

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 15, 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

Also in attendance were Kathy Hackleman 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.) Francis Feaser – Redwood Lane

Mr. Feaser remarked to the Board on the condition of the Country's economy at this time. He is concerned about the presentation of the 2011 Budget. In his opinion the Supervisors need to keep in mind the people that are out of work and the senior citizens are living on a limited income. Social Security recipients did not get any increases this year. Everything is increasing as far as expenses but the income has either remained the same or been decreased. Feaser cautioned these are the issues the Supervisors need to keep in mind when adopting the 2011 Budget.

B.) Glen Kreiser – Shellie Street

Mr. Kreiser addressed Sol Wolf pertaining to an article in the Daily News regarding Cleona Police Officers using compensatory time. He wanted to know why it is that NLT Police Dept is not able to do the same thing in order to cut down on their budget. Sol Wolf explained the various details regarding the Cleona Police Dept and the restrictions that go along with this method of using the compensatory time. Suv Brensinger told Kreiser he is not comparing apples to apples here. Cleona does not offer the 24/7 police coverage the way NLT does. The population and the demands that our Police Dept deals with are not the same as Cleona's. A conversation followed about the citation writing and District Magistrate process.

C.) Francis Sahonic – Old Cumberland Street

Mr. Sahonic started his comments by asking the Board if there has been any action on his previous request for help with the water runoff problem at his property on Old Cumberland Street. Sahonic explained the history of the area he lives in, which at one time had been considered a part of Lehman Street.

Suv Miller told Sahonic he visited the area to see exactly what Sahonic was talking about. He told Sahonic he was very confused once he saw the location about what was street and what was driveway. Sahonic stated he is the only property that has a driveway. His neighbors do not have a designated driveway. A lengthy conversation took place about years prior to the Avon Bridge construction and the area surrounding the Sahonic home.

Suv Brensinger explained to Sahonic his frustration with not being able to locate information about who actually owns the lands surrounding the Sahonic home. He is not sure if it is state land or railroad owned. The highway crew had dropped dye tablets hoping to trace the water patterns and could not locate anywhere that the water surfaced or drained to. Suv Brensinger asked Sahonic if he knows who owns the lands to west of his swimming pool area. Sahonic stated he is pretty sure it belongs to the railroad company.

Francis Sahonic – Old Cumberland Street (con't)

When Sahonic brought up the question about snow removal, Chp Artz told him that they do not have any answers for him until it is figured whether or not this is a public street or private street. After some discussion the Board asked Sahonic to give them some time to research this issue. It is obvious to them that a solution needs to be found but there is still information that needs to be definitely determined. Mr. Sahonic agreed to keep in contact with the Board until a solution can be discussed.

******PUBLIC HEARING STARTED******

At 7:25 PM Sol Wolf opened a Public Hearing on the Raymond Royer Estate application for inclusion in the Ag Security Program for North Lebanon Township. Sol Wolf repeated to the public all the requirements that were followed to get to the Public Hearing. Application was received and advertised in the local paper to inform the public about the application. The property had been posted with signs informing the date, place and time of the public hearing. Comments were asked for from Lebanon County Planning Dept, NLT Planning Commission and the NLT Ag Security Advisory Committee. All three groups have indicated their approval for the inclusion of these lands, totaling 75.12 acres, located at 725 East Kercher Avenue into the Ag Security Program.

Sol Wolf spoke about the reasons for the AG Security Program and that it is a stepping stone for those who wish to apply for Ag Preservation. Ag Security provides certain protection to the property owner until the lands are accepted into Preservation, if that is the final goal of the property owner. At this time Sol Wolf opened the discussion to the public.

Martin Barondick had several questions about the Ag Security Program itself. He said he does not know the Royer family and is not too concerned about their actual application. He is more interested in this program that is offered to farmers. Barondick stated some of his views on, what he considers, favoritism shown toward the farming community. Sol Wolf attempted to explain the legislative part of the Ag Security requirements.

Sol Wolf explained that as long as the property owner meets all the requirements of the statute regarding Ag Security, the Board is not given much choice in this matter. The Twp must conduct this public hearing according to the statute.

Suv Miller stated he is confused about Ag Security and Ag Preservation. He questioned the rights of the property owner in regards to development. Sol Wolf said there is a difference between Ag Security and Ag Preservation. A discussion on the difference between the Ag Security program and Ag Preservation Program was held. The Ag Security Program does not involve any financial arrangements. To be placed in Ag Preservation there are financial exchanges made.

Earl Roberts questioned the current zoning of the Royer property. He was told it is Agricultural. His next question was about the lands surrounding the Royer property and if they were Ag. When told yes he questioned if any of the lands in Ag Security were contiguous. Suv Brensinger said the Weaver farm is in Ag Security and there is one other farm in the area that he thinks may be in the Ag Security. However, none of those properties are contiguous with the Royer lands.

