

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
APRIL 5, 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, Theresa George, NLT employee and approximately 10 other individuals.

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

COMMENTS FROM THE PUBLIC

Chp Artz started this segment of the meeting by making a statement. He told the public if there was anyone wishing to discuss the Police Dept or the Police Chief the Board would not be making any responses. The Police Assoc. has filed with the Labor Relations Board. The discussions on these issues are now closed as far as the Supervisors are concerned. They have been advised to refrain from any discussions or comments. Anyone wishing to make any further comments on this subject is encouraged to submit the comments in writing to the Board of Supervisors. They will review the letters and if a response is required, they would be making a response.

A.)Dick Miller – 1785 Woodridge Court

Mr. Miller was not in attendance this evening.

B.)Brenda Miller – 1725 Heilmandale Rd

The meeting that had taken place at the Twp this past Tuesday with DEP and the GLRA, could the Board share what had taken place during this meeting. She would like to know what the Board's position is on this subject. Suv Brensinger read the notice to Brenda Miller that the Twp had received in regards to the next meeting the GLRA has planned for the surrounding property owners. He referred to the last meeting and mentioned he knows she was there for that meeting, as he had attended also. Ms Miller stated that she was looking for the Twp to share what was discussed at the Tuesday meeting. Suv Brensinger said they had shared all the comments that the neighbors had given at the first meeting. PADOT will have a review to complete on this subject. Miller then asked if the traffic studies had been completed. Suv Brensinger replied yes. Also DEP will be holding a Public Hearing. Miller then asked if there were minutes from the meeting that had taken place on Tuesday. Mgr Grumbine and Suv Hawkins stated that the man from DEP had said something would be mailed to the Twp but the Twp has not received anything to date. Miller asked if she could know the names of the 3 men from DEP that had attended the Tuesday meeting. Suv Brensinger said he would have to check on it for her. She said she would appreciated him doing that.

Brenda Miller – 1725 Heilmandale Rd (con't)

Ms Miller then asked if all 3 of the Supervisors were in attendance at this meeting. She would like to hear any comments the Supervisors have in regards to this issue. Suv Brensinger answered that the traffic concerns are of course a large concern. Miller than asked what is the likelihood of the request being granted by DEP? Suv Brensinger said it is very difficult to say what DEP will decide. They would of course have to consider the fact that the Landfill has existed and is being run in a favorable manner for many years. The Landfill has received numerous awards and is practicing a lot of innovation in the running of the facility. Chp Artz said he wanted to make it clear the collection would still be limited to Lebanon County. Ms Miller thanked the Board for their comments.

MOTION TO APPROVE MINUTES

Motion was made and seconded to approve the minutes from March 15, 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.

TOWNSHIP MANAGER'S REPORT – Cheri F. Grumbine**A.)William & Cynthia Reber – 1225 Mt Zion Rd**

Mr/Mrs Reber had entered into an agreement with the Twp regarding the demolition of the old home on their property. This was to be completed April 15. Mgr Grumbine had been in contact with Mr. Reber to discuss the progress of the demolition. He reported almost all the interior walls have been demolished. The roof will be removed and the exterior walls will be pushed into the basement. As he is completing the work himself, he expects the work to take longer than the April deadline. Reber has requested a 2-month extension.

The Board discussed if this time would be long enough to complete this work. Weather is also a consideration when thinking of the timeframe. The Supervisors felt the extension should be granted for 3 months.

MOTION: Was made and seconded to approve a 3-month extension, July 15, to the Rebers for demolition of the old house. Unanimously carried.

B.)Meeting with DEP for GLRA to Increase Capacity

Wednesday March 30 a meeting was held at the Twp building in regards to the GLRA's request for a permit modification to increase the daily capacity. DEP indicated at that meeting a Public meeting will be had in order to hear comments from the public regarding this request. The location has not yet been determined and when further information is provided to Mgr Grumbine she would update the Board with the information announce at a Supervisors meeting. Mgr Grumbine informed the Supervisors that a letter had been received from the GLRA informing that a meeting with the surrounding property owners would be scheduled for Thursday, April 8, 2004 @ 7:00 PM at the GLRA's public meeting room. This is a separate meeting than the one DEP will be having.

