

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
MARCH 21, 2005**

The regularly scheduled meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the union Canal Elementary School located on Narrows Drive, Lebanon, PA with the following people present:

Kenneth C. Artz	Chairperson
Dawn M. Hawkins.....	V-Chairperson
Edward A. Brensinger	Treasurer
Cheri F. Grumbine	Twp Manager
Frederick S. Wolf	Henry & Beaver, LLP
Earl Meyer	Lebanon County Planning
Gordon Sheetz	SEO
Lori Books	Sewage Module Review Specialist
Mandy Eisenhower	Sewage Management Program Coordinator
Ed Corriveau	DEP

Also in attendance was: Sarah Hendrick of the Lebanon Daily News, Al Winn of the Patriot News, Sheila Wartluft, Asst Mgr, Tod Dissinger & Wynanne Demler & Susan Switzer Pierce, NLT Municipal Authority members Theresa George, Twp employee, and at least 34 other individuals.

Public Hearing – Onlot Sewage Management / Ord No. 1-2005

The Public Hearing convened at 7:00 PM and the pledge to the flag was done. Solicitor Wolf announced the first item on the agenda this evening would be a presentation regarding onlot septic systems. A Public Hearing is scheduled for 7:00 PM to give information and make comments about the onlot program. NL Twp has been collecting information for several years and will be asked to adopt an Ordinance this evening regarding the onlot program. He introduced each person who would be involved in the implementation of this program, which is being mandated by DEP. Cheri Grumbine - Twp Mgr, Ed Brensinger – Twp Supervisor, Ken Artz – Twp Supervisor, Dawn Hawkins – Twp Supervisor, Earl Meyer – Lebanon County Planning, Lori Books, Gordon Sheetz & Mandy Eisenhower all of Lebanon County Planning were introduced. Also attending was Ed Corriveau from DEP.

The evening will start with a presentation from DEP. Mr. Corriveau will attempt to explain the reasons DEP has for requiring the onlot maintenance program. Lebanon County Planning representatives will explain how they will be administering the onlot program. Gordie Sheetz, who is the Sewer Enforcement Officer, has been administering the onlot septic issues for NLT for many years. After explaining the program and the administering of the program, LCP will be answering any questions the public might have about the program. They will be able to talk about the costs involved with this new program. A brief outline of the preparation completed, by the Twp, for this program will be given during the presentation. At this time Mr. Ed Corriveau will offer his presentation.

Ed Corriveau – DEP

Mr. Corriveau started his discussion by thanking the public for attending tonight. The topic being discussed will benefit themselves, as property owners. He said he has a brief video to show which lasts about 11 minutes. It describes the rationale behind sewage management, properly functioning systems and ensuring good quality water. After everyone viewed the video Ed Corriveau said he hoped the information was helpful in showing why maintaining a septic system is so important. He discussed the importance of knowing what to look for when a malfunction is suspected. There are many preventative maintenance things an owner is able to do to prevent malfunctions. The costs associated with continual maintenance are far less than the costs of an actual replacement or a sewer back up. If you notice a soggy yard or an unpleasant odor chances are you are beyond the maintenance end of the scale. Once a malfunction occurs, there are many issues created by the problem. The property owner not only has the associated costs for repair but also the costs of clean up. There may be health issues that arise. Regular scheduled pumping of the tank prolongs the life of the septic system and protection of the groundwater.

Ed Corriveau compared the pumping of the tank to the changing of an oil filter on your car. Just imagine if you did not change the oil in your car for several years. How well would it operate? He shared a story about a personal experience of his own. During a 4th of July picnic the septic system at his home malfunctioned. A holiday weekend when there were a lot of people invited to his home. He challenged the public saying, Can you imagine finding someone to come and work on a failing septic system on a 4th of July weekend? This is just another example of the tremendous advantages of pumping your tank regularly. A person might ask, why must I pump my tank regularly? Ed Corriveau said just imagine one man pumps his tank, another person does not pump his tank. They are neighbors. The man who attempts to maintain his system could very well be receiving the disadvantages from the person who is not maintaining his system at all. Another advantage of a functioning, well-maintained septic system is the value of the home when being considered for resale.

Ed Corriveau mentioned the advantage of not having the expense of public sewer. This Twp has sewer lines only in certain areas. The expenses associated with constructing and maintaining a public sewer line is very expensive. Using preventive maintenance on septic systems will help prevent failing systems that often signal the need for a public sewer system. It was mentioned that DEP is requiring on site pumping and management. Actually what is being required is the owner maintaining a functioning system to ensure the life of the owner's system and to clean water for the owner and their children to come. Ed Corriveau thanked everyone for the opportunity of speaking and said he would answer any questions that are asked after the next speaker.

Earl Meyer – Lebanon County Planning Dept.

Mr. Meyer said he would like to take a few minutes to give some background information on what had occurred in the past and what has brought us to this point in time. This program was first brought out in April of 2001 when the Twp updated the Act 537 plan for the Twp. The Act was approved by DEP in October of 2003.

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As of the approval in Oct of 2003 the Act allowed 1 year for a sewer management program to be implemented. On March 31 of 2004, approximately 1 year ago, the Twp wrote to the County Commissioners to ask for assistance in implementing a sewage management program. The reason the Twp asked for County Planning's services was because Gordie Sheetz was already acting as the Twp SEO. Lori Books is also a certified sewage officer and is in charge of processing sewage modules on behalf of the Twp. Mr. Meyer is himself a certified sewage officer. County Planning has been providing sewage enforcement for the Twp for the last 15 years. Anyone who has gone through the subdivision process has dealt with County on sewer planning. This program would be an expansion of the existing sewer enforcement services provided to the Twp.

