate for each school district and 1 Tax Collection Committee delegate for each municipality in a particular school district (12 total delegates). This will allow for equal school district and municipality representation and eliminates the weighted vote outlined in Act 32, as each delegate has one equal vote. A copy of the proposed Bylaws is being provided to the Supervisors for review. Any comments or suggestions should be forwarded to Mgr Grumbine before the Wednesday meeting in order for her to present comments at the meeting. These meetings are open to the public.

Chm Brensinger voiced concern about an even number of 12 members. What happens in the situation of a tie vote? Mgr Grumbine said she had questioned the Solicitor Howard Kelin. Chm Brensinger asked if the one of the Commissioners or the County Administrator should be asked to sit on the Committee as the tie breaker. Because the County does not receive EIT money she does not think they would be interested in sitting on the TCC. Mgr Grumbine said she would be able to bring it up at the meeting on Wednesday. Her concern is the Budget vote. What if it would be a tie?

C.) Long Lane Sports Area

A MEMO dated October 8 has been provided to the Supervisors outlining 2 issues that occurred at the Long Lane sports area. The information was only obtained after the Parks & Recreation Board meeting held in October. Therefore that Board will only review the issues at the November 4th meeting. However the Board is being informed to make them aware of the concerns.

Several years ago, because of vandalism, the decision was made to replace windows in the storage building with T-111 exterior plywood. Someone within the Athletic Association, and without prior approval from the Township, cut a hole into the plywood and installed an air conditioning unit in the storage building. This issue will need to be addressed in the very near future by both the Parks & Rec Board and the Board of Supervisors as the Township owns this property and pays the utilities.

Long Lane Sports Area (con't)

Chm Brensinger said he is not happy about the fact that the air conditioning unit was installed without permission. This activity is the type of thing the Twp has been working very hard to eliminate.

The second issue is the striping paint being used by the Football Association. The can is clearly marked not to be used on turf, as it is a surveying paint and is now killing the grass. Pictures have been taken showing how the field area is suffering from this incorrect use of the paint. Chm Brensinger said he took some time to go out and look at the fields. He did not see any additional damage that could be attributed to the incorrect use of the marking paint. The fields get used very heavily. Suv Hawkins was told the painted lines are placed about 5 times a season; for every home game.

D.) Maturing CDs

Mgr Grumbine informed the Board there are 3 CDs that will be maturing in November and December of 2009. She is asking for approval to renew the CDs, total of approximately \$360,000, and transfer from the General Fund to the Capital Improvement Fund.

MOTION was made and seconded to transfer and transfer the 3 CDs that will be maturing in November and December from the General Fund to the Capital Improvement Fund. Motion unanimously carried.

SOLICITORS REPORT – Solicitor Frederick Wolf**A.) Update Narrows – Glen Screen Planting & Deed Requirement Issue**

Sol Wolf provided information on the language that will be used on a recorded statement that will be filed in the Recorder of Deeds office for any future sale or transfer of properties located in the Narrows Glen development. Some of the properties that require screen plantings had already been sold when the issue of the enforcement of the screen plantings was raised. The statement sets forth all the lots that will be required to maintain the screen plantings. A copy of the plan itself will be attached and highlights General Plan Note #18 which refers to the screen plantings and future requirements. Any property owners who have purchased a specified lot that falls under the requirements will receive a copy of the information informing them of the requirements.

Bruce Sattazahn – Maple St

Mr. Sattazahn referred to the issue of the size of the trees. County has determined that the tree size cannot be questioned until Landmark requests a Bond reduction. Does anyone have any idea of when that will be? His next question is will the Township be notified before County releases or reduces the bonding? Sol Wolf replied usually the County notifies the Twp before any type of bonding release in the event there might be issues the Twp is trying to resolve with the develop. Mgr Grumbine said in this situation, she feels County will notify the Twp as they are aware that there is an issue. Sattazahn said so typically they do not notify the Twp. Suv Brensinger stated it depends on the situation and why the bond is being reduced. He feels since Rick Bolt and County know there are issues, he cannot imagine that the Twp will not be notified.

Sattazahn referred to some of the requirements listed on the plan for the development. One note pertains to staking of the new trees. He said this was never completed and he wonders why it was not enforced. He next mentioned the cemetery property being maintained as a residential lawn.

