

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
DECEMBER 6, 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, a representative of the Lebanon Daily News, Al Winn of the Patriot News and several other individuals.

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

COMMENTS FROM THE PUBLIC

A.)Martin Barondik – New St; 2005 Budget Questions

Mr. Barondik said he had some questions for the Twp Manager, Cheri Grumbine. He started by asking about the Police Pension fund information, which he had requested previously. How long has the Twp been with Edward Jones, asked Barondik? Mgr Grumbine stated she did not have the paperwork with her. It was either early this year and late last year. Who had the Twp been with for Pension issues prior to Edward Jones? The answer was Principle. Now I would like to know the reason for the changeover from Principle to Edward Jones, said Barondik. Mgr Grumbine explained it was decided they offered better advise in investment issues. The returns that other municipalities are receiving were not being reflected in NL Twp’s returns while with Principle.

Barondik stated he had received 2 sets of information, one from Principle and one from Edward Jones. Why were 2 sets of information provided? Mgr Grumbine clarified what his question was, why do we have 2 sets of information? Barondik agreed this was his question to her. Mgr Grumbine explained there were some retirees from the Police department already listed with Principle and receiving pension from that firm. There were 2 choices given to the Twp at the time, either pull out from Principle and pay a “buyout” fee to guarantee annuity. When an actuary was reviewed, it was felt the “buyout” was entirely too high. The second choice was to retain a certain amount of money with Principle to maintain the money for the existing Police officers. To purchase an annuity for the 2 retired officers could result in the Principle keeping any reaming funds should an officer die. The Twp would loose that amount. Another fact was that if the officer lived longer than the annuity period, which was established, the responsibility would be with Principle. Mgr Grumbine said it is a chance that would be taken either way the Twp would go. It was decided to maintain the funds with Principle rather than purchase an annuity for the 2 current retirees. Barondik questioned if the Twp would be dealing with 2 different firms, Principle and Edward Jones, as long as the 2 retired officers are still walking around.

Barondik then questioned if when the 2 retired officers are no longer living, the Twp’s association with Principle will no longer exist.

2005 Budget Questions (con't)

Mgr Grumbine replied, the spouses of the officers are also a consideration but his comment is correct. Barondik then remarked if an officer would decide to retire tomorrow, that pension would be received from Edward Jones. Mgr Grumbine said that is correct.

Mr. Barondik then said he had a question about a check listed in the information, in the amount of \$18,337.59. Why is this blacked out, asked Barondik? Mgr Grumbine explained it is the name of an officer and she was not sure if this is something that can be released as a "Public record". In order to be safe, she explained, she had blacked the information out. Barondik said he could understand this. Mgr Grumbine continued by explaining there are some things, which are considered public records, and then there are some things that apply to privacy issues. As she was unsure she made the decision to black out the information he is questioning. If this were something he feels he must know, she would contact the Solicitor and ask his opinion. The Solicitor advises the Twp as to what is private and what is public information. Barondik asked if this is something she knows now. Mgr Grumbine replied, no, she does not as she did not know it would be an issue with him. Barondik then asked Mgr Grumbine to consult the Solicitor, as he would really like to know the name. Barondik told Mgr Grumbine that when he saw the blackout information his curiosity kicked in and he felt he needed to know what was being blacked out.

Barondik said he had a couple more questions. Mgr Grumbine made the offer of meeting with him to discuss all his questions. Barondik stated that he had been told that when he picked up the 2005 budget information. He said he hesitates to meet with her as he feels this would amount to the same thing as a "sunshine" meeting. Mgr Grumbine told Barondik the "sunshine" law does not apply to her as she is not an elected official. Barondik said he realizes she is not an elected official but he thinks anything the 2 of them discuss should be at a public meeting. This way anything when he asks questions and get answers, anyone present from the public will also have the answers.

Mr. Barondik told Mgr Grumbine he had some questions about the audits that are performed. He started by saying many years ago, when he still worked for the Twp, State Auditors would come into the Twp office several times to conduct their audits. Does this still happen? Mgr Grumbine replied, yes, the Auditor General's office conducts the audits. When an audit is completed by the State, is the Twp billed for that audit? Mgr Grumbine answered, no, there is not a charge. Is this a responsibility of the Auditor General, asked Barondik? He then asked is there an independent audit completed for the Twp funds? Mgr Grumbine replied yes there is. Barondik asked if the Chubb group completes this. Mgr Grumbine said yes and they are out of Harrisburg. He then asked how many times a year this is done? He was told the auditors are in the Twp twice a year but a complete audit is done once a year. When asked what time of year this is completed, Mgr Grumbine stated is usually done in February. Barondik asked if the Twp receives a Financial Report once the audit is completed. Barondik asked if he could make a written request for the Financial Report. Mgr Grumbine replied yes he could receive this the same way Clyde Flickinger obtained the information when he had asked for it.

Mr. Barondik said he had questions about the Highway budget. When reviewing the Highway budget, he noticed very little mentioned in the Highway budget. Why is that? He is curious about the maintenance and upgrading of the roads. Mgr Grumbine explained that information is included in the Liquid Fuels portion of the budget.