The County was able to apply to the state for funding, which reimburses the County up to 85% of the expenses for implementing this onlot management program. Financially it is a good advantage to have the County administer this program. After County received the letter in 2004, their office examined the feasibility of expanding their services to include onlot sewage management. A budget was prepared and meetings were conducted with DEP and Twp personnel. Internally County reviewed and researched other programs throughout PA for various program ideas. At the Fall session of the County Commissioners, LCPD recommended to them that this program be implemented for NLT. Later in the year approval was received from the commissioners to move forward with this program. This year will be the beginning of the program being administered by LCPD and the first will be NLT.

In the year 2005 County has hired an Onlot Sewage Management Program Coordinator, Mandy Eisenhauer. Forms were developed for the implementation of the program. Also Meyer reported that they have coordinated with the Solicitor, Twp staff and DEP to develop an Ordinance, which will be discussed this evening. One of the last issues they have done in 2005 is to meet with the pumpers and haulers throughout the County. The meetings were a "give and take" session as County was looking to the haulers to provide some of the information they felt was important to contribute to this program. County in turn provided training to the haulers as far as the information they would be looking for from them when conducting their business of pumping out the tanks. Reports that would be required for County, to be provided by the haulers, as part of this process were also gone over. Currently there are 10 of those firms that have indicated their interest in participating with the County program. The end of the month these hauling firms will be required to make their commitment to participate in the program or not.

Mr. Meyer reported his program overview. Number 1 would be the Program and Ordinance provides the mechanism for systematic pumping and maintenance of the system. Also to insure the system is functioning properly. Number 2 is to recognize and correct any problems before becoming a costly problem thus protecting homeowner's investment in their property. Number 3 would be the protection of the groundwater and well water from contamination. The program basics would be as follows: pumping septic tanks on a 3-year rotating basis. The Twp would be divided into 3 different districts, which currently are the 3 voting districts for the Twp (Western, Central, Eastern). Each district contains approximately 300+ onlot systems. County proposes, if the Ordinance is adopted, to be implementation of the program within this year.

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One district would be done this spring, one in the summer and one in the fall. Meyer stated that it would likely be started in the Western district this spring. The Ordinance provides a process for relief of the 3-year cycle. Information would have to be provided to the County if the tank were pumped within the last year or could prove low volume use. Due to the County receiving funding from the State, the program can be offered at a \$10 fee to cover any costs not covered by the 85% funding. In summary Meyer said we are obligated by DEP to implement this program as a part of the Act 537 Plan. There will be numerous health benefits documented in program such as this to residents, minimal costs and inconvenience. LCPD is the most cost effective program alternative for NLT. In other areas where a sewage management program is being run the homeowners are paying anywhere from \$25 and up for fees. Meyer stated that he feels NLT has given ample notice to residents that this program was coming by holding Public Hearings about the Act 537 Plan. The Newsletters in the Fall of 2002, Spring of 2004 and the Fall of 2004 all contained information on this subject. The Twp website lists information as well as information being posted in the Twp lobby. The final notice would have been all the advertisement of this Public Hearing for the adoption of the Ordinance.

In closing Mr. Meyer encouraged the Public to voice questions and comments when the Supervisors ask for them this evening. After hearing all the comments and questions he would like to encourage the Supervisors to act upon the Ordinance before them to allow LCPD to begin implementing this program for the Twp. LCPD would begin working on their way through this process, all the while considering input received for possible adjustments in the next round of sewer management for NLT residents.

Solicitor Wolf – Act 537 Plan

Sol Wolf thanked Earl Meyer for his presentation. He continued on to explain to anyone who might not know that the Act 537 Plan provides all the information that DEP needs to have to know that the Twp has a significant plan to meet all the requirements of the sewer needed for the Twp, both currently and in the future. Without DEP approval of the Act 537 Plan the Twp would not be permitted to issue any permits allowing property owners or developers to connect to the current Public sewer system. Also Gordie Sheetz, as the SEO, would not be allowed to issue permits for any onlot systems. At this time Sol Wolf announced the floor would be opened up for comments and questions. He instructed the procedure that would be followed in order to be able to give everyone an opportunity to speak, should they wish to do so. Beginning in the front row we would proceed through each row until we reach the back of the room. At that time anyone wishing to make a second remark, should raise his or her hand and be recognized. The individual speaking is asked to provide name and address before making his or her comment.

Q. Bill Gerssinger – Strack Dr – Do I understand that the only requirement is periodic pumping? There will be no inspections or on site inspections of any type?

A. G. Sheetz- The hauler will have a checklist that he must record notations on when he is contacted to complete a tank pumping. The hauler will make any notes of any visual problems he might notice. The hauler will also ask the property owner about the location of his drain field in order to complete a visual inspection of the drain field.

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Ed Corriveau - stated that the pumper would be checking the baffle on the septic tank for any problems. Also he will be noticing the type of tanks and the condition of the tanks, whether it would be old tanks or newer models, due to the fact that in past years there have been cases where the tanks have caved in.

C. Bill Gerssinger – Bill mentioned a portion of the video when additives were discussed. He said he disagreed with the information given in the video. In the past additives have helped eliminate problems he had with his groundwater.

Ed Corriveau – Could you say what the additive was that had been used?

Bill – “Crème”

Ed Corriveau – The EPA had conducted a study on the value of additives and no benefit to solid levels in the tanks could be found. No benefit in the drain field area either. If you received benefit from using the additive, I can't explain that. Generally speaking additives alone will not solve your maintenance issues.

Q. Dean Ulrich – Prescott Dr – What will happen if a new tank is needed?

G. Sheetz – The hauler is going to be inspecting the condition of the tanks and making a recommendation on the report he is required to complete to LCPD for each pumping. In most cases once the homeowner is told they are going to need a new tank they will contact Lebanon County Planning. Gordie Sheetz will field most of those calls, as he is the one who conducts the inspections. Whenever there is a change of tanks, a sketch is requested listing the dimensions of the new tanks to be installed. The necessary paperwork would be completed at County and then a permit would be issued. When the work is completed Sheetz would at that time conduct an inspection. Once inspected the permit would be signed and dated by Sheetz. This would then become the homeowner document of proof.

C. Ed C. – Mr. Corriveau commented on a situation he had at his residence where his septic tank backed up. A pipe breaking in the tank had caused this. The pipe breaking was a result of fibers and hair “clogging” the line and eventually breaking the pipe. The tank itself was not the problem.

Q. Steve Dresch – A mention of a list of haulers was made. If a homeowner has a hauler they are currently utilizing and the hauler is not on the list, does that mean the homeowner could no longer use their hauler? If their current hauler is charging an amount that is less than the haulers on the list, does that mean the homeowner could not use that hauler?

G. Sheetz – Sheetz told Dresch that all the haulers around Lebanon County were contacted and invited to attend meetings they had planned. County Planning currently has a list of about 7 different haulers who would be able to service the homeowners. To answer his question, yes, a hauler from the list would have to be used by the homeowner. Sheetz pointed out that he does not feel this would drive the pricing up. If anything it would create competitive pricing among the haulers. Dresch said he envisions the haulers taking advantage and raising their prices higher and higher. Sheetz said he does not see that happening, as there would be many tanks that need to be pumped. He said he envisions the hauler going down the street and trying to get as much business from that one area as he can. Sheetz then said if one of the hauler goes too high with their price then you get someone else to do the pumping for you.

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He asked Dresch who he had contacted to complete his pumping for him? Dresch answered it had been Walters. Sheetz stated that Walters was one of the businesses on the County list.

C. Earl Meyer – Meyer stated there have been at least 2 trainings with the pumpers and haulers, as of this date. The training involved the forms and types of information that the businesses will be required to provide to the County. They will be asked to verify what they are seeing as they are performing these services. They are also being asked to make recommendations to the County about some of the issues they seeing out in the field. Somewhere down the line, maybe June, if the homeowner has someone in mind they wish to use and they are not on the established list, tell them to contact LCPD. The training sessions with the haulers will continue in an effort to add these businesses to the County's approved list. Meyer said this is not a situation where the homeowner will not be able to use someone who is not listed. It is the fact that the hauler will have to be accountable to the County for the services that are being provided and the necessary information being returned to the County office.

Dresch – Mr. Dresch asked about any new drivers that might decide to start their own business. Could property owners use these services? Meyer responded saying that there is so much equipment that would be needed. He does not see how someone is just going to go out there and buy all this expensive equipment just to start pumping. County is dealing with the owners of the firms. It is the owner's responsibility to train his drivers. If a firm hires a new operator, it would not change anything from County's perspective. The owners of the firm are trained because it is their responsibility to make sure their drivers are trained and are following the guidelines established by the County. If a driver is not doing that, the County will hold the owner of the firm liable and may even lose their registration.

Q. Don Haag – Mr. Haag stated he would like to see the list of exactly what the haulers will be inspecting when they are pumping the tanks. Next he wanted to comment on the video that addressed additives being used for septic tanks. Where was the data gotten? He said he has not ever had any problems with his system since he lives there.

Ed Corriveau questioned if he had actually tested the solids in his tank. When Haag argued his system works just fine, Corriveau asked again if he had tested the solids in his tank? That is what tells you how well the tank and system is performing. Haag argued that this tank and drain field are operating just fine. Corriveau asked if there are only 2 people in the house? That might be a question for County Planning. What about lower flow?

A.G. Sheetz - Gordie told Haag one thing he needs to remember is that these companies are in business to sell their products. He told Haag these products will not damage the system but it has not been proven that they aid the system in anyway either. Some of the harsher chemicals should be stayed away from. For the most part the homeowners should not throw away their money on these additives, as they are a waste of money. Many of these additives have acid in them. This acid will "eat" the tank and go out throw the tank into the drain field and into the streams. There is a good chance this will enter into someone's well and they will then be drinking these chemicals. Sheetz repeated this process of pumping the tanks is more like preventative maintenance. By using these measures the homeowners will be avoiding the costly expense of replacing the whole septic system.

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C.Lori Books – Ms Books stated that once everyone is registered with the County and the County is sending out notices to each district about pumping, the list of approved pumpers would be included with the official notice.

Q.Joan Light – Her question is how does the County plan to collect the \$10 fee? Will it be paid to the hauler when they are at the property?

A.Earl Meyer – That would be an option the homeowner chooses. The forms will be sent out. The top portion of the form the homeowner will fill out as soon as it is received. The major portion of the form is to be completed by the pumper or hauler. When the pumper or hauler empties the tank, the pumper will have 30 days to submit the fees to the County. Whether he submits several fees at once or waits to submit the fees for several pumping jobs all at one time is up to the firm. Some of the haulers will ask the homeowner to write out a check payable to the County and will include the payment with their report in the mail. The responsibility of returning all the report information/fee will be that of the hauler not the homeowner. **Earl stressed there will be nothing mailed or sent to the Township.**

Q.Bruce Sattazahn – The \$10 fee, is that a one time fee or per occurrence?

A.Earl Meyer - The \$10 fee will accompany the report and the report will be submitted every 3 years.

