

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
DECEMBER 20, 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
Frederick S. Wolf	Township Solicitor

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.) Paul Schwab – Hunters Chase Lane**

Mr. Schwab reminded the Board he had questioned the shrub located along the roadside at the intersection of Kimmerlings and N 7<sup>th</sup> Street. He asked if the Board had contacted the property owner as the shrub creates a safety hazard for motorists trying to exit Kimmerlings Road. Suv Brensinger replied that Lt Wengert had visited the elderly couple who live there to speak to them. The property owners were not aware that the shrub was creating a hazard and agreed that the Twp could transplant the shrub elsewhere on their property for them. This should be accomplished in the near future.

**B.) Bruce Sattazahn – W Maple Street**

Mr. Sattazahn told the Board he is often in the area of the intersection at N 22<sup>nd</sup> Street and Rte 72 at Pansy Hill area. He has noticed the street light located on an aluminum pole on the southeast corner is not always operating. It is lit then for whatever reason goes out for a period of time before lighting again. Sattazahn said this seems to happen periodically not all the time. The Board discussed the lighting for this intersection. Suv Brensinger asked Mgr Grumbine if he is correct in that the Lebanon Valley Economic Development Corp is responsible for the maintenance of these lights. Mgr Grumbine confirmed that to be true. Suv Brensinger requested that Mgr Grumbine make contact with the LVEDC to inform them of this issue.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the minutes from the December 6, 2010 with a revision of wording pertaining to the vehicle chase discussed on page 5. The chase started in North Lebanon Twp near the intersection of Rte 72 and Long Lane, not Lebanon City. 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.) North Lebanon Twp Calls for Service – November 2010**

Chf Easter reported an overview of activities for the Police Dept in the month of November. A total of 669 Police contacts were logged.

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**B.) Accidents @ N 7<sup>th</sup> Street and Kimmerlings Road**

Suv Miller asked Chf Easter to speak about the accidents that had occurred at the intersection of N 7<sup>th</sup> Street/and Kimmerlings Road. Chf Easter reported that part of his monthly report included 2 accidents at the intersection Mr. Schwab was just speaking about. Both incidents involved trucks being hit. Suv Miller stated he had a telephone conversation with Mrs. Eberly who resides at the corner of the intersection. She had voiced her concern about a traffic light not being installed at this dangerous intersection. She mentioned numerous accidents to Suv Miller. Suv Miller requested that Chf Easter pulls together data on the accidents that have occurred at this intersection.

Suv Artz told Suv Miller that the Board has approached PADOT several times about this dangerous intersection. PADOT always responds that the data does not warrant a traffic signal. Suv Brensinger said they have suggested other safety measures for this intersection but to this point in time have not completed any of their suggestions. When Suv Miller said he would like PADOT to complete a study because he feels it is the responsible thing to do. Mgr Grumbine stated that PADOT will conduct the study but the Twp is required to sign an agreement that if the study shows warrant for a signal the Twp will be financially responsible for the project. Suv Miller said he thinks a signal will improve the safety of this intersection.

Suv Miller requested the Chief gather the information pertaining to this intersection. Chf Easter replied that PADOT would already have the reportable accident information. The non-reportable information would come from the NLT Police Dept. Suv Miller stated that ideally he would prefer PADOT conduct the study and not us.

**Martin Barondick** shared his opinion that the only way PADOT will install a light is after someone gets killed. Suv Miller replied he would rather have the Twp Manager write a letter to the local PADOT requesting them to complete a study on this intersection.

Suv Brensinger stated that the MPO has reviewed this intersection and it is one of the areas on their “scope”. The fact that there are many other intersections in the County which are more dangerous than this one does not help our situation. Even if there study would suggest a signal, PADOT would have to issue a permit for a signal on a State road.

**Glen Kreiser** suggested that if the area does not warrant a traffic signal, there should be other options available to increase the safety of this intersection. Suv Brensinger said the last conversation with PADOT resulted in the suggestion of “bump outs”. Narrowing white lines would indicate that there is an upcoming intersection to the motorists. Another suggestion had been a flashing yellow warning light prior to the intersection. Anything that is decided on will require a permit from PADOT.

