

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 16, 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 Alicia Gurdus 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.) Tom Gerhart – Lake Drive; Turkey Day Trot

Mr. Gerhart had been in attendance at the last meeting to tell the Board about a Turkey Day Trot event planned for Thanksgiving morning, November 26. He is looking for some traffic control help from the Township. There are 4 intersections that will need to be monitored by Fire Police or Police Officers for approximately 5 to 15 minutes. Mr. Gerhart provided a map sketch of the route to be used for this event. He is asking the Supervisors to approve Chief Easter scheduling these individuals to assist at the run/walk. The run/walk is to provide financial support to a local family which has battled cancer this year. The Board discussed Gerhart's request with Chf Easter. Chf Easter responded there will be 2 patrols on duty that day and he would like to utilize the Fire Police at the other required locations.

MOTION was made and seconded to approve the File Police assisting in the annual Turkey Day Trot, November 26, 2009. Motion unanimously carried.

B.) Oath of Office – Fire Police

Chairman Brensinger asked Howard Hissner to step forward and take the Oath of Office to become a Fire Police member. After Mr. Hissner repeated the Oath of Office, the Supervisors all thanked him for volunteering his service to the Twp.

C.) Martin Barondick – New Street

Mr. Barondick questioned some of the language repeated in the Oath which was just taken. Barondick's next remark was about some articles regarding the Long Lane Athletic fields he had read in the newspaper recently. His question was who actually owns the building that was being discussed. He was told the Twp owns the property and the Park & Recreation Board has been in communication with the Football Association.

D.) Bob Hoffman – Ebenezer Road; Report on Ebenezer Dam

Mr. Hoffman said he had read about inspections being conducted on the Ebenezer Dam. He said this issue of water leaking at the dam has been something the local Ebenezer people have been familiar with for a long time. Chm Brensinger stated this is an inspection that has been conducted for several years by Jeff Steckbeck. He explained that DEP is now stating that the Twp really needs to act on getting some answers as to what is occurring with the Dam.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from November 2, 2009 meeting minutes. Motion unanimously carried.

MOTION was made and seconded to approve the Budget Workshop meeting minutes also held on November 2, 2009. Motion unanimously carried.

MOTION was made and seconded to approve the minutes from a Joint Meeting, Board of Supervisors and Municipal Authority, held on October 22. 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 – October**

Brian gave the Supervisors a summary for the month of October from three of the four volunteer Fire Companies located within the Township. They had responded 32 times to various calls. A total of 398 man-hours were logged for the month of October.

B.) Knox Box –Draft Ordinance

Brian reported the Fire Chiefs had met and discussed the draft of the Knox Box Ordinance at great length. He thanked Cheri Grumbine for pulling all the information together and creating an outline to get started with. The Chiefs had met and discussed some revisions to the Ordinance. One of the issues the Chiefs talked about was whether all businesses should be involved with this system as opposed to just businesses with automatic fire alarm systems. The idea with the Knox Box system is to control and keep damages to a minimum when trying to enter a structure, particularly one with multiple doors.

Chm Brensinger asked Brian if he was aware of any other municipalities who might have enacted this system. Did they mandate that all the requirements become effective immediately or was it phased in? He said he does not wish to place another financial burden on local businesses. Brian replied he does not know how it was handled. Suv Hawkins questioned the documentation that will be used to monitor this system. This will place a burden on the Twp staff also. Registration forms and some other paperwork will be required. Brian replied that is true but if the paperwork is not administered correctly; this could very quickly become a nightmare. The Ordinance is needed to monitor the system and give a definite outline of what and how this is to be administered. Brian stated this is a draft ordinance and a good start to the process.

Suv Hawkins said she had another question for Brian on another issue. She asked which Fire Department it was that did not have the monthly records submitted to Brian. He replied it was Ebenezer Fire Company. She told Brian she had spent some time at the polls recently and had been approached about the way some of the fire equipment is dispatched to various calls. Brian explained that although the four fire companies are treated as a unit, North Lebanon Fire Department, the four companies are very much separate and individual stations. Each Chief sets up the call boxes for their response areas as they deem necessary. Brian said he uses the location and time of response for his call boxes. In some situations Bunker Hill can respond more quickly than, for example Weavertown could. For the most part the Chiefs try to utilize equipment within the Twp. However there are times when equipment from outside the Twp is required. Staffing for the equipment is sometimes a consideration when these calls are received. There are times when specific pieces of equipment are needed and this is a consideration. Personalities sometimes enter into the mix. It should not, but it sometimes does. Brian stated the four companies have come a long way as far as coordinating things in the past few years. When considering equipment, the four companies try to coordinate use of specific equipment. Glenn-Lebanon and Rural Security have tankers, Ebenezer and Weavertown do not. Weavertown has specialized equipment for accident rescue that the other departments do not have. When Glenn-Lebanon purchased some rescue equipment recently, consideration to what Weavertown already has was noted.