2005 Budget Questions (con't)

Barondik said he still is wondering why there are not any huge financial amounts listed for next year (2005). Mgr Grumbine stated that originally, when establishing the roads to be completed there had been 3 roads. Information was received that Swatara Twp is planning on doing a sewer project. Two of the roads being considered would be affected by this project as they are in the vicinity of Swatara Twp. For that reasons those 2 roads were eliminated from the 2005 budget. Suv Brensinger explained this sewer project is projected for Swatara Twp within the next 5 years, however it is not a done deal as of yet. It does not make sense to pave these roads and then have them torn up while the project is being completed. Suv Brensinger said those 2 roads would be Mountville Dr and Horst Dr. He told Barondik the largest road project for next year would be Emma Rd.

Barondik next questioned Highway maintenance services. He asked why there are not any Engineering expenses listed. Mgr Grumbine explained there is usually not any Engineering involved unless there is re-routing of stormwater or something such as that. Barondik questioned why there is listed, under Recreation, for Engineering an amount of \$52,000. What is the reason for such a specific dollar amount, asked Barondik? Mgr Grumbine explained that covers the Comprehensive Plan the Supervisors had approved earlier this year. The \$52,000 is the full amount to complete the Park & Recreation Comp Plan, however the revenue column reflects the 50% Grant which has been applied for, by the Twp, for this project. Barondik said he wants to understand. Do you mean to tell me there would be \$52,000 spent on Engineering fees for Park & Recreation. Mgr Grumbine said the Twp would be receiving \$26,000 back in the form of Grant money. Barondik said he feels this is a lot of money for Engineering fees, especially for recreation. Mgr Grumbine said this would be a large project. What project is big, asked Barondik? Mgr Grumbine replied it would be for the whole Twp. Barondik said you mean this would be for recreation for the whole Twp. Mgr Grumbine replied, yes.

Barondik asked if the Twp would ever get out of the entertainment business? This is supposed to be a Twp! When will we ever get back to being a township? The Township's job is to care of the roads. Now it seems the township is in the entertainment business and the rental business. Why did we ever get into the realty business? It started when the Twp bought the old Ebenezer School, stated Barondik. Mgr Grumbine stated the Twp did not buy the school. It was given to the Twp. Barondik said, oh yeah, it was a "white elephant". Mgr Grumbine disagreed saying the Twp sold the building and netted \$100,000. Barondik made several remarks about the school district's decision that the old building was no longer good enough for the "precious little darlings" to sit in. Mgr Grumbine reminded Barondik that the Twp was not making those decisions the school district was. Either way, said Barondik we are still in the real estate business. And now the entertainment business too! Barondik said he still has other questions but he will wait until Fred Wolf is here. There is no use that it be talked about now without him here.

Suv Brensinger said he would like to comment on some of Barondik's remarks. He told Barondik the Twp is growing and will continue to grow. No one can stop the growth of the Twp. The Supervisors hear the demand for recreation, repeatedly. He does not know when the Twp ever got assigned the responsibility of recreation. North Leb Twp is not the only municipality that is providing recreation. Municipalities all over are getting assigned this responsibility. Recreation facilities cannot be built unless there is land to do this. Land is not given away. The Twp has to move on obtaining land when it becomes available. Barondik interjected that he thinks the Twp offers enough recreational space.

2005 Budget Questions (con't)

Suv Brensinger asked Barondik if he preferred the kids to “run the streets and terrorize”? Barondik said when he was a kid, he never played ball in a park. The only ballfield he ever remembers was behind the Ebenezer School and that was not much of a ballfield, stated Barondik. He then mentioned he has never done any penitentiary time as a result. Barondik said the point he is trying to make is that there comes a time when the Twp should say, “OK enough is enough. We have plenty of recreation and parks.” Suv Hawkins told Barondik that will probably never happen. The residents move in and have less room. The demand for these open areas to walk and exercise increases as the Twp population grows. Suv Hawkins said the days of having a swingset in every backyard are over. The people look for these types of areas for their exercise and relaxation. Suv Hawkins told Mr. Barondik that perhaps he does not want recreational areas but try talking to people with families and see what they tell you. They will tell you they want areas for recreational activities. Barondik said yes well, everyone would tell you that they need to have a computer too. Do they really need a computer? He repeated the Township is getting further and further away from the intent of the Township.

Mr. Barondik said go one township over, North Annville Twp. They do not have any parks. Suv Brensinger said they have hardly any population either. Barondik said North Leb Twp is this rich township and west of here is this “third world country”. North Annville Twp probably has all sorts of cash money lying about, said Barondik. Suv Brensinger pointed out that North Annville residents pay NO taxes at all! They pay School taxes and County taxes but do not pay township taxes. There is no road crew, it is all sub contracted out. There is 1 Police officer and less than 1/3 the residents of NL Twp. Barondik said how there be such contrast! Suv Brensinger said it is all about infrastructure. Just have one sewer line be installed and see what happens. Lickdale is a good example of that. Mr. Barondik said he wants to go on record saying this Twp is spending too much money on entertainment and real estate! Suv Brensinger said 2 counties to the east of us a referendum is being placed on the ballot questioning if they are willing to spend extra money (millage) to fund purchase of “bare” land and keep it as such. This is the next thing that will come to NL Twp. Purchasing land before a developer can buy it and develop it. What would you do with it Barondik asked? Suv Brensinger replied, nothing, Leave it as “bald” land.