C.)Lebanon County Conservation District – Ag Preservation Update

The Lebanon County Conservation District has provided the Twp with an update regarding the Ag Preservation Program. Currently there are 8 easements secured in North Leb Twp, totaling 820.6 acres. There are 5 more easements expected to close soon, totaling 318.6 acres. This would bring the total to 1139.36 acres located in North Leb Twp. In addition there are 50 acres of the Patches farm in NL Twp that is being appraised for consideration of preservation. The letter also mentions the Jere Putt farm as being on the consideration list. This is the same property has been requested for re-zoning. Mgr Grumbine has forwarded an email to County Conservation District making them aware of this application for re-zoning. The Ag Preservation Board have extended their thanks to the Supervisors for the willingness to work with the Ag Preservation Board on the farmland preservation in NLT.

Suv Hawkins questioned the process of being in the Ag Security Program, in regards to the Putts, and then requesting a zoning amendment. Mgr Grumbine explained part of the petition process for the zoning amendment; a letter must be submitted requesting withdrawal from the Ag Security Program is submitted to the Twp. If the decision were favorable the Board would act on the withdrawal request. If the decision were not favorable, nothing would need to be acted upon.

**D.)Memorandum of Understanding w/Lebanon Co. Conservation District
NPDES & MS –4 Regulations**

Mgr Grumbine had prepared a MEMO dated 3-22 informing the Supervisors of a Memorandum OF Understanding which was received from the Lebanon county Conservation District. Also provided was; (1) Clean Stream Law, (2) PA DEP Publication entitled “Instructions for a General or Individual NPDES Permit for Stormwater Discharges Associated with Construction Activity” and (3) PA Code Title 25, Chapter 102-Erosion and Sediment Control.

Currently the Lebanon Conservation District provides review and approval services of NPDES applications. Mgr Grumbine is asking the Board to approve continuing the use of the LCCD as we have received no complaints regarding the services since the Twp has began using them.

MOTION: Was made and seconded to approve the Memorandum of Understanding with the Lebanon Conservation District in regards to Conservation and Stormwater Erosion issues. Unanimously carried.

E.)Sign for Pansy Hill Coffee Company – Nonconforming Business – Condition Sign Use

A MEMO dated April 1, 2004 informed the Supervisors of a request received from Pansy Hill Coffee Company. The request is to place a 6’x10’ sign on the existing 21’ pole. This size sign is larger than the Twp Ordinance permits thus the reason the applicant has filed for requested a conditional sign use as outlined in the Ordinance. The Board is being asked to approve or deny this request.

Chp Artz said he is concerned about an obstruction or sight problem. Mgr Grumbine explained the sign itself is pretty high on the pole with at least 10 feet of clear visual space. Suv Hawkins questioned the quantity of these requests. If this particular request is granted does that mean the Twp would receive more requests? Mgr Grumbine said the Ordinance was changed in 1997 and this is the first request since that time. Suv Hawkins said she did notice the current sign, which is very small.

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Pansy Hill Coffee Company - Condition Sign Use (con't)

MOTION: Was made and seconded to approve the Conditional Sign Use for Pansy Hill Coffee Company. Unanimously carried.

F.)Resolution No. 9-2004, Disposition of Certain Records

According to the Municipal Records Manual, disposition of certain records must be done by approving a Resolution listing the records. Resolution No. 9-2004 lists records to be disposed at this time. The Board is being asked to approve Resolution No. 9-2004.

Suv Hawkins asked if the Municipal Records for NL Twp are kept in any medium other than paper. Such as micro-fishe? Mgr Grumbine replied, no the records are all paper.

MOTION: Was made and seconded to approve Resolution No. 9-2004 for disposition of certain Municipal records. Unanimously carried.

G.)Resolution No. 10-2004, State Convention

Resolution No. 10-2004 is in regards to a long-standing unwritten policy that has been in place for attendance at the State Convention. This Resolution would allow for any non-employee Supervisor who attends the State Convention to be compensated. This is applicable only if requested by the Supervisor. The Resolution provides for \$35/ day, plus reimbursement of such expenses as are authorized by State Statute for attendance at the State Convention. The Board is being asked to take action on Res. No.10-2004.

MOTION: Was made and seconded to adopt Res. No. 10-2004 establishing reimbursement for non-employee Supervisor attendance at the State Convention. Unanimously carried.

H.)Resolution No. 11-2004, Sewage Facilities Administration

Resolution No. 11-2004 is in regards to reappointing Lebanon County Planning as the Twp's Sewage Enforcement Officer. It also establishes fees dealing with the administrative costs of the sewage enforcement program. An increase from \$25/ hour to \$40/ hour is reflected, while most of the other fees have remained the same. Suv Brensinger questioned if the County Commissioners had approved this fee change. Mgr Grumbine reported this is the first time the fees have been revised since 1990. She explained she is not sure when County had revised their rates. When reviewing the fee schedule provided by County, Mgr Grumbine realized it had been awhile since the Twp had adopted the revised fee schedule. Suv Hawkins confirmed it was County who had set these fees not the Twp. Mgr Grumbine agreed. Suv Hawkins then asked if this something separate from the on-lot sewer inspections. Mgr Grumbine stated this is combining the 2 Resolutions adopted in 1990, appointing LCPD as Sewage Enforcement officer and adopting their revised fee schedule.

MOTION: Was made and seconded to adopt Resolution No. 11-2004 approving Sewage Enforcement and establishing a fee schedule. Unanimously carried.

I.)Officials Meeting – April 14

A letter from Pete Zug's office has been received in regards to an officials meeting being held at Northern Lebanon High School.

Officials Meeting – April 14 (con't)

It will begin at 4:00 – 5:00 PM and will be presenting an overview of the traffic and engineering studies along Rte 22 corridor from Dauphin County line to the I-78 interchange in Bethel Twp. Input is being asked on any potential transportation improvements.

J.)Mechanic St Project

On Wednesday, March 31, Ed and Mgr Grumbine met with Richard Sterling of PADOT and Jeff Steckbeck regarding the Highway Occupancy Permit for the Mechanic St project. The plans required a 2' grade cut causing problems for both the water and gas mains that would be left with insufficient cover. Mr. Sterling suggested that Jeff Steckbeck file a supplemental request to the original HOP along with a description of the problem and 4 sets of a revised drawing showing work to be done at the existing grade. The supplemental HOP was completed by Steckbeck that same day and filed with Richard Sterling. Approval is anticipated early this week. Steckbeck also forwarded copies of revised plans to Handwerk for a change order (credit) to the Twp for this project.

K.)Loan Amendment – Narrows Drive Property

Sol Wolf has provide to the Board the 1st amended note in regards to the previous \$395, 000 loan. The amendment recognizes the various payments and the lump sum, payment to the lender in the year 2003. A revised amort schedule is included with the document. Sol Wolf is requesting the Board approve the amended note. At such time the approved DEP grant funds are received for the grinder, this amount will placed against the loan. A second amended note would be provided to the Board. Sol Wolf is asking to approve the note now instead of waiting to receive the money from DEP. Suv Brensinger confirmed this note was in regards to the Narrows Dr recreational property. Mgr Grumbine confirmed this.

Paul Schwab – Hunters Chase Lane

Mr. Schwab asked if he understands that the Twp is waiting to receive the grant money for the grinder? Mgr Grumbine said the Twp was approved to receive the grant money, yes. Last week the Public was told the Twp had received it already. Mgr Grumbine repeated the Twp was approved to receive the grant money. We have not yet received the funds. Schwab then said last week it was announced the Twp received the grant and he assumed the money had been received. Nothing is ever explained to the Public, according to Schwab. He then asked if he could look at the financial books for the Twp? Where do I have to go to look at the books? Taxes are being raised and money is being spent on the Narrows Dr property for a park. Chp Artz asked what part of the books Schwab is referring to? Schwab replied he would like to see what the taxpayer's money is being spent on. Is there a problem with that, he asked? Mgr Grumbine told him to stop in at the office and she would gladly go over the books with him. Schwab agreed that would work for him.

MOTION: Was made and seconded to authorize signing the amended note regarding the Narrows Dr property as presented by Sol Wolf. Unanimously carried.

