

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 3, 2008**

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

Edward A. Brensinger	Chairman
Kenneth C. Artz	Vice Chairman
Dawn M. Hawkins	Treasurer
Cheri F. Grumbine	Township Manager

Also in attendance was Kathy Hackleman of the Lebanon Daily News, Roger Sands of the Patriot News and several other individuals including representatives from the youth sports associations for the Twp. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

There were no comments from the public this evening.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from October 20, 2008. Unanimously carried.

APPROVAL PAYROLL and PAYMENT OF INVOICES

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

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine

A.) Athletic Association Agreements – Adoption of User Fees

Manager Grumbine started by providing background information regarding this issue to the Board and public. The Board adopted the Township's Parks, Recreation, and Open Space Plan on December 3, 2007, which set numerous goals relating to these issues. In Chapter 8 it is stated "Financing trends show that recreation and parks is moving towards a market-based economy in which the users pay for services or facilities from which they directly benefit. The plan further suggests that the "Township should work with each youth sports group utilizing its fields to set fees for field use and/or pay for field maintenance supplies". This was a recommendation that came from Rettew Associates based on their professional experience in dealing with multiple communities on recreational issues.

In 2008 the Park & Recreation Board discussed how best to accomplish this goal included in the Plan. They acknowledged the efforts of the Associations in providing sports programs for the children in not only North Lebanon Township but surrounding communities. Thus any agreement between the Associations and the Township should receive considerable research and discussion before recommending the document to the Supervisors for approval. The Park & Rec Board recommended that the initial agreement would outline basic responsibilities between the Township and the Association. In 2008 both Board's (Park & Rec and Supervisor) approved the agreement, which was signed by all 4 Township Athletic Associations. User fees were not recommended for the first year, as the Park & Rec Board wanted to be fair to the Associations by providing advance notice for them to plan ahead for user fees for 2009.

Athletic Association Agreements – Adoption of User Fees (con't)

Starting in early spring of 2008, the Park & Recreation Board commenced discussion regarding a fair and amicable fee that they could recommend to the Board that would be assessed to each Athletic Association in the Township for 2009. Knowing that these fees would be passed on through registration fees the Park & Recreation Board took over six months to research and discuss this issue before making a recommendation to the Board of Supervisors. The Park & Rec Board was provided with information showing the actual costs to maintain the fields and related facilities. They also obtained information from some of the Athletic Associations regarding the number of registered children for the sports programs. The information they received indicates the number of children range from approximately 65 children registered for Football to over 250 children in baseball. (19 teams of approx 13 children each) They did not receive any registration information from the Union Canal Athletic Association or the Soccer Association, so we are unsure of those registration numbers.

Again, after contemplating this issue for over six months the Park & Recreation Board is providing their recommendation of establishing a user fee with each Athletic Association of \$500, which would provide \$2000 towards field maintenance costs. In addition, we should establish fees for any group that requests to use the facilities outside of the Athletic Associations who want to pick up a few games or hold a tournament with participation from outside organizations. A \$25/game fee was recommended by the Park & Rec Board for a group to call in advance for a pick-up game. Also a \$150/day fee for a tournament (included a pavilion rental). The Park & Recreation Board recognizes that a \$500 fee per Association does not cover our current maintenance costs for our athletic fields. Nor do they feel we should recoup 100% of our costs from these 4 Associations. Their goal was to provide some level of reimbursement to the Township, as recognition of the costs associated with providing athletic fields and associated site improvements for the programs. The Park & Recreation Board is committed to provide quality playing fields. However, this level of commitment needs to be shared among the Athletic Associations, as the users, as well as the Township.

At this time Chm Brensinger opened the floor to comments from the sports association people and anyone who wished to comment.

Q. Todd Ryland – President of Ebenezer/Union Canal Soccer Club

Mr. Ryland stated his comment by saying the club is grateful for the use of the fields. He continued on to say the club is not opposed to paying a fee, as they had been pre-warned of this event. However, the club was somewhat surprised by the established amount of \$500. Mr. Ryland questioned what the costs of maintaining the fields would be if the soccer club was not utilizing the fields.