Barondick questioned the Supervisors if they had ever considered conducting a study on how many miles it would take to provide paid Fire Departments. Chm Brensinger replied they do not need to do a study. Brian told him to look at the pie chart on page 6 of the Preliminary Budget outline. Look at the percentage for the Police Dept and double or even triple that amount and you will see how much it would cost to have paid fire protection. Brian said he is not badmouthing the Police Dept. He is stating how difficult it is to have paid protection. Just minimum staffing alone, not to mention pensions and etc. comes at a high price. Brian explained the agreements the four companies have arrived at for handling calls for service. He repeated the four fire companies have come a long way in the last few years regarding coordination. The Supervisors thanked Brian for his time and expressed their appreciation for the commitment these volunteers give to the Twp.

CHIEF OF POLICE REPORT – Harold Easter

A.) Calls for Service –October 2009

Chf Easter provided a summary of the calls for the month of October. A total of 260 calls for service were reported. The high day for calls was Saturday with the second highest being Tuesday/Thursday.

B.) Police Manual for Police Department

Chf Easter has provided the Supervisors with the Policy Manual for the Police Department. He is asking the Board to review and approve the manual.

C.) Trick or Treat Night Response

A letter was received from a resident who lives on Jay Street. The Chief shared the letter content with the Board. The letter was from parents who had allowed their child to be with friends unattended for the first time this year. They state that the visibility of the cruiser cars in the area gave them peace of mind and thanked the Chief for the attention paid to their area on Trick or Treat night. The residents commended the North Lebanon Police Dept for a job well done.

D.) Misc Issues

Bob Hoffman questioned Chf Easter about the speeding on Rte 72, especially around the area of the school. He stated he was glad to see that the Police Dept is finally doing something as he has complained numerous times about this area.

Suv Hawkins told Chief Easter someone had mentioned to her Prescott Drive, which is known for its “raceway” conditions. She wondered if there would be the possibility of a 4-way STOP intersection at Prescott & Kercher. Chm Brensinger told her Prescott Dr is a State roadway. This is not a new issue. Prescott Dr has been a problem for a long time. Chm Brensinger told her it is one of the Chief’s favorite spots to monitor.

Martin Barondick asked Chf Easter for an update on the murder that had occurred on Lake Dr. He said there has been no new information for quite awhile. Chief explained the individual is in prison and has to go through due process. A discussion followed about the trial process. Chf Easter said at this point in time the District Attorney now makes the decisions on this issue.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Reading of Preliminary 2010 All Funds Budget**

Mgr Grumbine read the 2010 All Funds Budget and her summary of each individual fund for the public. Copies had been provided for anyone who wishes to have a copy. Some questions and answers were given. One change being proposed is the discontinuation of the Per Capita Tax which is being replaced with a ½ mil increase in property tax. The amount per household will basically be the same. She explained to the Board she is asking them to approve the Preliminary Proposed Budget. After the Board takes action, an advertisement will be placed in the newspaper notifying residents who wish to stop into the office and review the Preliminary Budget.

Bob Hoffman questioned the backhoe and a front end loader mentioned in the Budget for Parks & Recreation. Chm Brensinger stated the Parks department has 2 identical tractors, one at Lions Lake and one for the Community Park. This attachment will fit both tractors and can be used at either location. The tractors with attachments will have much less impact on the grounds than a larger piece of equipment will have. It will also free up the larger equipment for the Highway Crew use.

Paul Scwab questioned the increase in the Board of Supervisors expense line item. Mgr Grumbine explained there are many fees taken from this fund, such as newsletters, dues for various organizations. His next question was the Administration line increase of 7.2%. Mgr Grumbine told him there are misc expenses taken from this line such as legal fees and advertisement costs to name a few. Schwab said he was questioning pay increases. Mgr Grumbine replied the Budget reflects a max of 2% and that actual raise has not yet been determined. The next question was in reference to the Police Dept asking for a used SUV. Chm Brensinger said his thought would be for use in inclement weather. He continued by saying that every year since he has been on this Board the Police have requested an SUV. Kreiser named all the vehicles he sees sitting on the parking lot daily. It seems to him there are already plenty of vehicles for use. Mgr Grumbine stated the Jeep is owned by the Municipal Authority and the white vehicle parked out front is considered an Admin car, which is used for errands such as the banking or training seminars. The other 2 white cars are Police unmarked cruisers. The Chevy Blazer is for the Roadmasters use.

