

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
DECEMBER 19, 2011**

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 Wolf	Henry & Beaver LLP

Also in attendance were Kathy Hackleman of the Lebanon Daily News, Scott Miller of Stackhouse Bensinger and several other individuals. The meeting was called to order and the pledge to the flag was done.

Chm Artz announced that a Public Hearing will begin at 7:15 p.m. The regular meeting will begin and will be halted at 7:15 for the Public Hearing. The regular scheduled meeting will resume once the Public Hearing has concluded.

COMMENTS FROM THE PUBLIC

A.) Martin Barondick – Mud/Debris on Road; Wells

Mr. Barondick started his comments by asking if any of the Board members had traveled on the west side of Long Lane Monday, December 5. He told the Board he had and warned his wife not to travel that road. The roadway was covered with mud and debris for approximately ¼ mile. Although he did not actually see anyone from the Meily family driving their farm equipment at that time he is fairly certain it came from their farm. Barondick stated he had stopped in the Police office and the Twp office to report the messy roadway. When traveling a few days later he discovered nothing had been done to clean up the mess. His question to the Board is, why? Barondick read a portion of the Ag Ordinance which states the owner of the property is responsible for cleaning the debris off the road in a timely manner. He continued on by stating his opinion about farmers receiving preferential treatment as well as derogatory comments about Chm Artz and Chf Easter.

Suv Brensinger told Barondick he did receive the message that day and had been in that particular area on that same day. It was his opinion that the condition on the road did not present any type of safety hazard. Chf Easter agreed saying he had seen the condition that is being discussed and he did not see it as a hazard. After all it is an agricultural area. Barondick took exception to this remark saying anything on the roadway becomes a hazard once it rains. He stated he feels something needs to be done to stop this from happening again.

Sol Wolf stated he felt it is too late now to react since this incident is almost 2 weeks old. Suv Miller agreed saying he knew nothing of this situation at the time it was happening. He told Barondick that he has been listening to his rude behavior and feels there is no need for him to treat Chm Artz in such an unacceptable manner.

Barondick – Mud/Debris on Road; Wells (con't)

Some more discussion took place pertaining to Agricultural practices and some of the ordinances governing the farmers.

Mr. Barondick next commented on an article in the Leb Daily News about polluted wells in the Ebenezer area. After reading the article Barondick said he and his wife started drinking bottled water until this issue was resolved. When he stopped into the Twp office he was told nobody knew anything about this. He reviewed the fact that there are many homes in Ebenezer that still have wells, not public water. Barondick questioned why the Supervisors did not notify the Ebenezer families about the possibility of polluted wells. He feels it was their responsibility to contact the Ebenezer people of a possible hazard to their wells.

Chm Artz stated the Board was told there did not appear to be a hazard. Hydro geologists were brought in to check on the areas and the source of contamination. In his opinion the situation did not present a hazard to anyone. Barondick expressed his dissatisfaction with the way this situation was handled.

7:15 PM PUBLIC HEARING STARTED**Ordinance 8-2011 – Revised language for previous adopted Ord 5-2011**

This ordinance had been advertised in the Lebanon Daily News and was available in the Twp office for review. Sol Wolf explained this ordinance is the result of a conversation with DCED. Previously an ordinance had been adopted regarding the reenactment of the Earned Income Tax and collection procedures. The ordinance also mentioned the procedure for people who work in North Lebanon Township but live in a municipality where there is no EIT. Money collected from non-residents would not stay with NLT. The language has been revised in Ord 8-2011 to address the concerns raised by DCED. After the collection of the tax it must be submitted to the municipality where the individual lives.

Chm Artz stated that this Ord revision is to clarify the language in the previously adopted ordinance. Sol Wolf agreed this is an amendment to Ord 5-2011.

PUBLIC HEARING ENDED at 7:25 PM and the regularly scheduled meeting resumed..

MOTION was made and seconded to adopt Ordinance 8-2011 which repeals the language in the previously adopted Ord 5-2011. Motion unanimously carried.

COMMENTS FROM THE PUBLIC con't**B.) Glen Kreiser – Previous Meeting Minutes**

Mr. Kreiser spoke to Suv Miller asking him if he had read the minutes from the summer meetings when he had been absent. Suv Miller responded he had browsed through them. Kreiser asked Suv Miller to go back and read the minutes. Earlier in the meeting Suv Miller had remarked on the fact that he expects every employee to execute their job to the best of their ability. Kreiser told Suv Miller if he still believes that after reading the meeting minutes, he would like to have a conversation with Suv Miller.

Lenni Lenape Park

Mr. Kreiser questioned the Board about the Lenni Lenape Park that is owned by the Twp. Is this an area open to the public as there are not any “No Trespassing” signs? Chm Artz told Kreiser that it is owned by the Twp but is not really open for use as a park. Kreiser told the Board about an incident that had occurred the last Sunday in November. Kreiser had gone to the park area wanting to walk the area. The gentleman who lives in the home located right outside the entrance to the park stopped him. Kreiser said the man was rude to him and he did not appreciate it. He felt the Supervisors should know about this incident.

Suv Brensinger told Kreiser that there has been vandalism at the park area. He thinks there are “No Trespassing” signs being prepared to post. He does not know the exact details pertaining to the signs. Kreiser asked that this topic be listed on the next agenda for discussion.

C.) The Crossings at Sweet Briar Final Phase 1 Subdivision Plan

Location/Zoned: Mt Zion Rd/ Kimmerlings Rd / R2 & C1

Scott Miller of Stackhouse Bensinger is present to talk to the Board about The Crossings Plan. He told the Board that the NLT Planning Commission had recommended approval of the plan subject to the Solicitor receiving and approving the HOA documents. As an engineer, his work on this plan submission is completed. At this point the Solicitor and the Attorney for Landmark Builders are working on legal documents which do not have any bearing on the engineering for this process.

Sol Wolf explained he had provided to Mgr Grumbine and the Supervisors a letter addressed to Sol Wolf which resulted from the meeting that had been held the prior week with Cliff Weaver, Landmark Builders, their attorney and Sol Wolf. A list of items that needed to be updated on the plan was a part of the letter. Scott Miller stated that most all of the items on the list have been completed. The one issue that Scott felt he could not complete was changes to the approved Preliminary Plans. Legally he felt he could not make any changes to the Preliminary Plan.

There was some discussion between Sol Wolf and Suv Miller pertaining to the ARD ord and some of the particulars involved with this plan. Sol Wolf questioned Mgr Grumbine if she remembered how the developer was indentified on the agreements between Landmark Builders and North Lebanon, Park & Rec and Municipal Authority. She replied she would have to check on this item. Sol Wolf said he would like the information on both documents to read the same.

Suv Brensinger asked Sol Wolf how close is it to the HOA documents being completed. Does he have a timeframe that can be given, 30 days, 60days? Sol Wolf is suggesting a 90 day timeframe. He is suggesting the Board offer an approval contingent on the HOA documents are received and finalized. Approval could be given for the plans (engineering work) contingent on the HOA documents being submitted and finalized within a 90 day timeframe. If the finalized documents do not happen within a 90 day period the approval of the plan becomes invalid. The plans will be held here at the Twp and not recorded until the HOA documents are finalized. Some discussion followed pertaining to the 90 day timeframe. The documents must be submitted by February in order to allow the Supervisors a 30 day time period to review the documents. The documents would be approved at the March meeting.

MOTION was made and seconded to approve the Subdivision Plan for The Crossings at Sweet Briar Final Phase 1 contingent upon the Home Owners Association documents that deal with Twp issues and concerns are provided within 30 days, the remaining HOA documents within 60 days and any final revisions to all of the documents being completed within 90 days of 12-19-11 Motion unanimously carried.

APPROVAL OF MINUTES

MOTION was made and seconded to approve minutes from the regular scheduled meeting on November 21, 2011 the special advertised Joint Meeting of November 22, 2011 with the NLT Municipal Authority. Motion was unanimously carried.

APPROVAL PAYROLL and PAYMENT OF INVOICES

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

FIRE CHIEFS REPORT

Fire Chf Toby Gettler reported on the activities for the month of November. He reported a total of 135 hours and 45 minutes of volunteer response time for the month of November. The Supervisors discussed some of the various calls responded to, bad odors being the main one. Chm Artz also mentioned a fire on Jay Street which had been responded to. He thanked the Fire Companies for working together on these calls.

CHIEF OF POLICE REPORT – Chief Harold Easter

A.) Calls for Service – Month of November

Chf Easter reported on the activities for the month of November. There were a total of 651 Police-Citizen contacts in the month of November. The Chf reported on some of the individual calls for service.

B.) Humane Society Agreement – 41 Dogs @ \$45 = \$1845

Chf Easter reported that the discrepancy in the original contract has now been corrected and a new agreement was submitted. The agreement for 2012 lists a total of 41 dogs @ \$45ea = \$1845. Chf Easter is recommending the Board authorize signature on the agreement with the Lebanon County Humane Society.

MOTION was made and seconded to authorize the signature on the 2011/2012 agreement with the Lebanon County Humane Society. Motion unanimously carried.

C.) Fire Police Unit

Chf Easter told the Board the Fire Police representatives are in attendance this evening. This unit has now been consolidated under the Police Department. He would like to recognize them and commend them for the job they are doing for the Twp. Chm Artz repeated the Chief's comment by expressing his appreciation for the job they do at all hours of the day and night.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine

A.) Adoption of 2012 All Funds Preliminary Budget

As presented at the November 21 meeting, the budget was advertised for public inspection. There has been one minor change to the budget. The expense for the Humane Society was reduced from \$2205 to \$1845 following a discussion between Chief Easter and the Humane Society. Mgr Grumbine is recommending that the Board adopt the 2012 All Funds Budget.

MOTION was made and seconded to adopt the All Funds Preliminary Budget for 2012. Motion unanimously carried.

B.) Adoption of Budget Resolution 19-2011 – Tax Levy

As required the Township must set the tax levy for 2012. Resolution No. 19-2011 provides for the taxes for 2012. The contents of the Resolution were read out loud by Mgr Grumbine.

MOTION was made and seconded to approve Resolution 19-2011 adopting the 2012 tax levy. Motion was unanimously carried.

Glen Kreiser questioned a form he received from the Assessment Office in regards to a property owned by him. The questionnaire asked about the use of the property. He questions why the use is relevant as this is for a real estate tax. Kreiser asked Sol Wolf if he would make a call as to the importance of the use question regarding a real estate tax. Sol Wolf agreed he would make the call once Kreiser provides a phone number to his office.

C.) Adoption of MMO Pension Resolutions (3); Res 20-2011; Res 21-2011; Res 22-2011

The Board is being presented with Resolution Numbers 20-2011, 21-2011 and 22-2011, setting forth the Minimum Municipal Obligation (MMO) for the Township for 2012 and setting contribution requirements. These Resolutions are based on the September 29th written report to the Board.

Suv Miller asked if both non-uniform and uniform employees pay into a Pension. Mgr Grumbine replied, no, only the uniform employees pay a percentage into their pension. Suv Miller then asked if the non-uniform employees have no Pension. He was told yes, they have a Pension that is paid by the Twp. However the benefits and cost are different for the uniform plan.

MOTION was made and seconded to adopt Resolution 20-2011; 21-2011; 22-2011 meeting the MMO Pension requirements for 2012. Motion was unanimously carried.

D.) County Liquid Fuels Application – Standard Annual Allocation

The Application for County Aid for the standard County allocation in the amount of \$6489 has been received. The project description for 2011 is for reimbursement of road salt purchased in February 2011. The Board is being asked to authorize the signature on the Application in order to mail it back to County.

MOTION was made and seconded to authorize signature on the County Liquid Fuels Application. Motion unanimously carried.

E.) County Liquid Fuels Revised Application

Originally, the application for County Aid was for \$4500 towards the pre-emption device installed at Rte 422/ 15th Avenue. However because a project came under budget for the Flashing Warning Device installed along Rte 343 near the intersection of Kochenderfer/Kimmerlings Road, the Twp is able to transfer \$5000 from that project over to the pre-emption project so both projects can be covered with the County Liquid Fuels funding. Mgr Grumbine is recommending the Board approve the revised Application for County Aid in the total amount of \$9500. (\$4500 original plus \$5000 transfer) (FWD funding – original \$23,000 reduced by \$5000 to \$18,000)

MOTION was made and seconded to approve the revised application for County Liquid Fuels Application. Motion unanimously carried.

F.) Public Meeting – Hazard Mitigation Grant Program

Mgr Grumbine has been working with South Lebanon Township and North Cornwall Township to hold a joint meeting for anyone interested in learning about the Hazard Mitigation Grant Program in order to submit an application for their property. This is strictly voluntary by the property owner.

The first round applications are only for those that live in a floodplain or floodway and received substantial damage (greater than 50% of home value). Round 2, if remaining grant funding, will be for those properties that received less than substantial damage (less than 6' in first floor) and possibly those outside of the floodplain or floodway. In order to provide an opportunity to our residents to hear about the program to make a decision we will be holding a meeting on Thursday, December 29th at 7:00 PM at the South Lebanon Township building on S. 5th Avenue. The advertisement was placed in the LDN by South Lebanon. A representative from FEMA/PEMA will be present at the meeting to review the program and answer any questions. Following this meeting we will know if any property owner is interested in participating in the program. As of this time no one in a floodplain or floodway has come forward.

G.) Memo on Misc Items Sold on Muncibid

Three misc items had been placed on the Muncibid website and each was sold as a result.

1. Paris Hot Water heaters – Jeffery Maurer - \$460
2. 1988 14 ft trailer- Tod Doney - \$395
3. 2000 DR trimmer –Edwin Desoto - \$51

The Board is being asked to approve these bids on this used equipment.

MOTION was made and seconded to approve the bids received for the items on the Muncibid. Motion unanimously carried.

H.) Pertinent Issues

1.) CLSD Regional Comp Plan Update

Minutes from the November 3, Comp Plan meeting (Meeting #10) and the December 1st meeting (Meeting #11) have been provided to the Board. Mgr Grumbine was not able to attend the Dec meeting but did receive an update from Sheila Wartluft and Chuck Allwein. The tentative schedule has the Committee reviewing draft recommendations, Part 1 on January 5th with Part 2 being reviewed on February 2. A Public Milestone Meeting #2 is scheduled at the Cedar Crest High School Cafeteria on February 16th with a snow date of February 23. This would put the draft plan review at March 1st if we are able to stay on this timeline.

2.) Flood Damage Presentation

Mgr Grumbine had prepared a PowerPoint presentation to review some of the areas in the Township that received damage, those areas that have been corrected by the Highway Dept. and those areas pending along with costs associated with the repairs. She asked Roadmaster Brensinger to add his comments as the slide show progresses.

Flood Damage Presentation (con't)

Each slide was described by Roadmaster Brensinger, the before and after photos. A future repair project is Elias Ave near Reazers Junkyard. Due to the low volume of traffic it was not deemed as immediate as some of the other locations. On Ashton Drive at the park area is listed as another site for a future project. The Park Foreman made some temporary stabilizing repairs. Suv Brensinger stated it is incredible the see what the force of water can do.

Mgr Grumbine explained the costs of the damages were computed along with hours of admin work and some other losses due to the flooding. These figures were all compiled for a total of \$62,075.04 to be submitted to PEMA. Bonnie had met with PEMA and presented the total damage report for the Twp. An actual breakdown and discussion will be done at a later date. Chm Artz thanked Mgr Grumbine and Roadmaster Brensinger for the presentation.

3. E-file Agreement with BSSF

Mgr Grumbine provided the Board with a letter received from Brown Shultz Sheridan and Fritz (Accounting Firm) that is requesting a signature that authorizes e-filing the reports pertaining to the Twp audits.

MOTION was made and seconded to approve the Chairman's signature to allow e-filing of the Twp audit reports by BSSF. Motion unanimously carried.

4. FEMA Letter – Updating Stormwater and Ordinances

Julie Cheney, of LCPD, informed Mgr Grumbine that the County is working on an Ordinance that will update all stormwater ordinances for the municipalities under the County. Mgr Grumbine told the Board she will notify FEMA that this is being completed by LCPD and will provide the information once the Ordinance is completed.

5.) Public Officials Day at PA Farm Show – January 12, 2012

Mgr Grumbine informed the Supervisors about PA Farm Show Public Officials Day which had been received. Chm Artz and Suv Miller both indicated they would be attending and requested she confirm for them. Suv Brensinger told Mgr Grumbine he had already responded.

SOLICITOR'S REPORT – Sol Frederick Wolf, Henry & Beaver LLP**A.) Rockwood Sewer Project Update**

The agreement with Swatara is on hold since application was made to PennVest for funding by Swatara. The number of applicants was low this time for the funding so it is hopeful this time the project will receive approval for funding. If PennVest does not come through then Swatara will be going with a bank loan.

B.) Supervisors & Municipal Authority Joint Meeting

Several common issues between these 2 boards were discussed at the Joint Meeting. The question of vehicle purchases was discussed. It was decided by the Authority not to pursue any new vehicle purchase in 2012. The vehicle/equipment schedule was agreed to be extended from 7 to 12 years.

COMMENTS FROM BOARD MEMBERS**A.) ASA Committee Progress – Chairman Artz**

Chm Artz told Mgr Grumbine he did not have any information on the Ag Security Committee. Mgr Grumbine stated she had received an email stating the Committee did not have any changes or new additions to offer to the program.

The chairperson also indicated she is resigning as Chairperson of this Committee. Chm Artz questions if she will be remaining on the Committee or if the resignation will be from the Committee altogether. Mgr Grumbine said the email was not clear. Chm Artz told Mgr Grumbine he would make contact and get a clarification on the resignation. He said he will also talk to the other members on this committee to gauge their interest about serving on this committee.

B.) Suv Ed Brensinger

Suv Brensinger wished everyone Happy Holidays and said he hopes 2012 will be a better year for everyone.

Respectfully Submitted,

Theresa L. George
Recording Secretary