L.)Weavertown Fire Co – 1528 Suzy Street

Mgr Grumbine explained to the Board a request for signatures on a collateral assignment of lease loan from Weavertown Fire Co was also presented to the Board. Weavertown Fire Co. has a 99-year lease with the Twp for 1528 Suzy St.

Weavertown Fire Co – 1528 Suzy Street (con't)

Recently the Fire Co purchased lot #2, which neighbors the current Fire Co. They wish to construct a Social Hall on this lot and received their plan approval in 2003. The lender, Jonestown Bank, is requiring the Twp be a part of the loan. The original loan for the Fire Co will be combined with the new loan for the Social Hall. Settlement is scheduled for Wednesday April 7, 2003 and the document should be executed before that time.

Chp Artz asked if the document contains the same information, as the original one for the Fire Co. Mgr Grumbine replied yes, if anything should happen that the Fire co defaults the Twp would be first to recoup any costs. Suv Hawkins confirmed that is something should happen and they default, the Twp would still not lose anything.

Martin Barondik – New St

Mr. Barondik questioned the timing of this request. Why did they wait until the settlement date was so close? This is the 5th and they need it by the 7th. Usually it takes a little more time than that. Mgr Grumbine explained Weavertown had their plan approved since November of 2003. Barondik then asked what has held of the request until now? Suv Brensinger said they have been working on the financing and the details. Barondik then said this should have been brought up last meeting. Suv Brensinger said they are going for settlement of their financing on Wednesday. Barondik then said this seems awful quick. Mgr Grumbine responded if he were to ask Weavertown Fire Co they would say this taking forever to accomplish. Suv Brensinger said the Board could put this off for 2 weeks but he sees not reason to do that. Chp Artz agreed with this statement.

MOTION: Was made and seconded to approve the collateral assignment of lease with Weavertown Fire Co. Unanimously carried.

M.)Regulations for Compost Facility

Solf Wolf has prepared a rough draft of regulations regarding the Twp compost facility and is asking the Board to review the draft. Any comments or concerns should be submitted to him or Mgr Grumbine in order to prepare an Ordinance and have a public hearing.

Martin Barondik – New St

Mr. Barondik questioned the meeting on Thursday at 2:00 PM. What is the story with that? Mgr Grumbine explained the State Convention is that week on Sunday, Monday, Tuesday and Wednesday. Barondik then asked why 2:00 PM? Chp Artz stated the convention breaks at noon on Wednesday and felt it would be convenient to hold the meeting then. Barondik asked if this would be considered the regularly scheduled meeting. Chp Artz told him yes it would. Barondik then said it might be convenient for YOU but what about the people sitting out here? Mgr Grumbine replied there are many people who work nightshift that cannot make the night meetings. She said they thought it would be a good idea to try it. Barondik then asked if this was the first time this had ever been done. Barondik said it did not matter to him. He will be here. Suv Brensinger said the meeting cards that are printed in the beginning of the year noted the different time. Barondik then asked if Sol Wolf would be present at this meeting? Mgr Grumbine replied he would be on vacation but would be sending a representative from the firm.

Martin Barondik – New St (con't)

Barondik then questioned Schwab's request to see the books. Doesn't he have to go through the open Records Act to see the books? Mgr Grumbine said she intended to consult the Solicitor. He can certainly look at the books by making an appointment with her. Barondik said he should still have to complete the paperwork. Suv Brensinger said he can look at the books but he could not take anything with when he leaves. Barondik reminded Ed about the manholes on Long Lane. He did not want him to forget about it.

Paul Schwab

Schwab questioned the mention of Jay St and the Putt property. What is that all about? Mgr Grumbine explained there would be a Public Hearing conducted on May 17 in regards to a Zoning Amendment request. He then asked if anything is happening with the Narrows Dr property? Is the house vacant? Suv Brensinger said the house has been rented and the fields are being leased to a local farmer. Schwab requested that some fill be placed on the road shoulders along 7th St to Sandhill and Kercher Ave. Suv Brensinger agreed the area is in need of some repairs, which involves digging out, and repairs.

COMMENTS FROM BOARD MEMBERS

There were no comments from the Board members.

There being no more business, meeting was adjourned.

Respectfully submitted,

Theresa L. George
Recording Secretary