Chm Brensinger replied the cutting of the grass would continue if the fields were not being used. However, if there were no sports groups playing on the fields the additional top dressing, fertilizing and higher level of maintenance would not be necessary for the fields. The quality of the fields is something the Twp strives to provide and it all costs additional funds. Yes, we could continue to find volunteers to cut the grass but all the extra fertilizing, top dressing and over seeding costs plenty.

Ryland agreed that the extra measures are necessary for a quality field. He said it would be a mistake to discontinue these measures. It would not be worth taking the chance that one of the kids getting hurt would occur. Playing on inferior fields is just not a good situation.

Q. Dustin Daubert – Enforcement of Pickup Games

Mr. Daubert questioned how the enforcement of the pickup games and public use fees would be done?

Chm Brensinger agreed there had been much discussion about this topic. Eventually signs will be posted saying the fields must be reserved through the Twp office. If the associations have any ideas of how to accomplish this task the Board would like to hear from them.

Athletic Association Agreements – Adoption of User Fees (con't)

Suv Brensinger continued on to say the Ass't Manager, Sheila Wartluft, has tried in previous years to get schedules from the sports associations for field requirements. Once she has that information she is able to inform others that the fields are in use for specific times. Suv Brensinger asked the associations to cooperate and provide these schedules so the Twp can avoid double booking the fields.

Q. Dwayne Elder – Use of Fields as Secondary Location

Mr. Elder foresees a problem from outside tournaments. Often times an adult tournament is being held at Heisey's field and the Long Lane fields are used as warm up fields for the teams. How is the Twp going to prevent this from happening? Why should the youth of the Twp pay for field use when these outside adults are not paying for field use?

Suv Hawkins asked Elder if he is concerned the fields will get ruined by the other teams using them. He replied he is concerned about the youth paying to have field time and the adults are not. Suv Brensinger said he feels there are some options to be explored to prevent this from happening. Elder then asked if there are any other local municipalities that are charging for field use? Suv Brensinger said not that he is aware of. Some of the Lancaster municipalities operate under a recreation league, which charges teams to be a member. Sheila Wartluft replied that Dave Strohm, who is involved with City of Lebanon soccer, stated they are charged for certain fields.

C. Paul Schwab – Disagrees with Annual Fee

Mr. Schwab said he disagrees with charging this fee to the youth groups when he hears about the other expenses the Twp is planning for various other items. He stated the Twp should try to save \$2000 somewhere else and not charge this fee. He is not in favor of this fee and is stating his opinion.

Chm Brensinger said part of him agrees with Schwab. But on the other hand it is difficult because at times the associations are very demanding about how they want the fields conditioned. He is not saying the volunteers for the associations are not willing to work on the fields but the Twp sometimes has a hard time providing what the associations want.

Q. Justin Sloss – Another Park?

Sloss said he wanted to know why the Twp would purchase another park when they are saying they cannot afford to maintain the parks they already own.

Suv Brensinger replied the park land that was purchased in the East district was included as part of the Twp's Park and Recreation Comprehensive Plan. The Twp purchased the land 5-6 years ago with the assistance of Grant money. Suv Brensinger said this was one of the missing items for the East district. Sloss made reference to new playing fields. He was told the new park will be more of a nature type facility. There will be one multi-purpose sports field at that location.

Sloss then mentioned the fact that most kids play more than one sport. The Twp is asking each family to pay approximately \$5 more to play each sport. To him it does not seem right to do this. Suv Brensinger said his point is made and thanked him for his remarks.

Q. Martin Barondick – Double Taxing?

Barondick said this sounds like double taxing to him. The parents of the children are already paying taxes. Now this fee sounds like an additional tax to him. The Board said they are in disagreement with his remarks. Barondick said his next question is what does the Twp do for the kids who do not participate in sports?

C. Suv Dawn Hawkins

Suv Hawkins says she is hearing 2 different sides of this issue. Her understanding of this fee is a way for the associations to guarantee use of the fields when they wish to use them. She does not see this as a way to discourage the children from using the fields for playing pickup type games. However once a fee is paid by the associations, if the children are on those fields when a game is scheduled, the pickup game is disbanded because the field is reserved for the association. She mentioned the total costs that the Twp is paying to maintain and provide superior playing fields. If this fee is not the right amount, we will need to talk about it.