Narrows – Glen Screen Planting & Deed Requirement Issue (con't)

The owner has tried to keep it weeded but there is no grassy area. It is all bare ground and shale. Will those 2 items be addressed with Landmark? Sol Wolf replied both items are part of the requirements so he would think Landmark should be made aware of it.

Sol Wolf stated the information will be recorded at the Recorder of Deeds office. After that is completed contact will be made with Landmark in reference to Lot #6 and the issue of staking the pine trees being addressed. He also asked for any final comments from the Supervisors and Bruce before he moves forward with this issue.

B.) N 11th Avenue RR Crossing – PUC Order; Mtg 10/20 @ LCPD

The future financial commitments from the City and the Township are a concern. Also another question to be discussed if any funding that might be available for future maintenance of the crossings, either from the MPO or from PADOT. One possibility is to place the responsibility of making repairs on the Railroad Company and then the Railroad Company bills the Twp and the City. Getting these issues coordinated before any work is completed is important.

C.) Homeowners Association Documents – The Crossings @ Sweet Briar

Comments had been provided to the developer in September. The revised documents have been received and Sol Wolf has some revisions that still need to be made. This week the changes will be provided to the developer and Mgr Grumbine. Some of the changes are in regards to the private roads and sewer facilities and making it known the Twp will not be taking ownership of these private facilities. After changes are made another review will be conducted.

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

The only outstanding issue is the exhibits to be attached to the truck traffic agreement. Sol Wolf had been in contact with Bob Gerhart today and he indicated the exhibit pertaining to the truck should be provided to Sol Wolf within the next week. These exhibits will then be provided to the Planning Commission and the Supervisors.

E.) Verizon Agreement – Hiring of Special Attorney for multiple municipal review

At this point West Cornwall has been the only municipality that has received an agreement from Verizon. Seven municipalities are investigating having a specialized attorney conduct a review of the agreement. If all 7 are in agreement the cost per municipality will be \$750 - \$1000 per municipality. The goal is to get a definite answer from all 7 municipalities by the end of the month.

F.) Code Enforcement

The Twp has 2 cases still in the court system. The one that involved contaminated material removal has been resolved in that the Landfill has agreed to take the materials. A contractor has been engaged and has been in contact with Officer Wengert. The demolition is expected to start this week.

Glen Kreiser questioned the process for sewer connections when a structure is demolished. Is there an inspection completed to ensure the connection is not open? Sol Wolf said the Wastewater Dept will do the inspection once they are informed about it. Kreiser stated there is a situation on 7th Avenue which needs attention. Sol Wolf thanked him for the information.

Code Enforcement (con't)

The other property in question is padlocked and the owner does not have entry. Officer Wengert has made contact with the owner to explain how to gain entry to make the repairs that are needed. A series of events must be completed before Met Ed will reconnect service to this property.

A report from Bonnie Grumbine, Twp accounting clerk, keeps track of the charges and costs that are created by the inspections. She has a list of 15 cases that are still actively in the accounts due. Sol Wolf commented Bonnie does an excellent job tracking these accounts for the Twp.

G.) New Act RE: Killed in Service Benefit

There was a new Act adopted by the State regarding the transfer of the Killed in Service Benefit from the local level and making it the State's responsibility. A review of the Twp's current adopted Ordinance must be completed before any type of repeal can be completed. As a courtesy to the Officers of the Twp, information about who and what the State is covering should be researched. In the event that we should ever need to use the information the Officers will have it at hand.

COMMENTS FROM BOARD MEMBERS**A.) Offices Closed: Tues Nov 3rd – Election Day; Wed, Nov 11th – Veterans Day**

Chm Brensinger reminded the public the Twp offices will be closed on November 3 for Election Day and on November 11 for Veteran's Day.

B.) Trick or Treat; Thursday, October 29 – 6-8pm

Trick or Treat will be observed on Thursday night October 29th 6-8pm. The City will also be observing the same night per the Chief.

Respectfully Submitted,

Theresa L. George
Recording Secretary

BUDGET WORKSHOP – The Board will take a 15-minute recess and then go into a budget workshop to review requests/issues for the 2010 budget. The public was invited to stay for the workshop but the Board requested that all comments be held until after they complete their discussions. When the preliminary budget is finalized, a formal presentation will be made by the Manager to the Board and residents at a public meeting.