Preliminary 2010 All Funds Budget (con't)

MOTION was made and seconded to approve the 2010 All Funds Preliminary Budget for advertising. Motion unanimously carried.

Mgr Grumbine stated that the 2010 Preliminary All Funds Budget will be advertised for viewing in the Twp office. If anyone would like to schedule an appointment she is willing to sit down and go over the Budget with them. The Board of Supervisors will then act on the Final Budget at the December 21 Board meeting.

B.) Act 32 Meeting – Next Meeting October 21; Next Meeting November 18th

During the October 21st meeting of the Lebanon County Tax Collection Committee, the TCC unanimously agreed to replicate the slate of officers on the EIT Bureau's Executive Committee.

The TCC also adopted the Bylaws, which have been provided to the Board. The Bylaws provide for governance of the TCC by a 12-member Board of Delegates, comprised of 6 school district representatives (one from each school district) and 6 municipal representatives (one representative for all municipalities within each school district). Thus, the Board of Delegates will look much like the current Executive Committee of the EIT Bureau.

The acting Attorney for the TCC is recommending that prior to the November 30th meeting each municipality appoint a delegate and an alternate member for the Board of delegates, which would mirror the EIT Executive Committee. Mgr Grumbine is recommending that she be appointed as the delegate and Robin Getz of North Cornwall, as the alternate.

MOTION was made and seconded to appoint Cheri Grumbine as the delegate and Robin Getz as the alternate to the Tax Collection Committee. Motion unanimously carried.

C.) E. Kercher Avenue Pipe Replacement

After months of working with the engineer to obtain the proper GP-11 Permit through DEP and having to hire a consultant, Teresa Amitrone, to be on site throughout the entire project Roadmaster Brensinger and Mgr Grumbine are pleased to report that the Highway crew completed the installation of the replacement pipe under E. Kercher Avenue. The final report was submitted to the US Department of the Interior-Fish and Wildlife Service and the Pa Fish and Boat Commission and is being provided to the Board. Our consultant Teresa Amitrone had some very nice words to say about Ed Brensinger and our Highway Crew that Mgr Grumbine wanted to share with the Board. Ms Amitrone indicated in an email that our crew was polite and professional to work with. Also she was impressed that a Supervisor was willing to get dirty right alongside his workers. Ms Amitrone stated North Lebanon is lucky to have this hard working crew.

D.) Public Utility Property Taxes

As a follow up from last meeting, Mgr Grumbine researched the amount of taxes paid by public utilities who own properties, such as Met Ed on Grace Avenue and UGI on Kimmerlings Road. Although the taxes are not received directly from the utility company, the Twp applies to the Dept of Revenue for this revenue. Not only do the utilities pay our 8 mills, they also pay an additional 7.6 mills of tax on any properties they own.

Public Utility Property Taxes (con't)

Kreiser brought up the proposed power plant and asked Mgr Grumbine to get figures on what amount the Twp will receive from Tenaska. She replied she has already told Tenaska that if they should submit any plans to the Twp she would like to have the assessed value of the plant at that time. Kreiser asked Mgr Grumbine if she could get the figures from S Lebanon on the AES property. She replied she already has the information in her file. However she does not have the file with her tonight.

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

At last month's meeting when this issue was discussed there were 2 corrections needed, one being the reference to the detail of the tree plantings on the plan. The corrections have now been made on the page number and the details. Plan note #18 was mentioned by Bruce Sattazahn, which states the owner is responsible for replacing any trees that are removed, for whatever reason. The verbiage is that the new trees must be of the same size or a similar size as the one removed.

Item #17 details Lot #6 that contains the cemetery and the maintenance issues being the responsibilities of the property owner. These changes have all been made. Sol Wolf is asking that the deed requirements be approved in order to get it recorded. The information will then be distributed to the developer and the property owners.

Bruce Sattazahn questioned if Landmark was made aware of the requirement pertaining to staking of the trees. A conversation followed about the responsibilities and requirements listed on the plan notes and the enforcement of the requirements.

MOTION was made and seconded to approve upgrading the maintenance/screen planting agreement for the Narrows Glen Subdivision and to follow through with the notification to the developer and property owners. Motion unanimously carried.