Sol Wolf offered the opportunity again for any comments. Not getting any response the hearing ended. Sol Wolf then asked the Board of Supervisors to act on Resolution No. 24-2010 which would approve the Raymond Royer property located at 725 East Kercher Avenue being included in the Ag Security Program for North Lebanon Township. This Resolution will amend the current NLT Ag Security Program to include these additional acres.

MOTION was made and seconded to adopt Resolution No. 24-2010 to amend the Ag Security Program for North Lebanon Township to include the Raymond Royer Estate at 725 East Kercher Avenue and to authorize Manager Cheri Grumbine to sign the necessary documents. Motion was unanimously carried.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from the November 1, 2010 Board of Supervisors meeting and the minutes from the November 1, 2010 and November 8, 2010 Budget Workshops along with the additional paragraph added to 11-08-10 workshop minutes. 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.

CHIEF OF POLICE REPORT – Harold Easter

A.) Calls for Service – October 2010

Chf Easter reported an overview of activities for the Police Dept in the month of October. A total of 756 Police contacts were logged.

B.) Humane Society Agreement - \$1,350 for 30 Dogs

Based upon last years' figures an agreement has been reached in the amount of \$1350 for services the Humane Society provides for dog issues within North Lebanon Township. Some conversation took place about the types of animals this agreement pertains to, dogs only no cats.

MOTION was made and seconded to accept an agreement with the Humane Society in the amount of \$1350 for the year Oct 1, 2010 through Sept 30, 2011. Motion was unanimously carried.

C.) Agreement for Police Services to West Lebanon Twp (10-14-2010)

An agreement with West Lebanon Twp for Police services beginning on 1-01-11 through 12-31-11 had been presented to the Board at a previous meeting. West Lebanon Twp acted on this agreement at their last meeting and Chf Easter wanted to inform the Board the agreement was approved. Suv Miller asked Chf Easter if he could provide a summary of the calls handled for West Lebanon for the month of October. Chf Easter stated that he thinks it was around 40 incidents handled. Suv Miller asked the Chief, in the future, to provide W Lebanon information along with the NL Twp report.

D.) Misc Police Issues

1. Suv Miller informed the public a letter of commendation for Det Dave Lauver was received in appreciation of a particular recovery that was accomplished by Officer Lauer. Sgt Behney was also recognized for quick response on an incident he handled.
2. Chf Easter reported Trick or Treat night went well in the Twp. There were no major incidents that occurred.
3. Charlie Allwein of Martin Drive questioned if the problems with vandalism at Lions Lake Park has been resolved. Chf Ester replied there have not been any reports of vandalism recently.
4. Glen Kreiser questioned if the Officers are still patrolling the Union Canal Tunnel Hill Park and was told yes they do.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine

A.) 2011 All Funds Preliminary Budget

Mgr Grumbine stated there have been several Budget Workshop meetings which had been advertised and open for public attendance.

2011 All Funds Preliminary Budget (con't)

She explained the different funds and accounts that are set up for distribution of the funds into the accounts. Mgr Grumbine provided written copies of the 2011 All Funds Preliminary Budget and her presentation to the public and reviewed each fund. The public was given the opportunity to comment or question after her presentation.

The Budget for 2011 does show an increase of 1 mill for the hiring of an additional Police Officer which brings the count to 11 Officers including the Chief. The department has a part-time Code Enforcement Officer who also performs Police duties.

Mgr Grumbine mentioned some of the opportunities available for any of the Capital Improvements that might be needed in the future. The Yardwaste Facility will remain at \$30 per calendar year for residential permits. Mgr Grumbine completed reading through all the fund reports and asked for comments.

Francis Feaser remarked to the Board that he wants to ask the Board to again consider the state of the economy and the hard times that many people are experiencing. Suv Miller told Feaser the Board had asked each department head to review their individual budgets and prioritize their wishes. He told Feaser this 1 mill increase was not an easy decision to make. The Budget does include a 5% increase for the police officer per their contract and 3% for other employees. He told Feaser he does understand his concerns and comments.

MOTION was made and seconded to adopt the 2011 All Funds Preliminary Budget. Motion unanimously carried.

B.) Grant Agreement with Lebanon County Commissioners – Lenni Lenape Park Project

During the November 1st meeting Ass't Manager Sheila Wartluft reported the Twp was awarded a \$25,000 grant through the Lebanon County Comprehensive Plan Implementation Fund. This will be used towards the Lenni Lenape Park Project. A formal agreement was received and the Board is being asked to take action to approve the Chairman signing the agreement.

MOTION was made and seconded to approve the signature on the Lebanon County Comprehensive Plan Implementation Grant agreement for the amount of \$25,000. Motion was unanimously carried.

C.) Resolution No. 23-2010 – Street Lights along Narrows Drive

As part of the plan, known as the Seyfert 7 which had been previously approved, there is a requirement for new street light installation. The street lights will be cobrahead lights and will be installed on existing poles. In order to have the street lights installed and energized by Met Ed, the Board is required to approve a Resolution for Met Ed to proceed. Resolution No. 23-2010 is being presented for action by the Board.