C. Glen Kreiser – Spike shoes

Kreiser questioned what sports do the kids wear spike shoes to play.

Chm Brensinger told Kreiser he does not think the spike shoes have that much to do with maintenance of the fields.

C. Dwayne Elder - Football

Mr. Elder said he also coaches Football. This additional amount will increase the registration fees 15%.

Chm Brensinger stated that was one of the concerns discussed by the Board, the fact that the Football association has fewer numbers and is a smaller club. The number of players for soccer has never been provided to Sheila. Tod Ryland stated there are 250 children on the soccer roster. The Union Canal and Ebenezer teams combined to create this team.

Q. Suv Hawkins

Suv Hawkins questioned the rosters of the associations. Are they all North Lebanon Twp children?

She was told all Baseball teams are North Lebanon Twp residents, as there are specific boundaries. Football does not have boundaries and is estimated to have maybe 4-5 non-resident members.

C. Constance Snavely – Park & Rec Board Member

Constance Snavely stated that cost of fertilizer alone is expected to increase 40% next year. In answer to the idea about where to cut \$2000, her question is where we will find an additional \$4000 to maintain these fields. She said she has lived in other states and has always played sports and paid user fees. By paying that fee it is known that your playing times are blocked. She feels it is amazing there has not been a conflict of scheduled playing time yet.

Q. William Foster – Future Costs?

Mr. Foster said his concern is that a term of time has not been factored into this agreement. The Twp is asking for \$2000 from the combined associations this year. Does that mean next year or the following year the Twp will then decide it needs \$4000. At what point will the costs stop? Foster also questioned a fee being charged for tournaments. Up to this point in time any time a tournament was hosted by Ebenezer club, a fee was not charged to the participating teams. With this fee schedule that means a fee would have to be accessed on each team.

Suv Brensinger responded that anytime he was involved in tournaments with his softball teams there was always a fee charged and usually was at least \$150. Sheila Wartluft added that during a tournament the Twp loses a pavilion rental fee for that day/weekend. Constance Snavely added that the required insurance information is also an issue.

C. Sheila Wartluft – History of Issue

Sheila Wartluft repeated some of the history of this agreement and the fee amount that was decided upon for a recommendation. The Park & Rec Board truly wants to work with the associations. If the associations and the Twp are able to coordinate and cooperate where some of these issues are concerned it will be easier for everyone. The Park & Rec Board meets the second Tuesday of every month, usually. Anyone is able to call and/or attend the meetings. The meetings are always open to the public.

C. Suv Ed Brensinger stated he is aware that the Union Canal Baseball Association is in danger of ceasing to exist. There does not seem to be the adult interest that exists in the West District. His concern is for the children losing out on the opportunity to play sports. He is suggesting the Ebenezer Association extend an invitation to merge the 2 associations, such as was done for the soccer team. Suv Brensinger expressed his appreciation to the Ebenezer associations for all the time and effort they provide for these youth sports.

C. Justin Sloss mentioned that agreeing on a specific amount of time for a specific annual fee would help to relieve some of the unknown for the associations. If it is \$500, then set a term of 5 or 10 years for that specific amount and ask the associations to sign a lease.

C. Dwayne Elder raised some questions about the tournament fees. He stated that when Coleman park teams wish to host tournaments they sometimes ask to use the Long Lane fields as backup. The Ebenezer baseball club does not charge them a fee to play there.

Constance Snavelly explained to him that although the Ebenezer baseball club is not charging a fee, it is still an outside club using Twp fields. Although the Ebenezer club may benefit by selling out of the concession stand, we are not gaining anything from this outside club using the fields. Elder said but there is not a pavilion there to rent out. Constance replied in that case it would be a \$25/game fee accessed. At the Lions Lake Park where there is a pavilion to rent it would cost \$150 for the day. Elder stated he wanted to get his facts to take back to the baseball association.

C. A. Bruce Sattazahn – Disagrees with Idea

Mr. Sattazahn stated he has sponsored teams at Ebenezer. He does not feel comfortable charging this fee being accessed to the youth sports.

The Board wanted to clarify what their understanding is about what was discussed tonight. The associations are asking that the fields be maintained as quality fields. Also once a fee is determined, hold the line at the fee that is set and not be changing it randomly every year. An answer to this issue would like to be had before February of 2009.

MOTION was made and seconded to table the issue of the amount of fees charged to the athletic associations for Twp field use. Unanimously carried.

B.) Proposed Meeting Dates for 2009

A list of the proposed meeting dates for 2009 is being provided to the Board for review and action. The meetings will remain scheduled for the 1st and 3rd Monday unless that Monday is a Holiday. For the summer months of June, July, August and September reflects one meeting, the 3rd Monday of those month. The Board will only meet the first Monday in April due to a conflict with the State Convention. Some discussion took place about the choice of going to one meeting a month.

MOTION was made and seconded to approve the 2009 schedule of meetings for the Boards of Supervisors. Unanimously carried.

C.) Non-Conforming Use Certificate – 1205 Mt Zion Road

During the October 20th meeting a discussion about the draft of a Non-Conforming use Certificate for 1205 Mt Zion Road was discussed. Sol Wolf requested the Board review the specific numbers listed for storage trailers, trucks, employee vehicles and cable reels that are permitted with this certificate. Sol Wolf is looking for input from the Board, agreement or suggestions for revisions. After making any revisions Sol Wolf will forward to LCPD and the new property owners for signatures. Suv Brensinger mentioned his concern that the agreement is too restrictive and will not allow for any growth of the business. While Suv Brensinger is concerned that the property does not go back to the previous non-compliant condition, he wants the company to have the opportunity to expand if they desire to do so. He asked Mgr Grumbine to suggest a revision that will allow for an appeal to the Supervisors should the business want to expand. Mgr Grumbine stated that would not be difficult to do and will contact Sol Wolf with this request. As a Board, the Supervisors agreed they were comfortable with all the numbers listed in the agreement as long as there is an opportunity for the property owner to appeal to the Board regarding number changes.

D.) MPC Made Easy Training Seminar

The Planning Commission expressed an interest in attending a seminar called “MPC Made Easy”. However it was held in Allentown or York and the members could not make their personal schedule fit the dates. The commission members requested that we work with PSATS to host a local seminar and invite other municipalities to attend.

MPC Made Easy Training Seminar (con't)

Contact was made with local municipalities to gauge an interest level in attending. The response was positive and a seminar has been scheduled for Wednesday, November 12 6:30 – 9:30pm at the Township building. A fee of \$20 is being charged to offset the price of the guest speaker, Neil Kinsey, and various other costs. Mgr Grumbine stated she is pleased to have Mr. Kinsey as he is a very good instructor. She is asking the Board to inform her about their attendance so it can be included in the count given to PSATS. When asked if an answer must be given tonight, Mgr Grumbine replied an answer should be received by the end of this week.

E.) Humane Society of Lebanon County 08/09 Contract

A contract has been received from the Humane Society for the Oct 1, 2008/ Sept 30, 2009 year. According to the Twp records they handled 36 dogs during last year. The rate remains at \$45 per dog, and the total of the new contract is \$1620 for the year. Mgr Grumbine is asking the Board to take action on the contract.

MOTION was made and seconded to approve the Humane Society Contract for October 1, 2008 through September 30, 2009 for dog disposition. Unanimously carried.

F.) Pertinent Issues

1. 11th Avenue Railroad Crossing - Mgr Grumbine reported that Sol Wolf would like to proceed with filing an appeal to the Supreme Court regarding the decision on the 11th Ave Crossing. There is a November 9th deadline to file the appeal. Sol Wolf is suggesting moving forward with the appeal and if the Board decides to not follow through with it, the appeal could be withdrawn. However if the appeal is not entered by the deadline of November 9th the appeal opportunity will be lost. After some discussion the Board decided to agree to Sol Wolf's suggestion and authorize him to file the appeal.

MOTION was made and seconded to authorize Sol Wolf filing the appeal regarding the 11th Ave crossing to the Supreme Court by the deadline of November 9, 2008. Unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.) Offices Closed:**

The Board of Supervisors encouraged everyone in attendance to go to the polls tomorrow and vote. Also they mentioned a reminder that the offices will be closed **11-04-08/ Election Day and 11-11-08/ Veterans Day**.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary