

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
NOVEMBER 19, 2007**

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:

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

Also in attendance was Kathy Hackleman from the Lebanon Daily, Roger Sands of the Patriot News and many other individuals. The meeting was called to order and the pledge to the flag was done.

**NLT RECREATION, PARK, & OPEN SPACE COMPREHENSIVE PLAN; LENNI LENAPE SITE PLAN**

**Tim Staub – Rettew Assoc**

Tim Staub of Rettew Assoc gave a brief summary of the Recreation, Park & Open Space Plan that has been an ongoing project for the past year or so. The Supervisors had previously received a written copy of the plan to review. Lebanon County Planning and the Dept of Conservation and Natural Resources have already reviewed and commented on the plan. Also reviewed had been the Master Site Plan for the future Lenni Lenape Park. Both agencies have recommended adoption of these documents. Mr. Staub repeated this proposed plan is an update of the 1994 comp plan the Twp had in place up until now.

He read through and reviewed the summary of both of these plans for the public. Some items listed in the summary had several different options for the Twp to pursue in order to complete the tasks listed. It could mean athletic facilities or natural type settings. Also it could mean “partnering” with outside businesses to accomplish the option that is needed. This master site plan for Lenni Lenape is suggestive of what can be placed there. There is room for flexibility. This now takes us to the Public participation of the planning stage. The public is invited to provide written comments to the Supervisors or appear at the public hearing to offer verbal comments.

Suv Hawkins thanked Tim Staub for his time. She told him that overall she was very impressed with this plan. Suv Brensinger said he had 2 questions/comments to make. First he asked if the original plan dated in 1994 included an open space plan. The previous plan had been a Park & Rec plan with Open Space being mentioned. Staub replied that DCNR now includes Open Space as a component they look in recreation plans. He also said he feels this plan will adequately satisfy what is needed for the Twp to apply for future funding for the park. Suv Artz asked Staub about the survey he had mentioned that had been randomly mailed. What percentage had been returned? Staub replied about 20% of the surveys had been returned.

**COMMENTS FROM THE PUBLIC**

**A.) Martin Barondick – New Street**

Mr. Barondick said he had several questions to ask. He asked if he understood Tim Staub to say that the youth leagues should be asked to pay a fee to play sports on Twp owned fields. Does he have it right? Tim Staub explained he had mentioned it as an option. This whole plan is a proposal. Nothing has been approved or adopted to date. There are many options available to raise funds for recreational spaces. The fee is just one option.

**Martin Barondick (con't)**

Barondick's next question was about the Twp seeking partnerships as an option for funds to maintain the parks. He questioned if that means the Twp would turn over the management of the parks to a "partner". Tim said that is not exactly what it would mean unless the Twp opts for that agreement. He understands partnerships to mean advertising signs on the outfield fences of a baseball field or marketing exposure in some other way. The Twp would have the say as to what the agreement would be.

Barondick's last comment was directed at Twp Mgr Grumbine. He questioned what she thought about the public meeting last week for the EIT. In particular he asked if she liked the idea of the municipality being refused a representative seat on the EIT Board. Mgr Grumbine agreed she was not happy with that announcement. Barondick discussed the meeting and the lack of attendance by the taxpayers. He expected more people to care about this issue. Barondick went on to repeat his opinions about this whole EIT scenario.

**B.) Charles Allwein – Martin Drive**

Mr. Allwein apologized to the Board about not being able to attend the last meeting. He had been out of town but once he returned he had read an article about the International Property Maintenance Code. He learned an Appeal Board was appointed and a non-refundable fee had been enacted. He wanted the Board to understand he is not in agreement with the non-refundable portion of the appeal process. Suv Brensinger explained to Allwein that there are expenses incurred by the Twp when these appeals take place. The Solicitor fees, the appointed Board is minimally compensated, and a court recorder could be involved which creates expenses. These are all fees the Twp incurs whether the Twp wins or loses. Allwein stated he feels it is unfair to expect a person who appeals, and wins, to shell out the fee. The Supervisors asked if he knows of someone who was wrongly cited for non-compliance. Allwein responded, no, he did not. The Board explained that they have faith in the Code Enforcement Officer's discretion. It is not expected that there will be many appeals submitted. Allwein said he can understand the expenses the Twp experiences however he still feels it is unfair to the person who wins his appeal. Sol Wolf pointed out that with any legal case the winner of the situation never recovers his or her expenses.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the minutes from November 5, 2007. Unanimously carried.

**APPROVAL PAYROLL and PAYMENT OF INVOICES**

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

**POLICE CHAPLAIN REPORT – Pastor Dean Cover**

Pastor Cover reported he has had at least 4 occasions this past month to ride with Officers on duty. There was a fatality as a result of an accident and he was asked to provide support to the victim's family. A witness to the accident was also in need of some counseling until a permanent arrangement could be scheduled for the individual. Suv Brensinger voiced his appreciation of the fact that Pastor Cover was able to provide this service to people in their time of need. Chf Easter agreed with the comments saying it is never an easy task for anyone.

**CHIEF OF POLICE REPORT - Harold Easter****A.) Calls for Service - October**

Chf Easter gave a summary of the calls for service within the month of October. The highest day for incidents was Thursday for this month. Also provided to the Supervisors was a written report on the activities of the Code Enforcement Officer for NLT.

Chf Easter reported on Officer Knight who had been injured on one of the calls to service. His injury required surgery which has now been completed. Officer Knight is now recovering from the surgery and should be back to work the end of January.

**B.) D.A.R.E.**

Chf Easter reported to the Board that the DARE program received a contribution from the Union Canal School. An amount of \$200.00 was raised during their Red Ribbon Week. He feels this check is a tribute to the DARE program.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) SABVI Land Development Plan**

Mgr Grumbine informed the Board that the SABVI plan appears to be ready for action as the issues with LVEDC have been completed with the exception of an item Sol Wolf is working on and asked that he update the Board on this issue. Lebanon County Planning has provided a letter of recommendation for the SABVI. Discussion went back over the outstanding issues the Twp had with Lebanon Economic Development Corp and the Rails Business Park. When asked, Sol Wolf stated all issues have been completed or addressed in such a manner that it will be resolved within the week. The Supervisors agreed there is no reason to hold up the SABVI plan on the letter of credit issue. Both parties have agreed in principal to an amendment to the original agreement regarding the extension of the sewer main to eliminate the Hillside Drive pumping station. He anticipates the amendments to be completed and signed this week.

**MOTION** was made and seconded to approve the SABVI Land Development plan conditional upon the completion and signing of the amendment to the agreement with the Municipal Authority. Unanimously carried.

**B.) Conestoga Log Cabin Leasing Revised Plan**

This revised plan is being processed due to an error in surveying when the original plan had been recorded. The legal description submitted for the cul-de-sac did not match the recorded plan. The revised plan was deemed necessary in order to complete the dedication of the cul-de-sac of Linda Dr. The Twp's Planning Commission reviewed and recommended approval of the revised plan. Lebanon County Planning is also recommending approval of the revised plan. Some discussion was had about the designated snow dump area. Ed Brensinger mentioned the difficulties of trying to plow the cul-de-sac areas.

**MOTION** was made and seconded to approve the Revised Conestoga Log Cabin Leasing Subdivision plan. Unanimously carried.

**C.) 2008 All Funds Township Preliminary Budget**

Mgr Grumbine announced to the public the 2008 Preliminary Budget has been prepared. A printout was offered to anyone who wished to review the information. Mgr Grumbine read through the proposed budget and gave a brief narrative of each of the funds within the Budget. Due to all the uncertainties with the EIT situation, a proposed 1 mil increase in taxes was discussed. The Preliminary Budget will be available for review in the Twp office until December 17 when action will be taken by the Supervisors. Mgr Grumbine asked the Board to authorize the advertisement of the proposed Budget for the December 17 meeting.

**MOTION** was made and seconded to authorize Mgr Grumbine to advertise the proposed Preliminary 2008 Budget. Unanimously carried.

**D.) Letter from Friends of Union Canal Tunnel Park**

As part of the preparation to submit a Growing Greener Grant to DCNR, the Friends of The Union Canal Tunnel Park have provided a copy of their plans for the Board's review and comment. The information has been shared with the Municipal Authority as they have easements in the proposed development area. A meeting with the representatives of the Park will be meeting with representatives from the Authority to discuss the Authority's easements. Should the Supervisors have any comments they should provided to Mgr Grumbine who will forward the comments to the group. The Board was in agreement for Mgr Grumbine to provide a letter of support if requested by the group.

**E.) Appointment to Safety Committee – Kori Eder**

The current representative from the Police Dept on the Safety Committee is Donald Wengert. Due to limited availability, Officer Wengert has offered his resignation. Kori Eder has agreed to be his replacement on the Committee. The Supervisors are being asked to appoint Kori as the Police representative to the Safety Committee. Kori has attended the last two Safety Committee meetings.

**MOTION** was made and seconded to appoint Kori Eder to the Safety Committee as the Police Dept representative. Unanimously carried.

**F.) Adoption of Lebanon County Comprehensive Plan – Thursday, December 13 @ 10:00 AM**

A Public Hearing for the adoption of the proposed Lebanon County Comprehensive Plan will be held on Thursday, December 13 @ 10:00AM at the Commissioner's meeting room. Mgr Grumbine made this announcement in order to let everyone know about the meeting which is open to all County residents.

**G.) Resolution No. 30-2007 – Upgrade of Streetlight on Weavertown Road**

Mgr Grumbine is presenting Resolution #30-2007 regarding an upgrade of a streetlight located on Weavertown Road. The Board is being asked to sign the Resolution and have a copy returned to Met Ed. Discussion followed about the older type streetlights versus the new type streetlights still located in the Township.

**MOTION** was made and seconded to adopt Resolution #30-2007 regarding the upgrade of a streetlight located on E Maple Street. Unanimously carried.

**SOLICITORS REPORT - Frederick S. Wolf****A.) N 11<sup>th</sup> Avenue RR Crossing**

Sol Wolf reported to the Supervisors on his suggestion as to what to complete next since the decision has been provided to the Twp from the PUC and the court. He reviewed some of the findings from the determinations made by the Court. Sol Wolf is asking the Board for authorization to file an appeal with the Court and file for a re-consideration from the PUC. In reading through the documents, Sol Wolf stated he noticed some information that was not quite accurate. It is his opinion that the local municipalities have never been asked to share expenses with railroads before. This would not be a good precedent to start now, according to Sol Wolf. Much discussion was had on this issue. The Board decided they would agree to the appeal action.

**MOTION** was made and seconded to authorize Sol Wolf to file an appeal with the Court and at the same time move forward with asking the PUC to re-consider their determination in this issue. Unanimously carried.

**B.) L.E.R.T.A. Request by LVEDC – HOLD until LVEDC Completed Outstanding Rail Park Issues**

Sol Wolf reminded the Board this request had been placed on hold until all issues with the Lebanon Valley Economic Corporation were resolved. As of tonight all issues have been resolved to everyone's satisfaction. Sol Wolf said he would meet with Mgr Grumbine to go over all the requirements with this LERTA request and proceed with advertising for a Public Hearing as required. This request is being made by LVEDC for the remaining parcels in the Lebanon Rails Industrial Park. He reminded the Board that moving forward with a Public Hearing does not obligate the Twp to any tax relief. The hearing is held so the LVEDC can then petition the County and the school for certain tax reliefs.

**MOTION** was made and seconded to authorize the advertising of a Public Hearing on Monday, December 17, 2007 for the L.E.R.T.A. request regarding the Lebanon Rails Industrial Park. Unanimously carried.

**C.) LST Draft Ordinance – December 17, 2007**

Sol Wolf explained that the Local Services Tax was formerly known as the Emergency Management Services Tax. Legislation has mandated the change in the name of this tax and some of the requirements have been revised. This is an issue which will have to be advertised for a Public Hearing on December 17. A copy of the

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proposed Ordinance will be posted in the office for public review and a copy provided to the Board.

**D.) Progress of North/South Lebanon Fireman’s Relief Assoc Split**

Sol Wolf reported on the progress of the split with this association. The State still needs to perform a final audit of all financial transactions from the North/South Relief Assoc. Sol Wolf instructed the 4 NLT Fire Companies to have all their records in order, including cancelled checks and any transactions that were made involving the Relief Assoc. The timeframe on some of the activities could last as long as February of 2008. After a final audit is performed and everything is finalized the 50/50 split of any remaining funds will be distributed.

**E.) Meeting with Municipality Solicitors RE: E.I.T.**

Sol Wolf told the Supervisors that he had attended a meeting earlier this afternoon. Several municipal attorneys and solicitors had met to discuss options regarding the E.I.T. situation. It had been suggested to the E.I.T. Board that the municipalities should be granted seats on the governing Board as well as voting privileges. At a public meeting last week the attorney for EIT suggested to the Board that this not happen. The reason cited was something to do in connection with pensions for various current and future EIT employees. Sol Wolf explained that the municipality’s total financial amounts exceed the school districts amounts. He pointed out that the total number of residents from the various municipalities should far outweigh the employee pensions. Sol Wolf said he thinks there are many options when providing pensions to employees. Much discussion took place about the various issues involved with the written reports, or lack of reports, provided by EIT to the municipalities. Sol Wolf stated we are no more informed today than we were a year ago. The Board expressed their frustration at having to deal with this issue and authorized the Solicitor to continue with his efforts on this issue. .

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

Respectfully Submitted,

Theresa L. George  
Recording Secretary