**John Leahy Sr. – Cedar Crest Drive**

Mr. Leahy mentioned he liked the idea of having a traffic study done at this intersection. It seems to be a problem area. Suv Artz told Mr. Leahy there have been traffic studies completed for this intersection and the report shows the area does not warrant a traffic light. This study was completed by PADOT. Another issue is the use of the parking lot at the Fredericksburg Bank as a short cut for motorists.

**MOTION** was made and seconded to have Chf Easter gather information from the last 10 years and Mgr Grumbine compose a letter to PADOT’s Engineer for District 8 to request they conduct a traffic study on the intersection of N 7th Street (Rte 343) and Kimmerlings Road. Motion unanimously carried.

**C.) Pflueger Family**

Chf Easter asked that everyone remember Officer Pflueger’s family at this time as Brandt, his son, is struggling right now. The family could use all the emotional support that anyone can offer.

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**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) 2011 All Funds Preliminary Budget**

The 2011 All Funds Budget presented at the November 15 meeting, was advertised for public inspection for the required 20 days. Following the Board's authorization to advertise the budget for inspection there were only 2 minor changes in the final budget being presented tonight and both are in the General Fund. The expenditures have been decreased by \$899. The budget, as requested by the Board, does include the hiring of an additional full-time police officer in the Police Department. The cost of this officer (estimated at \$125,000) is the reason for the 1 mill increase in the 2011 budget. The Board is being asked to take formal action to adopt the 2011 All Funds Budget.

**MOTION** was made and seconded to adopt the 2011 all Funds Budget. Motion was unanimously carried.

**Resolution No. 27-2010**

Mgr Grumbine read Resolution No. 27-2010 which re-affirms the adoption of the 2011 All Funds Budget and outlines the tax levy for North Lebanon Twp for the year 2011. Suv Miller confirmed the Street light tax was the one that had recently been unified. Mgr Grumbine confirmed that to be correct.

**MOTION** was made and seconded to adopt Resolution No. 27-2010 outlining the tax levy for 2011. Motion was unanimously carried.

**B.) RESOLUTIONS NO. 28-, 29-, 30-2010 MMO-Non-Uniform, Police, and Police Contribution Requirements**

As required annually, Mgr Grumbine is presenting to the Board Resolutions No. 28-2010, 29-2010, and 30-2010, which are the MMO's for the Non-Uniform and Police Pension Plan and setting the Contribution Requirement. The information contained in the MMO was provided by our Actuary Consultant-Conrad Siegel Actuaries. The Board is being asked to adopt these 3 Resolutions.

**MOTION** was made and seconded to adopt to adopt Resolutions No. 28-2010, 29-2010 and 30-2010 regarding the MMO for the Police, Non-uniform Pension funds and setting the Police contribution rate. Motion was unanimously carried.

**C.) Worker's Comp Insurance Renewal Proposals**

The Twp has received five Worker's Comp Insurance quotes from 2 local agencies. A spreadsheet shows the comparable rates to each other and our current WC rate. Our current carrier, Penn Prime, came in at the highest cost. Our current 2010 rate is \$84,786; the lowest cost option would be through Selective Insurance at a cost of \$69,028.60. Thus, we would have a savings of \$15,757.40. Selective is offering a multi-policy discount to the township. The Board will need to take action to approve our Worker's Comp carrier for 2011.

Suv Brensinger questioned if this is something the Twp does annually. He does not remember going through this other years. Mgr Grumbine replied that the Twp previously had been with Erie Insurance for many years. When their rates escalated drastically in one year, the Twp started to research premiums. At that time the decision was made to go with Penn Prime. With an increase in the Penn Prime rates quotes were requested. Of the two Penn Prime and Selective Insurance, the lowest was Selective Insurance. Mgr Grumbine reminded the Board the Twp does have a Certified Safety Committee in place.

**Earl Roberts** questioned if the Police Dept is covered under this policy also. Suv Brensinger replied the Police Dept and all Volunteer Firefighters/ Fire Police are covered under an umbrella policy.

**MOTION** was made and seconded to contract with Selective Insurance for Worker's Comp Insurance. Motion unanimously carried.

**D.) Police Postemployment Benefit Actuarial Valuation Report**

Conrad Siegel has provided our actuarial valuation report as of January 1, 2010, for the Police Postemployment Benefits Plan. The information has been prepared in accordance with GASB No. 45, and will be used for the purpose of preparing financial statements for the calendar years 2011-2013. Mgr Grumbine reminded everyone, this post employment benefit was not approved by this board or any previous board. During contract negotiations the issue of postemployment health benefit was a sticking point, as the Board was not willing to approve this benefit and the contract ended up going to arbitration. This benefit is the result of this arbitration award. This analysis is provided every 3 years.

**E.) Proposals for Pre-emption Device; Rte 72 & Long Lane**

Mgr Grumbine has obtained 3 proposals for the installation of a 4-way pre-emption device at the traffic signal of Rte 72 & Long Lane. The lowest bid is from Herr Signal & Lighting Co, in the amount of \$5500. The highest bid was from C. M. High at a cost of \$7486. She has asked Herr Signal to provide a spec sheet on the 3M pre-emption device to confirm compatibility with the device at the Pansy Hill Signal. Mgr Grumbine is asking that the Board take action to award the bid to Herr Signal on the condition that their bid price does include the 3M (GTT) 4-way device and it is compatible with the Pansy Hill signal.

Suv Miller asked Suv Brensinger if he is satisfied with the company's that returned quotes. Suv Brensinger stated he is familiar with all companies although he does not have personal experience with Herr or Telco as C.M. High has been doing the majority of the Twp's maintenance work. Suv Artz questioned if all quotes reflected an accurate quote including the battery backup. Mgr Grumbine replied both Herr Signal and C.M. High offered quotes for battery backup, separate from the pre-emption quote. At this time the only issue is the quotes for the pre-emption device. The battery back-up quotes were to have a figure to place in our 2011 Budget.

**Paul Schwab** questioned why the battery backup is not being installed. He was told there was a separate quote for the backup and the quotes came in at approximately \$6000 additional for that installation.

Suv Miller asked for confirmation that the equipment the fire companies use on the pre-emption device located currently at Rte 72 and Pansy Hill will be compatible with the proposed signal for the intersection at Rte 72 and Long Lane. Suv Brensinger agreed that is what the fire company had told the Twp.

**MOTION** was made and seconded to award the contract to Herr Signal and Lighting for the installation of a pre-emption device at the intersection N Rte 72 and Long Lane in the amount of \$5500. Motion was unanimously carried.

**County Allocation for Additional Liquid Fuels**

In addition, Mgr Grumbine has received confirmation from Jamie Wolgemuth that the County Commissioners have awarded us a \$10,000 grant towards the installation of the 4-way pre-emption device through the County Liquid Fuels Program. These additional funds would be used to cover expenses at Rte 72/Long Lane and Rte 422/15<sup>th</sup> Ave. Mgr Grumbine is hopeful to have the completed paperwork returned to the County by the year end. She has emailed Donald Steiner of the Weavertown Fire Co asking them to confirm the capability (in their trucks) to operate a pre-emption device. If Weavertown does not have this capability, we should pursue the intersection at Rte 422 and Prescott Rd. We would have to reach out to S Lebanon Twp as we share the responsibilities of that traffic light.

**MOTION** was made seconded to approve the award of \$10,000 from the County Commissioners for the installation of pre-emption devices at Ret 72/Long Lane and Rte 422/ N 15<sup>th</sup> Ave. Motion was unanimously carried.

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**F.) Information on Amber Flashing Warning Signal; Ebenezer Fire Company along Rte 72**

As requested by Supervisor Miller at our last meeting, information has been obtained from Rettew regarding amber flashing warning signal at the Ebenezer Fire Company. Rettew has provided 2 examples of similar devices installed in Lancaster County. The first is a 2-mast arm design off US Route 30 with a total cost of \$34,700. The second example is a single mast arm design along Farmersville Road (a more rural road) with a total cost of \$24,400. Both designs were solar-powered with wireless activation. Rettew did note ... with the recent change in the PaDOT mast arm design criteria, they are seeing an increase of 2 times for mast arms and foundations. This would probably increase the costs on the 2 examples mentioned around \$5,000-\$6,000 per mast arm. The cost of going wireless and solar is about the cost of trenching and installing conduit and “traditional” electrical service. The savings will be with the solar as there is no monthly electrical service fee.

**G.) Update on Regional Comp Plan**

On Wednesday, December 8<sup>th</sup>, the Regional Comp Plan Committee met at South Lebanon Township. The Committee discussed the Phase II grant application process and required paperwork to be completed by each municipality. Also, each municipality was asked to prepare a written list with areas of interest for the tour. A list of the potential areas for North Lebanon Township was prepared and provided. The Board is being asked to review and let Mgr Grumbine know if there are any other areas you want included in the tour. She is also going to be reviewing the list with our Planning Commission members at their January meeting. At this time a copy of the list was also provided to Earl Roberts per his previous request. These areas will be reviewed again and mapped out by the Committee at our next meeting, which is scheduled for Monday, January 31 at 6:30 PM at South Lebanon Township. The tour is scheduled for Monday, February 28<sup>th</sup> at 9:00 AM. We are hopeful to obtain a COLT bus for the tour, so everyone who wants to participate can be included. The tour will leave from South Lebanon Township.

Suv Brensinger questioned the list of suggested interviewees that had been provided to the Board. He noticed the Supervisors are not listed. He questioned if they are not able to comment. Mgr Grumbine replied that they may certainly add them to the list if that is the Board’s wishes. Mr. Roberts told Suv Brensinger that one of the requirements in the “work plan” is that each municipality must come back with recommendations from their respective Supervisors. This is part of the review plan for the Regional Comp Plan.

**H.) Pertinent Issues**

1. Flagger Training – All Maintenance Employees, Manager, and Assistant Manager attended the flagger training session that was conducted in our building. Anyone who attended was tested and then provided with a card to confirm they received flagger training.

2. Christmas Tree Recycling Program is being held by the GLRA from 12-27-10 to 2-19-10. The Twp is also offering free drop off for undecorated and non-bagged Christmas Trees through February 18.

3. Lebanon County Employer Educational Session by Keystone Collection Group

-- North Lebanon Township Municipal Building @ 10:00AM

-- Cornwall Lebanon School District @6:00PM

Act 32 compliance will be explained for all Lebanon County employers in order to get them ready for compliance with this Act. Session 1 will be held here at North Lebanon and Session 2 will be conducted at CLSD in the High School LGI room. These sessions are free of charge.

4. Advertisement for part-time Custodian was discussed by the Board. Mgr Grumbine was given permission to have the advertisement placed in paper for this part-time position.

**MOTION** was made and seconded to authorize the advertisement for a part-time custodian. Motion was unanimously carried.

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**SOLICITOR'S REPORT – Frederick S. Wolf****A.) Conrad Siegel Assessment of Pension Funds**

Sol Wolf and Mgr Grumbine requested Conrad Siegel to submit an assessment of the Pension Fund investments. Sol Wolf explained the history of the investment procedures for the Twp. After reviewing with the financial advisors, Sol Wolf and Mgr Grumbine felt it was important to have independent advice concerning the investment, the fees paid, the safety of those investments and establishing a criteria for the future tracking of this information and overseeing the funds in the safest and best judgment. Because Conrad Siegel is not compensated in any way with the financial side of the Pension Funds, they are an independent agency. A proposal, including examining the current assets in the Pension Fund, the strategy of the Pension investments and the fees that are charged was submitted to the Twp including their observation of the plan in writing. Part of the process would be to meet with the Board of Supervisors to review the information and answer any questions. The quote for these services is estimated at \$8,000 to \$11,000, not exceeding \$11,000.

Suv Miller questioned whose Pension Fund the \$8000 to \$11,000 fee would be extracted from. He was told it would be pro-rated on the fund being looked at based on Fund assets. The fee would be for both Pension funds and not per fund, asked Suv Miller? Sol Wolf replied it would be for all funds reviewed. Suv Brensinger asked if this to become an annual thing or a onetime thing? Sol Wolf responded they are being asked to provide, in writing, an outline for the Twp to follow as these Pension questions arise when discussing with the financial advisors.

Suv Miller next asked if the Non-Uniform group has a representative. Mgr Grumbine responded that is one of the things she would like to see, a Committee formed. Act 44 establishes new regulations and one item she is looking to Conrad-Siegel for is to help guide the Twp through the new regulations. The Committee would be comprised of both Nom-uniform and Uniform representatives. Conrad Siegel would also be charged with helping to establish the Committee.

**Earl Roberts** asked how much the Twp is currently paying for investment services. Mgr Grumbine replied she could not give him a specific amount as the fee is taken off the statements. That is one thing Conrad-Siegel would be providing is a full disclosure of everything. She said due to the amount of funds, it is important that someone independent oversee the funds. Mr. Roberts had several questions which Sol Wolf discussed with him.

**John Leahy Sr.** questioned what level the investments are being made at, high, moderate, low risk? What level of risk? Sol Wolf replied no, it is not done that way. All investments are done according to the law and legal investments.

There was more conversation on Act 44 and the guidelines that are to be established dealing with Pension Funds.

**MOTION** was made and seconded to approve the proposal from Conrad-Siegel to provide information outlined and guidelines for Act 44 compliance for the Uniform and Non-Uniform Pension Funds. Motion was unanimously carried.

**B.) Ordinance Updates**

1. Revision to the Knox Box Ordinance is an item which the Board has been discussing for a long time. Unless the Board says otherwise Sol Wolf stated it will remain exactly as it now currently has been adopted. After receiving all the information about whom this Ordinance affects the Board can then determine if any amendments should be made.

2. Misc Ordinance Update is just about ready to wrap up.

3. Airport Hazard Zoning Ordinance is an issue the County has informed the Twp about. Due to the Deck Airport in the southeastern portion of our Twp we are expected to adopt an Airport Ordinance.

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**C.) Rockwood Sewer Project – Update on Grant Applications**

There is no information on the H2O Grant. The Grant Office tabled this issue until January.

**COMMENTS FROM BOARD MEMBERS****A.) Suv Dick Miller – EIT Issues and Possible Lawsuits**

Suv Miller questioned the possibility of bringing suit against some of the former EIT Board members. He told his fellow Board members he is tired of fooling around with all these EIT issues. Suv Miller asked if the collective group was doing any screening for a law firm to bring lawsuits. Sol Wolf said he is aware of a list of law firms that specialize in this type of litigation. Suv Miller asked if North Lebanon is gathering any information. Sol Wolf replied it is the City of Lebanon that is doing the gathering of information. The plan then is to meet as a group and review the information that has been provided. Suv Miller asked about a timeline being involved. Sol Wolf stated that once a law firm is selected, a time sequence will be outlined by that particular law firm.

Suv Miller questioned if he was informed correctly in that the former EIT Solicitor, Bank, Accounting firm and Board are exempt from legal suits. Sol Wolf responded that the new Board had investigated these questions. They were told that School Boards are excluded from liability by legal statute. The School Board members made up the former EIT Board. The auditing firm was involved in lawsuit which had been settled with the insurance company.

Suv Brensinger added that the insurance was concerning the embezzlement issue only. It had nothing to do with the over/under payments. Sol Wolf remarked that the auditing firm was involved in a legal suit that was settled by some sort of court action.

**Earl Roberts** questioned the number of entities involved in this over/under scenario. Sol Wolf replied it involves 26 municipalities and 6 school districts. He questioned if all municipalities and school boards have ever gotten together in one room to discuss this whole issue. He was told no. However the Solicitors hat represented municipalities and School Districts did meet monthly to discuss the issue. Mr. Roberts point is that if these people involved refuse to meet and come to some sort of an agreement, all the taxpayers of Lebanon County end up paying the legal fees regardless of whether there is a resolution to this whole situation. Roberts said it seems there should be some sort of neutral arbitrator, who has nothing in this issue, to offer some sort of recommendations. He stated it is unfortunate that Cheri Grumbine made the effort to offer a resolution. It was a good effort on her part and now her name is bandied about with this plan like it is some evil plan. The upshot of all of this is that the taxpayers will be footing the financial bill for this whole situation.

Sol Wolf stated that the majority of the municipalities and school districts have entered into the agreement. A number of the remaining entities have tabled the issue of the proposed agreement. Suv Miller said he wanted recognize Cheri for completing a plan which could be a solution instead of spending more money on court actions. He said at some point a line has to be drawn and move on with this. Suv Miller confirmed the fact that the City of Lebanon is gathering information on law firms. Sol Wolf confirmed that is what he has been told.

**B.) Suv Brensinger**

Suv Brensinger reminded everyone the Yard Waste cards need to be reactivated after the 1<sup>st</sup> of the New Year. All fees have remained the same as 2010 fees. January 3<sup>rd</sup> is the first day that they will be able to complete their renewal.

With no more business to conduct, the meeting adjourned.

Respectfully Submitted,

Theresa L. George  
Recording Secretary