Q.Bruce Sattazahn – Did he understand there was a mention of the number of people living in the house that would determine if the 3-year period of time for pumping could be exempted from?

A.Earl Meyer – Meyer responded, yes there would be a provision on low-volume or low flow situations. Information would have to be provided by the homeowner to complete an application for exemption. One piece of information asked for at the top of the form is the date the system was last pumped. The pumper will be asked to provide information about the amount of scum layer and solids, which will be indicative of what has happened in the system within the period, it had last been pumped. This information will be what will determine an exemption or not. There would have to be some type of information provided that will be a basis of an exemption.

Q.Sattazahn - Rental situations, will the owner or the tenant be notified?

A.Meyer – The owner will be notified.

Q.Rick Miller - What is the life expectancy of a septic system? His concern is what if you are not the original homeowner and you do not know how old the system is.

A.Ed Corriveau answered that if you maintain the tank by pumping and general maintenance, it should last 20-30 years. A lot of other variables come into play also. The types of pipes and the soil types that you have to mention a few. He repeated it has been proven that proper maintenance has been proven to lengthen the life of your system. The answer to extend the life of the system is to provide preventative maintenance and then later on there are new technologies that can be used to prolong the life of the system.

C.Richard Daubert – Daubert said he would like to comment on his disagreement with the information given in the video regarding the additives to be placed in the systems.

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Mr. Daubert said he applied additives to his system and when it came time to pump out his tank, it was discovered his tank was empty. There was nothing in it. The enzymes in the system ate up the bacteria. This was over a period of 20 or 30 years.

Q.Ed C. Corriveau questioned if Mr. Daubert had actually installed the system? Does he know what was installed when it was placed there?

A.Daubert – He said he knows Henry Arnold installed the system. Some conversation went back and forth between the two. Daubert repeated that whatever the farmer did, he did it right because the system was good for 20-30 years.

Q.Tammy Brensinger – Mrs. Brensinger said she understands the pumping is to be completed every 3 years. If there is a reason to pump more often than the 3-year cycle will there still be a \$10 charge?

A.G. Sheetz - Sheetz questioned why she has the tank pumped twice a year? Is it a small tank? He was told she has a large family. Gordie suggested that due to the fact that there is a large family, she might want to think about having a larger tank installed. He then answered her original question by saying there is a \$10 fee assessed per pumping occurrence. Sheetz explained an evaluation of the program and the established fees will be done after one completed rotation of the program. The fees will be reviewed and if it is evident, the fees will be adjusted, higher or lower. Gordie stated that anyone who hauls in the County area have already attended at least of the meetings held about the program.

Q.Linda Yarchuk - If the hauler locates a problem when doing a pumping job and recommends repairs be done, will there be a timeframe dictated to complete the repairs?

A.G Sheetz – Certain repairs that are recommended will require a specific timeframe. The form the hauler will be completing will indicate which repairs are immediate and which are not. The hauler will be the one making the recommendation. There are some repairs that will be dictated by law as to how quickly the repairs must be done. If there is an indication that the drain field is not working correctly is an example of a repair that would require immediate attention. Sheetz stated that County Planning is here to administer the program not complete the physical work. He said it is their job to notify the homeowner of the problems and tell them that, by law, the repairs must be completed. It is the responsibility of the owner to decide on the method of repair and to complete the repair. Sheetz said their goal is to work with the homeowner on getting the problem resolved.

Earl Meyer – Meyer remarked that one of the things the County is trying to do is to assist the homeowner in keeping their systems in good repair not to have them replace their whole systems. Replacement is very costly and preventative maintenance would be far more effective and less costly. Meyer told the public there are many small minor problems that will be corrected immediately by having the preventative maintenance completed. Meyer described some of the recommendations the pumper could possibly make. Sometimes it might be long-range recommendations.

Q.Kathy Penna – What type of documentation will be required from the homeowner to be exempted from the 3-year pumping requirements?

A.Earl Meyer – An application will be available for homeowners who think they will not fit into the 3-year pumping requirements.

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A list is being developed, by County, about information, which will have to be provided. Some examples would be whether or not a garbage disposal is used, types of laundry soaps that are used, and number of people in family, water usage etc. The form and list of required information is not yet completed. When asked how the exemption process will be worked, Meyer responded that once the notice to pump is received, the homeowner would contact County Planning and explain they wish to apply for an exemption process. The exemption form will be mailed to the owner. Once the form is completed with all the requested information, the form should be mailed back to County. After the information is reviewed it will, at that time, be determined how the process will continue. The exemption criteria will be something that is discussed with Sol Wolf and the Supervisors before County develops any procedures.

Ed Corriveau stated that the other programs that have been developed already, typically, use the 3-year pumping cycle. The exemption is usually acceptable for 1 pumping cycle. One cycle would amount to 6 years between pumping.

Q.Don Seyfert – Mr. Seyfert questioned exactly whom is he going to be protected from? He has been trying to figure that information out. He keeps hearing about being protected from groundwater pollution and etc. It sounds to him like all you want to do is spend my money, declared Seyfert. This meeting is a big joke. Why didn't you guys just meet and say this is what you are going to do or we will not approve any more sewer permits for you?

A.Ed C. - The bottom line is the maintenance of sewer facilities in order to function properly. Tanks must be pumped on a periodic basis.

Don Seyfert - Once the tank is pumped where is the sludge taken to?

Ed Corriveau – It is usually taken to a separate sewage plant or treated at a separate plant.

Seyfert – So it is then taken from the treatment plant in a sludge truck and spread on the surface now.

Ed Corriveau – This is not about the biosolid disposal program. Onlot sewage in a backyard is something that is of concern to the community public health.

Seyfert - I am very disappointed about the attendance in this room this evening. You would think they would be concerned about this program. Apparently they know they would be wasting their time as this appears to be a done deal. A functioning system does not require this type of maintenance You take \$10 this year and \$10 next year and it will keep going up and up. Seyfert told Mr. Corriveau he did not like the video he showed. The information simply is not true according to Seyfert.

Ed Corriveau– A working tank will fill up and need maintenance. Seyfert disagreed saying not in 3 years time. Ed C. remarked there are provisions in place for low volume use. Seyfert argued saying what you are doing is imposing another “tax” on the workingman. So here we go again! Why don't you just put public sewer everywhere. Ed C. replied the cost is way to prohibitive for public sewer to be placed everywhere.

G. Sheetz - When the discussion moved on to the types of soil Sheetz commented that the soils here are basically shale and are varying depths. He continued on to explain the function of soil and groundwater filtering. The Township is trying to encourage maintaining the current systems to prevent major expenses.

A general discussion followed where everyone offered their opinions about how well they maintained their systems before the Twp became involved.

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G. Sheetz stated that it would be great if everyone made the effort mentioned here this evening to maintain his or her systems. The truth is that there are a lot of people in the Twp who simply DO NOT make the effort. They are then affecting their neighbors and so on and so on. He said he knows because he takes the phone calls and does the inspections on the malfunctioning systems.

Q. Bill Gersinger – Mr. Gersinger remarked that everyone in his area that had drain field problems ended up with a sandmound. Why is that?

A. G. Sheetz – Sheetz replied the sand mound is just 1 type of an absorption area. It is based on the amount of soil under the surface area. He explained several of the variables when dealing with sand mounds. Sand mounds started sometime around 1975 in order to deal with areas that have a high water table already existing. This all ties into the trend to preserve good agricultural lands. As a result developing is being done in areas where the good soils are not available.

Q. Richard Seyfert – How many septic systems did you approve that were not sand mounds within the last year?

A. G. Sheetz – Right now the numbers are about 50-50, sand mound and in ground systems. When he first started about 30 years ago about 80% were in ground systems and about 20% were elevated systems.

Q. Mike Ulrich – Ulrich said he is a little confused about preserving the farmland. If this program is implemented then the issuing of permits to develop the farmland would stop. He then remarked that he maintains his system regularly and has no problems. His question is what about when you have a pumper come in to pump and the pumper is the one who breaks the baffle on the tank? Many times it is not the owner who is incurring the damage but rather the pumper who inflicts the damage.

A. G. Sheetz – Many times due the corrosive atmosphere within the tanks, the baffle will deteriorate within time. When the pumper tries to empty the tank the baffle will then break.

Q. Paul Schwab – Do I understand if we do not implement this program for DEP, no more permits for hooking up to public sewer will be approved? That means we are being threatened by DEP.

A. Sol Wolf – The onlot program is a part of the Act 537 Plan. If we did not implement this program we would not have a 537 Plan. Then the Twp could not issue permits for new public sewer customers.

C. Ed C. – Mr. Corriveau told Schwab that whether he believes it or not this program is based on the fact that onlot systems and tanks need to be maintained and pumped regularly to function properly.

Paul Schwab - He said he thinks it is wrong for DEP to threaten the Twp like this. Why must it be every 3 years? It is still wrong.

Ed C. – We are looking at preventing malfunctions to the surface and groundwater being contaminated.

Q. Don Haag – It is my understanding that every time a new onlot system is completed, DEP mandates that it be a sand mound system. Is that correct?

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A.G. Sheetz – That is a misconception on the public part, stated Sheetz. The soil is tested and the results of the testing are what determine the type of system that is acceptable for use. He continued on to give an in-depth description of the testing that is completed.

Q.Don Haag – So what you are saying is that if the tank must be replaced you are not forced to use a sand mound?

A.Sheetz told him if you have a faulty tank and need to replace that tank, you contact County Planning and a permit is issued to replace the tank. If you have a faulty drain field, you receive a permit to replace the drain field using whatever system the testing determines.

C.Martin Barondick – Barondick shared his opinion about what he thought of having this meeting tonight. He then referred to an article in the Patriot News, which he felt pertained to the subject of onlot systems.

The article was written about the clean up of the Chesapeake Bay community. Barondick stated that the wealthy are the ones who own properties on the Chesapeake Bay. In order to get the money to clean up the bay area, according to Mr. Barondick, the working class people will be taxed to create the funding. It is the people in this room that will be paying to clean up the bay for the wealthy said Barondick.

Q.Don Seyfert – Seyfert pointed to the front table and asked Who are you guys anyway?

A.Earl Meyer – Meyer introduced the Sewer Management Officer from the Lebanon County Planning Dept. Lori, Mandy Gordie and himself. Ed Corriveau is representing DEP.

Q.Seyfert – Did you people ever think of saying NO? It seems like no one ever says no to anything anymore.

Q.John Yurachek – A lot of talk about protecting groundwater tonight. What about the Smutzy area located off Jay St? Why is nothing ever done about that area?

A.Ed Corriveau – Responded by explaining there is a lot discussion right now about locating large discharge points. They are addressing lowering the nitrogen and phosphorus levels in the discharges. It's obvious something needs to be done to clean up the rivers and the bay area.

Q.Kathy Penna – Ms Penna mentioned the recent public water project that had been completed by the Twp. Due to the setback of her house she was exempt from connection. Now She was also exempt from public sewer connection. Mentioned this evening was the testing that is done of the soils to gage what is contaminated and what is not. In the future, will the property owners be told that they must test the soils?