MOTION was made and seconded to adopt Resolution No. 23-2010 for street lights to be energized in the Seyfert 7 portion of Narrows Drive. Motion unanimously carried.

D.) Pertinent Issues

1. Senior Project – the Purple Martin house on display in the meeting room was built by Adam Eder as his graduation project for CCHS. It was presented to the Park & Recreation Board at their 11-03-10 meeting and will be installed at Lions Lake.

SOLICITOR'S REPORT – Frederick S. Wolf**A.) Resolution No. 22-2010; Taxing Authority 2011 Tax Collector Acceleration Decision**

Sol Wolf presented Resolution No. 22-2010 to the Supervisors for action. This Resolution identifies the Board's appointment of Keystone Collections as the Twp's tax collecting agency.

MOTION was made and seconded to adopt Resolution No. 22-2010 appointing Keystone Collection as tax collector for North Lebanon Twp. Motion unanimously carried.

B.) Ordinance 4-2010; EIT Over/Under Agreement

Sol Wolf also provided Ordinance 4-2010 to the Board and to the public as it is required to have a public hearing when considering the adoption of an Ordinance. This Ordinance had been advertised in the local paper and was available in the Twp office for public inspection prior to tonight's meeting.

This Ordinance outlines the over/under plan for the paying of the misdirected funds by the former EIT office. A payment plan was drafted by Cheri Grumbine considering all the financial figures and establishing a reasonable period of time in order to make these payments. The overpaid municipalities/ schools will submit installment payments to pay back the funds while the underpaid municipalities/schools will receive specified amounts in periodic payments over the course of the next 10-20 years. All the municipalities/schools were asked to present an Ordinance, along with this plan, to their respective Boards and have the Boards take action on this payment plan called "The Grumbine Plan".

Once Sol Wolf opened the floor for comments a general discussion followed on the history of this whole issue. Several of the members in the public shared their opinions that this issue will never be completely resolved. Glen Kreiser asked what will be done with the payments the Twp, as an underpaid municipality, receives. Will the individual residents receive refunds? He was told the funds will be placed into the General Fund and dispersed as the Twp needs arise.

There being no other comments from the public or the Supervisors, Sol Wolf asked the Board to take action on Ordinance No. 4-2010.

MOTION was made and seconded to adopt Ordinance No.4-2010 regarding the Inter-municipal agreement and the over/under Grumbine Plan. Motion unanimously carried.

C.) Ordinance Updates

1. Revisions to the Knox Box Ordinance is an item which has been on the agenda for some time now. Sol Wolf is planning to attend the next Fire Chiefs monthly meeting to discuss some of the details and hopes to get all questions answered. Both Suv Artz and Suv Miller expressed their interest in also attending the next Fire Chiefs meeting with Sol Wolf.

2. Misc Ordinance Update is continuing to be worked on by Mgr Grumbine and Sol Wolf. Once a draft is completed the Board will receive a copy to review.

D.) Rockwood Sewer Project – Update on Grant Applications

An announcement was made pertaining to the Penn Vest funding the Municipal Authority had applied for to assist with the proposed Rockwood Sewer Project. North Lebanon and Swatara application did not receive approval. Sol Wolf stated that there are other sources of funding available and the Authority will be looking at some of those sources. The Authority may reapply in February of 2011 to Penn Vest for funding. The H₂O grant application announcements are anticipated tomorrow.

COMMENTS FROM BOARD MEMBERS

A.) Fire Safety – Dick Miller

Suv Miller stated he had some concerns he wanted to mention regarding fire safety in the Township. His concern is when a fire call comes in and the trucks leave the station. Suv Miller mentioned Annville and the tone alert and signal device that is used when the trucks are leaving the fire station and entering the traffic on Rte 422 to warn motorists.

B.) EIT – Dick Miller

Suv Miller stated he is concerned about the lack of fault finding with the previous EIT Board. He said he agrees with Mr. Barondick somewhat as far as not getting answers about the missing money and no one being held accountable for the mismanagement of the previous EIT office. Suv Miller does feel the Twp is entitled to try to get the underpaid funds back for the Twp. He would like to see some research being completed on some of the original individuals involved on the EIT Board.

Suv Miller indicated this all being said; he wanted to commend Mgr Grumbine for her time and effort she has put in on this re-payment plan. He told the public all her time was volunteer time and he, being a taxpaying resident, appreciates her efforts.

C.) Mulch Fires – Zimmerman Landscaping

Suv Miller mentioned the recent fires at the Zimmerman business. He feels the Twp should take a look at establishing some requirements for these types of businesses when they are working with this type of materials. Suv Miller asked Suv Brensinger about the combustibility of the mulched products. Suv Brensinger explained the process the Twp uses to “toss the materials and relieve the heat” from the stacks. He mentioned the height of the mulched materials at the Zimmerman location. Suv Brensinger stated there are State and Federal guidelines that are to be followed when recycling.

With no more business to conduct, the meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary