

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
DECEMBER 21, 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.) Plans for Review

(1) Harold Kreider Land Development Plan – Matthew & Hockley Assoc

Bob Gerhart attended the Planning Commission meeting last Monday (12-14) to present the Kreider Plan to the Commission. Rick Bolt, County Engineer and Kris Troup of LCPD also attended to answer any questions related to the proposal for chicken houses to be located off Tunnel Hill Road on the existing Kreider property. Solicitor Wolf has worked extensively on the truck traffic agreement between the Township and the Kreiders. He told the Board the public had opportunity to comment/question at eh Planning Commission meeting.

Mgr Grumbine stated that the invoice for Solicitor Wolf's time, as well as Rick Bolt's has not been received. Any approval should be on condition of all invoices being paid and the Planning Commission's condition that the Kreiders sign the agreement.

Bob Gerhart explained the various details on the plan for the proposed chicken houses to be located on approximately 56 acres. He discussed the location of the houses and the stormwater management as well as the culvert located at the bottom of the access lane. Rettew Assoc created a design to "cap" the existing culvert to withstand the heavy usage by the trucks. A conversation followed pertaining to the trucks being able to negotiate within the turning radius off Tunnel Hill Road. An agreement had been prepared by Sol Wolf outlining requirements regarding the trucks and the flaggers which will be required. Rick Bolt and Kris Troup were in attendance to discuss the County's recommendation for this land development plan. When neighbors asked if the Twp will be monitoring the trucks entering and exiting the property, Chm Brensinger stated only if a complaint is received about non-compliance of the requirements in the agreement. When asked about the possibility of damage to neighboring yards, Chm Brensinger replied it is the responsibility of the Kreiders to be good neighbors.

Kreider Land Development Plan (con't)

Suv Hawkins questioned if the signed agreement has been returned to the Twp. Mgr Grumbine confirmed the signed agreement has been returned. The outstanding costs were explained by Sol Wolf. Bob Gerhart has been provided with the outstanding costs.

Chm Brensinger asked Dan Kreider if the intent is to renovate the existing farmhouse. Kreider responded that is the intention and blueprints have been drafted for renovation. It may not occur right now but that is the future plan. The costs of the chicken house project may delay the farmhouse renovation project explained Kreider. The Board decided to take action on this Land Development Plan.

MOTION was made and seconded to approve the Harold/Barbara Kreider Land Development Plan conditional on all outstanding fees being paid by the Kreiders. Motion unanimously carried.

Bob Huffman expressed his objection to the type of truck used in the demonstration. Some discussion occurred about the axles on trucks and the option of shifting the axles to bear weight. Dan Kreider said he thinks there is some misunderstanding about the trucks that will be coming in and out of his property. He explained the 7-9 week process that is involved with the chicken rotation. Huffman questioned if the trucks are to be directed off Rte 72 to enter Tunnel Hill Rd. Chm Brensinger replied that the Twp cannot mandate a specific travel route, especially on a PADOT roadway.

Martin Barondick spoke to Dan Kreider telling him that the Ebenezer cemetery is not a right-of-way or easement from his property. Kreider responded that it was never the intention of his family to use the cemetery as an entrance or exit for any of the farm equipment.

(2) The Crossings – Preliminary Subdivision Plan

Also during the Planning Commission meeting, a review of The Crossings at Sweet Briar Preliminary Subdivision Plan (former Ed Arnold farm) was done. Scott Miller of Stackhouse Bensinger and Cliff Weaver of Landmark were present at that meeting also. Rick Bolt, County Engineer and Kris Troup of LCPD were in attendance to answer any questions. Sol Wolf had advised Mgr Grumbine that any approval should include the condition that the HOA documents be finalized to the satisfaction of the Solicitor and the Supervisors, as well as all agreements with the Authority be finalized and signed.

The Planning Commission members recommended approval of The Crossings Preliminary Subdivision Plan with the conditions (1) Homeowner's Association documents completed satisfactorily to the Solicitor and the Supervisors and (2) all issues with the Authority are completed.

Scott Miller is in attendance this evening to discuss with the Supervisors the Preliminary Subdivision Plan for The Crossings. He started his remarks by saying the NLT Planning Commission gave their recommendation as well as the NLT Municipal Authority. There are some minor legal issues which need to be resolved for the sewer Authority. Scott said he is asking for approval of the plan conditional on the last few remaining items being addressed.

Sol Wolf mentioned the Homeowners Association documents. A review has been occurring and the last review brought about a request for one more revision which was communicated to the Attorney for Landmark Builders.

The Crossings Prelim Subd Pl (con't)

Sol Wolf suggested the final revisions to the HOA be incorporated into the approval. Another issue Sol Wolf discussed was a sewer connection that will need to be made on the property owned by The Church of The Open Door. Agreements have been drafted between the Authority, the church and Landmark Builders. The Authority is asking the Board for conditional approval of the plan being that the agreements signed and returned to the Authority.

Lebanon County Planning has recommended in favor of the plan with a concern that the Highway Occupancy Permit has not been received. Miller stated the design aspect of the Permit has been approved. The issue of posting the financial security must be completed.

MOTION was made and seconded to approve the Preliminary Subdivision Plan for The Crossings at Sweet Briar conditional on all sewer agreements being signed & returned; highway occupancy documents approved and security posted with LCPD, the Homeowners Association documents are satisfactory to Sol Wolf and the Board and all outstanding fees be paid in full by the developer. Motion carried unanimously.

C.) Narrows Glen Screen Planting & Deed Requirements

Although this issue is listed on the Solicitor's agenda, it will be discussed now so that Kris Troup and Rick Bolt are not detained any longer than necessary. Sol Wolf started the discussion by telling the Board the documents regarding the lots in Narrows Glen are now ready for their approval. All suggested revisions have been made and the documents are ready for approval by the Board. All property owners who did not receive the information at time of purchase will be sent a copy of the documents detailing requirements for the lots. Sol Wolf asked Bruce Sattazahn if there are any questions he would like to discuss regarding the screen plantings.

Mr. Sattazahn asked Rick Bolt what the normal procedure is for planting trees which are specified on the plans. Is it normal to plant a smaller variety and assume they will reach the required height when by the time Bonding is requested for reduction/release? Or is it the usual practice to plant the required height trees which are specified on the plan? Mr. Bolt responded that it is unusual to plant the smaller trees but this developer chose to do that. He stated that until the request for reduced bonding is made the trees are not an issue. Once the request for reduced bonding is made then an inspection could be completed and the trees would become an issue at that time.

Kris Troup, LCPD, stated there are no North Lebanon Ordinances or County Subdivision Ordinances that gives the developer a timeline for planting the tree line. Sattazahn said it was his understanding that screen plantings were required so that the existing properties were shielded from all the construction activities. Troup said he would agree with Sattazahn's statement; however the Twp does not have anything in the Ordinance which requires that the developer plant the required height at the time of beginning construction. Sattazahn asked about the staking off of the trees which was required. Who is responsible for inspecting that?

Earl Roberts questioned who makes the determination at the time of planting how much the trees will grow? He was told the height of the trees does not come into play until a request for reduced bonding is made. The developer is making that call and taking that risk. Kris Troup stated that every 5 years a renewal is applied for to keep the plan process moving. A review of the trees would be completed by the County every 5 years.

Narrows Glen Screen Planting & Deed Requirements (con't)

Suv Hawkins questioned who it is that polices these types of issues. Rick Bolt stated he inspects the storm sewers, the roads, streets and curbing to determine reduction in bonding. He does look at the screening when a reduction is requested. She asked Bolt if he takes a copy of the plans to gauge if all the items are in compliance.

Bolt stated he does indeed have the requirements with him while he is completing his inspections. He agreed it is not a common practice to plant under sized plantings for a screening, however this developer has chosen to do so.

Sol Wolf said he thinks if this practice is considered a problem, the Planning Commission should review the Ordinance and specify the time line in the Ordinance. Suv Hawkins agreed, in order to guard against this problem the Ordinance should be clarified.

Sattazahn said he has a problem with the fact that the developer will, when the reduction for bonding is requested, argue that the screen plantings have grown to 4-5 feet and resist tearing the trees out. It is his hope that the Twp insist the trees reach 6 ft before the bonding is reduced.

Sol Wolf stated that once the declaration is signed and recorded a copy will be provided to the current lot owners and the developer.

MOTION was made and seconded to adopt the Declaration of Maintenance requirements for the screen plantings in the Narrows Glen development. Motion unanimously carried.

D.) Glen Kreiser – Tax Information

Mr. Kreiser asked about the information given at the last meeting in regards to AES Ironwood and the taxes paid to South Lebanon. Was the amount actual tax money paid or in lieu of taxes? He was told it is actual tax money paid.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from December 7, 2009 meeting 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.

FIRE CHIEF'S REPORT – Brian Vragovich**A.) Monthly Report – November**

Brian gave the Supervisors a summary for the month of November from three of the four volunteer Fire Companies located within the Township. They had responded 20 times to various calls. A total of 168.53 man-hours /minutes were logged for the month of November.

B.) Knox Box –Draft Ordinance

Brian stated the boxes for the equipment/keys have been received. It was agreed to have Donnelly connect the boxes. He has not heard anything more about a Twp Ordinance. He is aware that Cheri has been working on this with the Board.

Knox Box –Draft Ordinance (con't)

Chm Brensinger told Brian they have been reviewing several of the Ordinance drafts provided to them. Their intent is to pull the best out of all of the ordinances they are reviewing and create one that is applicable to North Lebanon. Brian indicated his agreement.

Sol Wolf stated that the types of businesses that will be required to use this type of apparatus will be determined so the Fire Companies are able to get this program operating. The smaller businesses probably will not be affected by this Ordinance.

C.) North Lebanon Fireman's Relief Assoc.

Brian told the Board it is now 2 years that the North Lebanon Fireman's Relief Assoc. has been operating. They have been through the audit and not heard anything bad so he assumes everything is as it should be.

Brian told the Board he will not be attending after this meeting. George Gettler will be representing the Fire Companies in 2010.

CHIEF OF POLICE REPORT – Harold Easter**A.) Calls for Service – November 2009**

Chf Easter provided a summary of the calls for the month of November. A total of 233 calls for service were reported. The high day for calls was Saturday with the second highest day being Thursday and then Tuesday.

B.) Police Manual for Police Department

Chief Easter asked the Supervisors to approve the Police Policy Manual for the NLT Police Dept. Chm Brensinger asked his fellow Board members if they have finished reviewing the Manual. Both indicated they would need more time to complete the review. This issue was tabled.

C.) Misc Issues

Martin Barondick questioned the number of calls in 1 month to WalMart. He said it seems like the Police are always called there. Chf Easter replied that he would have to check the database for a definite answer. He also remarked that wherever there is a dense concentration of people there will be a high level of crime. Barondick said he would stop in the office to see an actual number.

Glen Kreiser questioned the number of faulty equipment cards that were issued. He was told a total of 40. When he asked about failure to dim he was told that unless the Officers talk specifically about this issue, the Chief has no idea how many there might have been. Kreiser questioned the Chief about the accident at Fifth Ward. How many years has the officer been on the force? He was told 2 years. Kreiser next asked if the Officer had been involved in any other accidents and was told no, he was not, other than a deer running into the cruiser.

Bob Huffman mentioned the New Covenant Christian School located along Rte 72. He thinks the school should have Fire Police or someone there to direct the traffic in and out of the school grounds. It is a very busy area there and is an accident waiting to happen. He expressed concern for the children and the school buses. Chf Easter replied the Twp cannot force the school but it might be a good idea to speak with them on this issue.

Chief Easter wished everyone a Merry Christmas and a safe and Happy New Year.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine

A.) Adoption of All Funds Budget for 2010

The Preliminary budget was advertised, reviewed and adopted at the November 16, 2009 Supervisors' meeting. One resident requested an appointment with Mgr Grumbine to ask questions pertaining to the .5 mill increase and the elimination of the Per Capita tax. The preliminary budget does not reflect any decrease in services or reduction in personnel. The costs have been trimmed in order to balance the budget with only the .5 mill increase, which is offset by the elimination of the per capita tax.

The budget reflects the loss of a 2008 cruiser. The insurance company totaled the vehicle at a value of \$12,050. The cost of a new cruiser picked up recently was \$23,903 (purchased through JAG Grant). The equipment will be salvaged off the 2008 cruiser and installed on the new cruiser. Dissatisfaction has been expressed to the insurance agent and they have agreed to look into this issue. The Twp does have the right to appeal, should we decide to go that route. An amount of \$23,500 was placed into the 2010 budget for a replacement cruiser.

The widening/resurfacing of Kochenderfer Road is also reflected in the budget. This project is dependent on Met Ed and other utility companies relocating their lines to new utility poles so the old ones located in the cartway can be removed. Met Ed has indicated their plan is to install new poles in April of 2010. Met Ed will at that time notify other utilities to relocate their lines. The last line to relocate will be responsible for removing the poles.

Lebanon City Authority has notified the Twp that they will be changing water services from the old water main along Kochenderfer Road to the new water main on the north side of Kochenderfer Road. The service will be for those properties along Kochenderfer Road between Rte 343 & Parkway Drive. Letters will be distributed by the City of Lebanon Authority announcing construction in winter 09/spring 2010.

Opposition was voiced about the purchase of a bucket loader. Suv Hawkins voiced her opinion that due to the volume of work there is to be done, she sees this purchase as a way to help this person do his job more efficiently and get the job done. She is in favor of this purchase.

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

B.) Resolution No. 29-2009 – Destruction of Certain Municipal Records

Resolution No. 29-2009 lists various documents to be destroyed per the Records Retention Manual that the Twp follows. Mgr Grumbine is suggesting the Resolution be approved so the documents can be destroyed.

MOTION was made and seconded to adopt Resolution No. 209-2009 for destruction of documents according to the PA Municipal Records Manual. Motion unanimously carried.

C.) Resolution No. 30-2009 – 30-2009, 31-2009; 32-2009; MMO Pension Requirements

The Board annually adopts the MMO for both the Police and Non-Uniform pension plans. Resolutions 30-2009, 31-2009 and 32-2009 is before the Board for adoption.

MOTION was made and seconded to adopt Resolutions 30-2009, 31-2009 and 32-2009 regarding municipal obligations and Pension requirements. Motion carried unanimously.

D.) DEP PA Conservation Works! Grant Application

The Twp received word that we were not awarded a grant to upgrade our boiler. Bonnie and Mgr Grumbine met with State representatives last week who agreed to look into other grant possibilities. If there are any agencies where this application would fit the application requirements, it will be pursued on the Board's behalf.

E.) Safety Committee Updates

The Safety Committee has provided an update covering 4 items:

1. Annual Summary of Issues
2. Safety Concerns at the Municipal Building
3. Revised Safety Manual for review and adoption – An outline of the revised language has also been provided in order for the Board to know what revisions have been made.
4. 2010 Goals of Safety Committee

Mgr Grumbine told the Board the Twp is fortunate to have an active Safety Committee that focuses on safety issues for all employees as well as the residents that visit the various Twp owned properties. She commended the members of the Committee for their active participation and reminded the Board of who sit on the Committee: Sheila Wartluft (Ass't Mgr), Theresa George (Office), Rich Evans (Hwy), Kori Eder (Police dept), Mike Kneasel (WW), and Tim Buffenmeyer (Fleet Maint). It is because of the work this Committee performs that our Safety Program continues to receive a Certification from L&I, which provides for a 5% discount on our Workman's' Comp Insurance. The Supervisors are being asked to adopt the revised language in the Safety Manual once they have had a chance to review.

After a brief discussion the Board decided to table adopting the Manual.

F.) Christmas Tree Drop-Off; Outside Yardwaste Facility until February 12, 2010

The Twp will once again provide a drop-off area outside the yardwaste Facility for residents to drop off undecorated, unbagged trees from December 28 until February 12, 2010. There is no cost associated with this service.

G.) Tenaska Update

Mgr Grumbine received a visit from Dan Culver regarding the Tenaska proposal plant. He indicated they are continuing to seek water resources and recently met with the Susquehanna River Basin group.

SOLICITORS REPORT – Solicitor Frederick Wolf**A.) Verizon Agreement – Hiring of Special Attorney for Multiple Municipal Review**

Sol Wolf stated there is nothing new to report on the Verizon issue.

B.) Update to Pre-Treatment Ordinance

Jon Beers has submitted a revision for review and is in the process of that review. This ordinance will affect the businesses that have sewer being treated by the City Authority.

This is a method of monitoring and avoiding prohibited substances from the treatment plant. When the City upgraded their pre-treatment ordinance /regulations, all municipalities who use this system are also required to update their ordinance.

C.) “Killed In Service” Benefits Assumed by State

The Twp up until now has been providing for this issue through insurance. An Ordinance will be drafted in the beginning of the New Year which will repeal this obligation. The insurance will be cancelled and the responsibility will become the States.

COMMENTS FROM BOARD MEMBERS**A.) Suv Dawn Hawkins**

Suv Hawkins told the public this is her last meeting as a Supervisor and she has enjoyed her experience. She said it has been a pleasure serving the residents of North Lebanon Twp.

Dale Hawkins said he wanted praise his wife for the good job she did serving the Township. He knows personally that she poured her heart into the task and he thinks she did a good job in the 6 years she served the Twp.

Ed Arnold said that although he is not related to Dawn, he too thinks she did an excellent job as Supervisor.

B.) Suv Ken Artz

Suv Artz thanked Dawn for her input as a Supervisor and told her that he appreciated her help while she was on the Board. He also wished everyone a Merry Christmas.

C.) Suv Ed Brensinger

Suv Brensinger thanked Dawn for making the last 6 years interesting. He told her she did a good job and he hopes she continues to pursue public service, as she did it well.

Suv Brensinger commented on the concern of the public about farming going away. He used the 2 young men present tonight, who had to really fight to get the right to farm his land, as an example.

As there was no more business to conduct, the meeting adjourned with executive session for personnel and litigation matters to follow.

Respectfully Submitted,

Theresa L. George
Recording Secretary