

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
FEBRUARY 2, 2004**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the North Lebanon Township Municipal Building, 725 Kimmerlings Road, Lebanon, PA, with the following people present:

Kenneth C. Artz	Chairperson
Dawn M. Hawkins	Vice-Chairperson
Edward A. Brensinger	Treasurer
Cheri F. Grumbine	Township Manager

Also in attendance was Jim Ryan of the Lebanon Daily News, Al Winn of the Patriot News, Theresa George, NL T employee and 6 other individuals.

The meeting was called to order and the pledge to the American flag was done.

COMMENTS FROM THE PUBLIC

There were no comments from the public tonight.

MOTION TO APPROVE MINUTES

MOTION: Was made and seconded to approve the minutes from January 19,2004. Unanimously carried.

MOTION TO APPROVE PAYROLL AND PAYMENT OF INVOICES SUBJECT TO AUDIT

MOTION: Was made and seconded to approve payment of payroll and payment of invoices subject to audit. Unanimously carried.

POLICE CHIEF'S REPORT - Kim Wolfe

Chf Wolfe is absent this evening and he has communicated no new issues to the Supervisors to be discussed in his absence.

TOWNSHIP MANAGER'S REPORT - Cheri F. Grumbine

A.) Non-Emergency Activities List from Rural Security Fire Co

The Twp has received the last of the non-emergency lists from the 4 NLT Fire companies. With Rural Security's submission all 4 companies have now completed their submissions for approval by the Board.

MOTION: Was made and seconded to approve the non-emergency list submitted by Rural Security Fire Co. Unanimously carried.

B.) Resolution No. 3-2004, Emergency Declaration Policy

During the 1-19-04 meeting Sol Wolf and the Supervisors discussed the adoption of a policy, which permits the Supervisors to declare a state of emergency, if and when the occasion ever arose. An attachment of a list of conditions for an emergency declaration was also discussed. A list of those occasions has been prepared and is attached as Exhibit "A" to this Resolution. In addition Exhibit "B" provides a necessary form to be completed by the Twp's representative listing the reason for such a declaration and notification requirements. The Supervisors are being asked to approve the Exhibits that have been prepared and then adopt this Resolution.

Suv Hawkins said she had reviewed the information and feels almost all situations would be covered. She then asked if this was something that all municipalities are doing? Chp Artz explained it is to have a policy in place should we ever need to use this course of action.

MOTION: Was made and seconded to adopt Resolution No. 3-2004. Unanimously carried.

C.) Resolution No. 6-2004-Adoption of LCPD Fees

Mgr Grumbine has prepared Resolution No. 6-2004, which is the outline of fees for the Lebanon County Planning Dept in regards to zoning-related issues. The Board is being asked to approve this fee schedule for LCPD.

Suv Hawkins questioned the structure of the fee schedule. She asked for clarification about the amount charged after the first \$1000, which is proposed at \$20.00. Mgr Grumbine explained the amount of a building permit is based on the financial amount of the work being completed. After the first \$1000 (\$20), the fee is based on \$1 per \$1000 after the first initial thousand. Suv Hawkins then asked how the amount is determined. She was told County Planning relies on the information the individual is providing to them. Suv Artz and Brensinger told her the fees have basically doubled, as it has been a long time since any fees were increased (1988). Suv Hawkins said she feels the fees for Zoning requests should be increased. It might help to deter people from making the requests.

Suv Hawkins said she is concerned about the residents having to pay a fee for building permits. She said she does not like the idea of raising fees for the residents. Mgr Grumbine specified the only residents affected are the ones applying for building permits.

MOTION: Was made and seconded to adopt the fee schedule for LCPD regarding zoning issues. Suv Artz and Brensinger voted to approve and Suv Hawkins opposed, stating her reason is because she didn't want to see the fees increase for our residents. Majority vote adopts Resolution No. 6-2004.

D.) Resolution No. 7-2004, Lebanon Valley Farmers Bank

Lebanon Valley Farmers is asking the Twp to adopt a Resolution outlining certain procedures to be followed when dealing with the LVFB bank. One of our requirements is to have 2 signatures for every check.

MOTION: Was made and seconded to adopt Resolution No. 7-2004 for LVFB. Unanimously carried.

E.) 2003 Annual Zoning Administration Report

Lebanon County Planning has provided the Twp with the annual zoning administration report. The report states a total building value of \$9,180,000. Seventy-one permits were for single-family dwellings, 6 commercial/industrial and 2 institutional. Mgr Grumbine has provided the permit history since 1989 for comparison.

E.) Spruce Park Determination

Sol Wolf requested that Mgr Grumbine report to the Board that the re-determination fee of \$7,915.50 that was to be paid by Dryden Abstract, Inc. at the December settlement of Spruce Park complex did not take place. His office has been in contact with Dryden Abstract about the failure to pay this fee. Sol Wolf is asking the Board to approve by a MOTION "Any amount remaining unpaid, the Board authorizes the Solicitor and Manager to proceed with the collection on the amount due." This would allow the Twp to file any necessary documents this week should it be deemed necessary by Sol Wolf.

MOTION: Was made and seconded by the Board as follows, "Any amount remaining unpaid, the Board authorizes the Solicitor and Manager to proceed with the collection on the amount due". Unanimously carried.

F.) Tom Stewart Request - Water Line Easement

Tom Stewart of 1710 N. 7th Street had requested at the 1-15-03 meeting that he be granted an easement through Twp owned property to connect to a public water main. Mr. Stewart is currently connected through an easement granted by an adjoining property. However with the new water main soon to be constructed off N 7th Street, the distance would be shorter and help to create more water pressure. The area Stewart is requesting an easement for is south of the salt storage building. An aerial map is attached showing the Twp and Mr. Stewart's property. If the Board decides to grant Stewart the easement, Mgr Grumbine will ask Sol Wolf to notify him that it would be his responsibility to provide all necessary plans and documentations. Stewart will also be financially responsible for all of Sol Wolf's fees to prepare the agreement and recording costs. If the Board determines not to allow Mr. Stewart this easement, Mgr Grumbine will inform him to pursue other avenues.

Suv Hawkins questioned if Mr. Stewart was aware of the fact he will be financially responsible for all costs. Suv Brensinger stated Stewart had verbally committed to the financial costs involved. Suv Hawkins then added that if the easement does not interfere with any Twp activities or areas, she has no problem with this easement being granted to Stewart.

Martin Barondik - 2106 New Street

Barondik told the Board he has a question on this water line easement being granted on Twp property. His question was in reference to the Twp building and proposed expansion. What will happen if the area the water line is located on is needed for Twp purposes? Suv Brensinger explained the area where the easement will be located in is right on the bordering property lines. With existing set back lines there would be no possibility of any building ever being constructed in this specific area. The Twp already has the existing salt storage barn in this area.

Stewart Request - Water Line Easement (cont'd)

Barondik then asked if this easement were being requested in another part of the Twp, between 2 property owners, what procedure would be followed then? Mgr Grumbine said Stewart already has an easement agreement with another property owner for his existing water line. Barondik then said he has a problem with one property owner "going through" another property to accomplish something. Invariably something always goes wrong. He continued onto say it always sounds good in the beginning but 20-30 years down the road there is a problem.

MOTION: Was made and seconded to approve an easement request, through Twp property, for Tom Stewart with the understanding he would be financially responsible for all costs, including the Twp Solicitor's fees, incurred. Unanimously carried.

Eric Paul- 1685Christine Drive

Mr. Paul told the Board he had a few questions about the water line project. He said his first question was in reference to the public water being a "privilege" to connect to. How can this be termed a "privilege" if the public is being forced to connect? Second question is where exactly is this going? Chp Artz asked Mr. Paul what exactly is he asking in reference to his second question. Is he asking what route the water line is going? Paul responded, no that is not what he is asking. Paul then said where is the \$1,000 connection fee going? Who is going to receive this and for what purpose? Chp Artz and Suv Brensinger explained the \$1,000 would be placed toward the debt reduction portion of the project. Paul then asked if it was to be a sort of "public assistance" thing? Suv Brensinger explained the users, who connect to the line, would help pay to install the line. Paul then offered his opinion that this project comes at a very bad time for a lot of people.

Chp Artz told Mr. Paul that every homeowner has received a letter telling them if there is a hardship, the money issue could be worked out. Paul then said he is here on his Mother's behalf, who is not quite up on matters pertaining to politics. He continued on to tell the Supervisors he felt he had to appear to make it known to the Board there are a lot of people upset because they were told they had to pay the \$1000 connection fee. Paul said it is a nice option to offer the 3-year payment schedule. Paul then asked what the \$47 debt fee is? Chp Artz answered the money is to pay for the installation of the materials to place the water system. The financing has been stretched out over a specific financing period of time, which is called debt reduction and the money is going to pay the loan. Chp Artz told him any more specific information about the financing would have to come from the Municipal Authority. Paul then asked why this amount was not all "rolled" into one big fee? Chp Artz told Paul he was not sure what he was referring to when he says one big fee? Paul said why break it into 2 different groups? Why not make it one large payment? Suv Brensinger said the \$1000 was to reduce the debt up front immediately. The \$47 debt reduction is then paid quarterly. Almost like a mortgage payment, except it is quarterly. Suv Brensinger said he is not sure about the term of the loan.

Paul then said he wanted to know what prompted this whole issue. Was there some sort of problem with the wells? Would it be because of all the developing that is proposed for the area? Chp Artz explained when he first came on the Board, at least 15 years ago, residents were approaching the Board at that time already for help with their well water problems. At that time, it was not financially possible to do a water line project. Whenever the City of Lebanon was approached, conversations took place but nothing ever developed from the talks. After the water tank was installed on Kimmerlings Road, the City did not want to be responsible for construction of a water line.

Water Line Project (cont'd)

Just recently when the estimate of \$45-\$47 a quarter was spoken about, Chp Artz said he did not feel this was too burdensome. Other people might have different feelings about this last remark but Chp Artz said it is his opinion that \$45 a quarter for public water is not bad. Mr. Paul said to put this into perspective, as a Supervisor he was approached by residents with complaints about their water. When the Supervisors approached the City of Lebanon, a straight answer was never given to the Supervisors. Then just recently it had become financially feasible to do this project. Paul asked if he has this scenario correct. Chp Artz agreed to his summary of the events.

Martin Barondik - New St

Mr. Barondik said he is aware of the big fuss about this public water. These people have this big coalition and intend to get people elected into office. He then said he has a comment. Barondik told the Board he has been trying to get water service for his home for at least 25 years and has been told he cannot have it. If he stands on his front porch he can see the public water lines but he is not able to have it. It appears to be a strange situation to him.

COMMENTS FROM BOARD MEMBERS**A.) Ebenezer Elementary School "Winterfest" - Request for PD Participation**

Chp Artz explained there are a few issues the Chf of Police has forwarded to the Board in the form of MEMOs. Ebenezer Elementary School is holding a Winterfest on Saturday 2-07-04. They are requesting the NLT police Dept participate by doing finger printing of the children and provide "kid identification" cards. Suv Hawkins questioned if the officers do this as a public service. Suv Brensinger said he thinks they have participated in the past. Suv Hawkins then asked if the Police Dept is asking for overtime to participate in this program. It appears to her they are not offering to do this as a public service. She continued onto say she would like to encourage the officers to participate in the program as a community service, not as a paid overtime service. Hawkins said it would be good PR for the Police Dept to do this as a volunteer community service. She said the Board gets requests for volunteer services, such as "Reading is Fun". It helps create good community relations.

Chp Artz asked his fellow Board members if this is the way they wish to respond to this request? Martin Barondik told the Board he had a question. Suv Hawkins said he should be asking his questions during the Public Comment segment. Barondik said he couldn't ask his questions then because he was not aware of the issues that would be discussed. That is what debate is all about, according to Barondik. Suv Hawkins told him to go ahead and ask his questions but remember next time to ask his questions at 7:00 during the Comment period.

Barondik's next question was in reference to the Ebenezer Elementary School. Why is it called that? It is not even in Ebenezer. It should be called Sandhill. That's where it is located. Chp Artz said he thinks the issue was decided by the public to keep the name for the school. Suv Brensinger told Barondik he should attend the School Board meeting to get his answer to that question.

Chp Artz told Suv Hawkins he likes her idea of encouraging the officer to do this detail as a public service. Is this how the Board's response should be worded? It was decided to encourage community service. If this is not agreeable to the officers then the detail should be a part of the actual work shift. Chp Artz agreed he would approach Chf Wolfe to speak to him about this.

Ebenezer Elem - Request for PD Participation (cont'd)

MOTION: Was made and seconded to authorize Chp Artz to work out the details of the Ebenezer Elementary Winterfest and the participation of our Police Dept. Unanimously carried.

B.) Request for Police Assistance - South LebTwp (CCHS)- Monday, March 22, 2004

Chp Artz explained the South Leb Police Dept is requesting assistance from NL Police on the date of Monday, March 22, 2004. This is the date the group from Wellsboro is planning a protest at Cedar Crest High School. Martin Barondik told the Board, after being recognized, that he thinks NL Twp should "keep their nose out of this". He said Wellsboro Baptist Church has the right to come here and protest. He continued onto say he would like to encourage all concerned taxpayers to attend the School Board meeting next Monday night.

Eric Paul asked if he could add a remark on this subject. He said the group might have the right to protest but he is not happy about the hate this group projects. He is even unhappier about the thought of using our community parks to display a monument that would hurt a family that has suffered too much already. Suv Brensinger said the park issue is different than the request received from the Police Dept. Paul agreed but he is thinking other people who read about this issue could make an appearance at the school. Barondik asked if South Leb and NL Twp have a reciprocity agreement. Both Suv Artz and Brensinger stated yes we do. Barondik then said well then there is nothing the Board can do about it. You have to honor this request from S Leb Twp. Suv Brensinger explained the request has been made to all the local Police Departments. Suv Hawkins said she feels the Board should definitely approve this request for assistance. Suv Brensinger said the request, in his opinion, was for prevention more than anything.

MOTION: Was made and seconded to approve the request of South Lebanon Twp for NL Twp Police assistance on Monday 3-22-04. Unanimously carried.

C.) Seven Springs Training Seminar

A 3rd MEMO was received from Chf Wolfe in reference to a training seminar at Seven Springs. It was decided by the Supervisors to table this issue until the meeting when Chf Wolfe would be in attendance.

There being no more business, meeting was adjourned.

Respectfully submitted,

Theresa L. George
Recording Secretary