A.Ed Corriveau said there would not be random testing done to any on site systems. Should there be a malfunction that creates a stream discharge, the testing would be done at the end of the piping. Testing of the system itself will not be done.

Sol Wolf – Sol Wolf looked to Lebanon County Planning Dept. for confirmation of the fact that there are at least 1,000 onlot systems in NL Twp.

Lori Books – Ms Books of LCPD replied that there are 900+ onlot systems in NL Twp. There are approximately 300 onlot systems to be inspected in each district.

Sol Wolf said he would now like the Supervisors to have an opportunity to ask questions or make comments before asking them to take any type of action on this Ordinance.

Public Hearing – Onlot Sewage Management / Ord No. 1-2005 (con't)**Suv Ed Brensinger**

Suv Brensinger said he had a few comments to make. It is true the Twp is forced to tell the residents of these programs for maintenance. He is having a hard time understanding why a homeowner would be so reluctant to maintain their systems. He expected some resistance about the frequency that is being required. The importance of frequent maintenance for an onlot system is something he, himself understands. Being in the building business for 20 some years he knows how these systems can fail and more importantly why they fail. Backyards that are swamped and stuff oozing up out of the ground is something that a person can't miss. If people are willing to live under those circumstances, so be it. He does not think it is in the best interest of anybody to have that situation on his or her property. If there is a program available, which will prevent that from happening and is has to be forced on the people to do it, then so be it. It is unfortunate that we have to force it on people. The people in this room seem to be informed and willing to commit their selves to the necessary maintenance. Unfortunately there are people who do not have the slightest idea of what to do or even where heir systems are located on their property. Some of the farmers are not as careful as they should be either. The theory of don't fix it until it is broken does not apply in this situation. When this system is broken it is very expensive to fix it. Preventative maintenance is far more affordable than waiting until it is broken. He does not understand why people would be so reluctant to maintain their systems.

Suv Ken Artz

Suv Artz said he has not questions about this evening's presentation. He would like to comment on the presentation that had been given tonight. It was an excellent presentation and he wanted to thank everyone who participated in planning and presenting the information. After hearing the guidelines of the program for the coming year, he was surprised by all the questions and comments that were given tonight. He feels the panel presented all the information they could on the procedures that would be followed for this program.

Suv Dawn Hawkins

Suv Hawkins has some questions she wanted to ask. Example: A hauler comes to your property and pumps your tank. Three years later he comes back to pump again. The tank is opened and there is hardly anything there. Can the hauler recommend that you be exempted for the next cycle? Must the homeowner make the application or can the hauler make a recommendation for exemption? Earl Meyer explained a recommendation from the hauler is noted on a report and the report is what would be submitted to County Planning when the homeowner makes application for exemption. Suv Hawkins said if the hauler comes to pump and there is very little there to pump would the homeowner still be charged for the pumping? Gordie Sheetz replied the hauler is coming to the property with a purpose in mind. He will pump the tank regardless of how much is in the tank. He will make notes on the levels but he will pump the tank. The hauler will also complete the report they need to provide to County and the homeowner.

Suv Hawkins questioned if a recommendation comes from the hauler that a larger tank is required.

Suv Dawn Hawkins (con't)

Is the homeowner able to negotiate and agree to have it pumped more often than every 3 years? She said it is easier to pump every year than it is to have a new tank put in. Earl Meyer repeated that every time a cycle passes in order to receive an exemption the homeowner would have to provide the necessary information to County EACH cycle. Things change over the course of 3 to 6 years so the information will have to be submitted every cycle. Suv Hawkins said she agrees there are systems that are probably better operating than other systems. These are the systems that would not need to be pumped as often. However she also feels that the systems should be checked on a regular basis.

Sol Wolf

Sol Wolf explained that the Board of Supervisors would be asked to take action on Ordinance 1-2005. The Ordinance outlines the program and procedures discussed this evening.

Chp Artz asked his fellow Board members if they have any further questions or comments. If not he would like to have a MOTION on Ordinance 1-2005.

Based on the information presented by County Planning and the DEP representative, realizing the Twp is mandated by the State, and the only other option would be to say no, as suggested by Mr. Seyfert and have the wrath of DEP come down on us in the future and all the developers and existing homeowners who might have problems already Suv Brensinger feels it would be in the best interest of the residents to move forward with this program. He stated he feels the homeowners are receiving a financial break in that we have co-opted with the County to administer the program. Also it is in the best interest of the residents' health and well-being.

MOTION: Was made by Suv Brensinger to adopt Ordinance No. 1-2005 putting into place the Onlot Sewage Management Program for NL Twp. Suv Artz seconded the MOTION. Suv Hawkins indicated her agreement, which approved the adoption unanimously.

Sol Wolf explained that in conjunction with the Ordinance Resolution No. 4-2005 is being presented for approval also. The Resolution is appointing Lebanon County Planning as program administrators, sewage enforcement and establishes fees for the program. At this time the Board is asked to take action on Resolution No. 4-2005.

MOTION: Was made and seconded to approve Resolution 4-2005. Unanimously carried.

The Public Hearing closed at 9:10 PM.
A small break was taken at this time.

COMMENTS FROM THE PUBLIC

A.) Martin Barondick – 2106 New St RE: Manholes

Mr. Barondick told the Board for about a year and a half he has been trying to get the manholes on Long Lane. He first attended the Supervisors meeting and had been told to go to the Municipal Authority, as the manholes were their project.

Barondick – 2106 New St RE: Manholes (con't)

Barondick said why he had to go to that Board was beyond him. There are no road experts on that Board that he knows of. When he attended that meeting, they sent him back here to the Twp. Now it is a year and a half that he has been back and forth only to find out the answer is that the manholes are not going to be fixed. Do I have that right, Barondick asked? Chp Artz stated that he remembered the Board telling him, two meetings ago that as far as a safety factor the Board was in agreement the manholes did not present a safety issue and they would not be repaired by the Twp.

Chp Artz told Barondick he is not sure what he is asking at this time. Mr. Barondick stated he wanted to make sure there was not any further talk between the departments after the sewer meeting. Chp Artz said after the Board had some discussions with the other departments, everyone was in agreement the safety issues that he (Barondick) implies simply were not present.

The Police Dept was also involved in these conversations. A review of the recorded accidents was completed and there was not one single accident or incident involving the manholes on Long Lane. Barondick replied safety subject aside; it is “shoddy” workmanship. Barondick said he and Ed had a conversation right after the work was completed. He said to Ed, did you or did you not tell me that someone had “screwed up” on this project? Suv Brensinger agreed that he was not satisfied with the final outcome of this project. He continued on to say “Do I at this time feel it warrants any work? No I do not, as I do not think it is creating a safety factor on that road. Do I wish it was better? Yes, I do.” Barondick replied but you are the Roadmaster and you signed off on the project. Suv Brensinger agreed he had signed off on the paving project. Some discussion followed about the election period that is coming up.

Chp Artz told Barondick he had come to the Board for an answer and he received his answer. Do you accept that, asked Chp Artz. Barondick replied, No I do not. Suv Hawkins stated that the issue is done and if Barondick has nothing new to add we will move on with the scheduled meeting. She told Barondick she has purposely driven that road since he brought it to the attention of the Board. She did not have any problems while traveling that road.

B.) Steve Dresch – Charlotte St

Mr. Dresch told the Board he wanted to make them aware that the large trucks are still using 31st St to get to Valspar. The trucks are not to be using 31st St, according to Dresch. He said no body is doing anything to the truckers to enforce this. With nobody watching them, they just do whatever they wish to do said Dresch. Sol Wolf asked if he has called the Police Dept about this.

Suv Brensinger said he does not recall Valspar, Horst Group or Lebanon Valley Economic Development Corp ever being told they could not use 31st Street. What had been said to them was that once Hanford Dr was completed and the Business Park was “up and running” that the Twp would prefer for them to use Hanford Dr. Never at any time were they told they could not use 31st Street. Dresch said the original conversation had been about 25th St. Also Hanford Dr is finished, why are they still using it? Suv Brensinger mentioned that Dresch neighbor is using the road to drive his dump truck on.

Steve Dresch – Charlotte St (con't)

Suv Brensinger said whenever he went out there after a complaint; he never saw any trucks, loaded or unloaded, on that road. A difference of opinion was discussed about who owned the road to the Dresch property.

Dresch referred to the original meeting, when LVEDC first presented the information to the public. Dresch brought up about his family having asthma conditions. Mr. McNarry stated that the road would be paved. Dresch said right now there is nothing but dust out there everywhere. McNarry stood right here and made that promise about the paving. Nothing has been done. Nobody is stopping these people from doing whatever they want to do. Suv Brensinger asked what road he is talking about getting paved. Dresch responded the one that goes to his house. Dresch asked what could be done about the paving issue. Sol Wolf said the only thing the Twp could do is forward a letter to them that Dresch had made a complaint. There is nothing the Twp could do. They are not breaking an Ordinance or law.

Dresch asked who owns the sewer lines through there? Suv Brensinger told him that once all the testing is completed, the lines would be dedicated over to the Municipal Authority. Sol Wolf clarified for Mr. Dresch the Twp would not own the sewer line. The Municipal Authority is the Board that handles the sewer lines in the Twp. However the Municipal Authority will be maintaining the sewer lines and the right-of-way. When Dresch asked about Charlotte St being maintained, Sol Wolf stated that the Authority would only be maintaining the right-of-way. Dresch asked who would be maintaining Charlotte St? Sol Wolf said he is not sure what he is asking. Dresch mentioned snow plowing. If he should decide to plow open Charlotte St he wants to make sure no one from the Twp would object. Sol Wolf explained the Authority is in charge of maintaining the lines that run beneath Charlotte St. The Authority does not maintain anything above ground. Dresch said OK, that answers his question.

Mr. Dresch asked if there have been any plans received at the Twp about an Ink Company locating in the Business Park. Chp Artz replied he is not aware of any plans. Mgr Grumbine said there had been a sketch plan submitted to Lebanon County Planning for a Zoning review ONLY. She said there were no specific plans submitted to the Twp. It was a Zoning review only. The Twp received a copy of the comment letter Lebanon County Planning had forwarded to the Ink company. Dresch asked, if anything were planned for the area around his property would he be notified? Mgr Grumbine responded yes he would receive a Neighbor Notification letter.

Some more discussion took place about the truck traffic and the various groups that are working in the area. Dresch told the Board that Cutler and Brubacher are “class acts”. They abide by the directions they are given. However he cannot say the same for Horst Group.

APPROVAL OF MINUTES

MOTION: Was made and seconded to approve the minutes from March 7, 2005. Unanimously carried.

APPROVAL PAYROLL, PAYMENT OF INVOICES, FUND BALANCES

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

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.)Narrows Glen Preliminary Subdivision Plan Location/Zoned: Narrows Dr/ R1**

The Preliminary Subdivision Plans for Narrows Glen were received at the Twp office on 11-21-03. The plan is for 53 single family residential lots with inter related street and utility designs, storm water management facilities and associated site improvements. The Park & Recreation agreement has been signed for compliance with Twp Ordinance. The developer has agreed to provide traffic studies for 2 different issues as part of the approval process. A reduction of the speed limit on Narrows Dr from Weavertown Rd to Rte 422 from 35 MPH to 25 MPH is the first traffic issue. The second issue is to provide the installation of a “school zone” signs along Narrows Dr at the Union Canal Elementary School. The developer is required to sign an agreement with the Twp stating this study information will be provided prior to final plan approval.

Due to the fact there are so many storm water structures and swales on private properties in this development, the Twp has concerns that this information be relayed to the property owner and he is aware of his responsibilities for these items. The Twp requested that the developer include a statement in his “Building and Use Restrictions” documents to be recorded with the Final Plan regarding this responsibility. A note regarding individual lot owner responsibility is listed on Page 1, Note 7 under Storm Water Notes; and on Page 3 at the bottom of the page in bold on this Preliminary Plan.

NL Twp Planning Commission discussed this Preliminary Plan at their March 14th meeting. They are recommending approval of the plan on the condition that the developer sign an agreement prepared by Sol Wolf regarding the completion of the traffic study before Final Plan approval. Lebanon County Planning is also recommending approval. Mgr Grumbine told the Board John Poff, Brian Hockley & Assoc, and Eric Royer of Brohnwood Inc were present to answer any questions.

John Poff told the Board he now has a verbal of the results of the traffic study. Unfortunately the results do not warrant the speed limit change. The results of the study will be provided to the Twp by Thursday. The School Zone signs will require the Twp forwarding some information to PADOT. That will also be provided on Thursday. There was some discussion about how traffic studies are performed. The fact that there is a school there is what will get the School Zone signs. Also included will be transition signs for the school zone.

Bruce Sattazahn – Weavertown Rd

Mr. Sattazahn questioned the cemetery located to the rear of one of the proposed lots. The current condition of the cemetery is not very pleasing to the eye. It is overgrown and a lot of debris.

Narrows Glen Prelim Subd Pl (con't)

Sattazahn is wondering if the developer will be taking measures to clean up the area **before** it becomes the responsibility of the future lot owner. Also will the future owner of the lot be informed that they will be responsible for the maintenance of the cemetery? John Poff replied the area will be cleaned up and the future lot owner will be informed. However he cannot answer the question he asked about the headstones being repaired. That is something he would have to find out. An associate of Poff's had tried to research information regarding the cemetery and had found very little information. He told Sattazahn if he had any information he would be willing to share, Poff would like to have it. Sattazahn questioned once the landscaping is completed, before there is an owner for this particular lot, who will be responsible for maintaining the area of the cemetery until the lot is purchased? He was told the developer would be responsible at that time. The area will be kept maintained to keep it looking presentable for potential buyers. The care of the cemetery will be noted as a deed restriction on this particular lot. A note will also be placed on the Final plan referencing this particular lot.

Suv Brensinger clarified the plan met all the comments of Lebanon County Planning. Mgr Grumbine agreed all issues have been addressed. Regarding the Traffic Study information that must be submitted to NLT, she told the Board the results of the traffic study, any legal fees involved and should the traffic study indicate the need for 25 MPH signs and the school signs, the cost of the signs would be the developers' responsibility also. The Twp would be responsible for the installation of the signs. A check was delivered tonight for the legal fees to this date.

MOTION: Was made and seconded to approve the Preliminary Subdivision Plan for the Narrows Glen Development, conditional on receipt of the Traffic Study information requested. Unanimously carried.

MOTION: Was made and seconded to approve the Park & Rec Agreement for Narrows Glen. Unanimously carried.

B.)Lakeside Mobile Home Park Licensing Renewal

The Twp office has received the application and payment for renewal of the licensing for Lakeside Mobile Home Park. This is the last remaining renewal for this year. Suv Hawkins questioned the date this application had been received. The MEMO regarding this Mobile Home Park was dated March 10, 2005.

MOTION: Was made and seconded to approve the renewal application for licensing for Lakeside Mobile Home Park. Unanimously carried.

SOLICITORS REPORT - Frederick Wolf**A.)Boundary Line with Bethel Twp**

Sol Wolf reported that the documents have now been processed by the courts and have been signed. If no written objections are received by 3-28-05, the documentation of the establishment of the boundary will stand.

B.) Spruce Park Determination – Real Estate Transfer Tax

The complaint has been signed and filed. There are 30 days in which the owner is able to respond. The end of the month the 30 days will be up. Suv Brensinger mentioned to Sol Wolf he had listed Cedar Crest. The proper title for the school district is Cornwall-Lebanon. Suv Brensinger said he wanted to make sure the official letter was addressed as the school district. Sol Wolf indicated it had been addressed as Cornwall-Lebanon.

C.) Mechanic Street Property

Sol Wolf reported he and Cheri have received the information about the Right-of-way provided by the surveyor. The information had been provided on a small plan. A request for the plan on larger scale must be completed in order to review with Nelson Ebersole.

D.) George Hardick Property Clean Up – Progress Report

The Hardick property is continuing at a snail's pace reported Sol Wolf. The weather has been a factor but with nicer weather the work progress should pick up.

COMMENTS FROM BOARD MEMBERS/ TWP MANAGER/PUBLIC**A.) Suv Brensinger**

Suv Brensinger mentioned that although most of the public has already left, he would still like to thank everyone who had attended. He told the remaining public the Board appreciates their remaining until the end of the meeting.

As there was no more business to conduct or discuss the meeting adjourned at 9:55 PM.

Respectfully Submitted,

Theresa L. George
Recording Secretary