B.) N 11th Avenue RR Crossing – PUC Order; Mtg 10/20 @ LCPD; Oct 26 Memo

The County MPO and the railroad company are proceeding with installing the gates and signals. The cost is to be paid for by the County MPO. A meeting was held to discuss monitoring the issue for the annual maintenance expenses which are to be shared between NLT and the City of Lebanon. As this has never been done by any other municipality before, careful monitoring will be needed to control the expenses which were quoted in the amount of \$2000 to \$4000 annually. Another issue is that of whether or not NLT and the City could be responsible, in the future, for Capital Expenditures for repairs and maintenance of the gates and signals. As this falls under the guidelines of the County MPO, it is being suggested that the gates/signals be listed as a priority future need for the MPO. Chm Brensinger reported the gates have been installed. A member of the public said the gates are also operating.

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

The review of these documents is still ongoing. Due to the length of the documents Sol Wolf is requesting that whoever was responsible for revising the documents prepare an affidavit and a statement that nothing was changed except the information the Twp had asked to have revised.

HOA – The Crossings @ Sweet Briar (con't)

Some of the revisions that have been completed must be reviewed by Mgr Grumbine as well as the Lebanon County Planning Dept. Another issue is that once the lots begin selling and the residents begin paying the Assoc fees, what responsibilities will the developer be liable for. Sol Wolf said he and Mgr Grumbine will continue with their review and then it will be provided to the Supervisors.

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

Lebanon County Planning was dealing with the issue of the truck traffic dropping off and picking up at this location. However due to the comments received by residents an agreement was prepared that would provide a description of the truck(s) that would be used, provide an exhibit that shows the entrance coming out onto Tunnel Hill Road and the flagging/traffic control devices that would be required. A notification of the pickups and deliveries to and from the property must be made to the Twp in accordance to the agreement.

At this point in time the plan has been submitted to the Planning Commission. The draft of the agreement has been provided to the Planning Commission as well. Anyone from the public who wishes to comment on the agreement should attend the Planning Commission meeting to voice their comments. The comments would then be provided to the Supervisors after the Planning Commission meeting. A discussion was started on the condition of the structures currently located on the property. Sol Wolf told the public that if they are concerned about the condition of buildings, they should call Officer Wengert in the NLT Police Dept. A conversation about the various permits that would be required and the building codes that must be followed if the decision is made to rehab the structures was held.

When questioned how many violations of the required flagging process would it take before any action is taken, Sol Wolf stated that is why he wanted to make the agreement designated that the violations will be dealt with in court. The judge schedules a hearing, based on the availability of his calendar dates. It is a quicker turnaround time rather than rely on the local District Judges. Some discussion took place about the trucks, axles and enforcement of the weight issues. Sol Wolf repeated that anyone who wants to discuss these issues should attend the Planning Commission meeting.

E.) Verizon Agreement – Hiring of Special Attorney for Multiple Municipal Review

This issue is on hold until the municipalities decide on whether or not to join together on the expenses for hiring an attorney to review the proposed agreement. A meeting is scheduled for early December. Should this option not succeed another issue would be to locate a municipality that already has a standard agreement with Verizon.

F.) Update to Pre-Treatment Ordinance

The City Authority has drafted their Pre-treatment Ordinance and provided copies to the Solicitors for the municipalities. Sol Wolf stated that once the suggested revisions are made, he and Mgr Grumbine will receive copies of the Ordinance to review.

G.) “Killed in Service” Ordinance – State Responsibility

At the last Board meeting the “Killed in Service” Ordinance was mentioned. Sol Wolf confirmed the State has now become responsible for this benefit for Police Officers and their families.

“Killed in Service” Ordinance (con’t)

Mgr Grumbine and Sol Wolf are researching a specific name or contact within the State department before taking any action to rescind the Twp policy. In the event anything would happen to one of our Officers the Twp would have the contact information to provide for the family of the Police Officer.

H.) Disputed Minutes – Mr. Earl Roberts

Recently at a Board meeting Mr. Earl Roberts complained the minutes approved by the Board did not accurately reflect what had taken place during the meeting. The Twp provided him the opportunity to state what he felt had happened at the meetings. Sol Wolf told Mr. Roberts that it is his responsibility to come to the meeting and ask immediately for the minutes that were approved by the Board. To wait several months and then complain long after the approval does not solve the problem for anybody. As far as the recording tapes, if he acts promptly on his opinions, there will not be a problem.

Sol Wolf questioned Mgr Grumbine if Mr. Roberts had made any contact with her about the October 19th minutes. She replied no, she has not received any contact from him; however he might have downloaded the minutes from the Twp website.

COMMENTS FROM BOARD MEMBERS

There were no comments from the Board members this evening.

Respectfully Submitted,

Theresa L. George
Recording Secretary