Barondik – Long Lane Manholes

Mr. Barondik questioned Mgr Grumbine about a “field trip” that had taken place out to Long Lane to review the manhole issue. Sol Wolf had phoned Barondik to talk to him about this matter. He asked Mgr Grumbine if she had been on that trip. She responded, no, she had not. He then asked Ed Brensinger if he had attended this discussion. Suv Brensinger told Barondik it had been Mike Kneasel, Sheila Wartluft and Scott Rights that had made that trip. Barondik remarked that he could get an update on the progress if no one had been involved on this field trip.

Barondik – NL Business Park

Barondik next questioned the Industrial Park being created off N 25th St. The road leading into the former Windsor Plant has been worked on. Was the original intention to cut the road in the way that it has been cut? Suv Brensinger explained it had to done that way to get PADOT approval and permits. Due to the fact that Tunnel Hill Rd is a PADOT highway and they issued the Highway Occupancy Permit, the road was done according to the PADOT specs.

Barondik – NL Business Park (con't)

Mr. Barondik asked if that was a known fact when it was originally discussed to use that particular road. Suv Brensinger replied, yes they knew it was a PADOT permit they would need. Barondik reminded the Board he had mentioned this is a bad area for cars exiting. Suv Brensinger explained that there could not be truck traffic on this road as the R-O-W is only 50 foot. There had been some talk with the Maeders, who are the property owners on the east corner, about purchasing some land. He said he has not heard anything about any type of agreement.

MOTION TO APPROVE THE MINUTES

MOTION: Was made and seconded to approve the minutes from the November 15, 2004 meeting. 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.)Authorization to Advertise for Bids – Building Expansion**

Mgr Grumbine reminded everyone the Board had approved signing an agreement with Bob Hoffman to design a building expansion to the township municipal building. Originally it had been the intention to design and bid the project in spring of 2004. During the design process it was decided that it was far more important to take the time to create an informed design than it was to rush to meet the deadline of spring 2004. Mgr Grumbine and the department heads have been working on the design of this expansion project. The expansion proposes additions to the administrative offices, which includes a new meeting room with direct access from the outside, expansion of the police department and adding a new garage with 6 bays and a processing bay, along with a larger locker room and provisions for a female locker room. Expansion for the Crime lab, currently located downstairs, is planned to take over the entire area thus moving the EMA Director and the Fire Chief's offices and the meeting/lunch room upstairs. Personnel offices, parts rooms, tool room, and an equipment manual/file room all in one area of the township in the existing garage with additional bays to be added to the north of the existing garage to make up for the loss of garage space.

At this time, we are now ready to bid a design-build project for a general manager/contractor who would coordinate the entire project and be considered the general contractor for this project. The bids would have a due date of late January 2005 with an award scheduled for the February 7, 2005 meeting. After an award for General Manager/Contractor, the township can then proceed to bid the individual mechanical needs for the project. A start date for construction of April 1, 2005 is anticipated.

Mgr Grumbine is asking the Board to authorize the project to go out for bid with the bids being due to the Township on Tuesday, January 25, 2005 by 2:00 PM. A pre-bid conference will be required and is tentatively scheduled for January 3.

Advertise for Bids – Building Expansion (con't)

All interested bidders must attend the pre-bid conference to review the project and answer any of their questions before preparing their bid. Charles Fairchild, consultant for this project, will provide a recommendation to the Board for your February 7 meeting. Sol Wolf agreed to attend a portion of the February 7 meeting in case there are any questions he can answer on the bids. He will not be able to remain for the whole meeting, as he has another meeting he must attend. Mgr Grumbine said she would like to mention that the Board's approval should also mention that it is conditional upon the Solicitor reviewing all the bid information going out.

Suv Hawkins asked if there was a projected financial total for this project? Mgr Grumbine said she thought it had been about 1.3 million. Although until the bids are received we won't know a definite total.

Martin Barondik asked if the lowest bidder would receive the award for the bid? Chp Artz said it all depends on the bids that are received and exactly what information is contained in those bids. Barondik asked if the Supervisors make the final decision, to which he was told yes. Suv Brensinger said he wanted to clarify, the lowest "qualified" bidder. The Board could disqualify a low bidder but would have to have acceptable reasons for disqualifying the lowest bidder.

MOTION: Was made and seconded to authorize the advertisement of bids for a General Manager/Contractor conditional upon Sol Wolf's review of all documents. Unanimously carried.

B.)Request from Chief to Donate Unclaimed Impounded Bicycles

Mgr Grumbine told the Board she had received a MEMO from Chief Wolfe on 11-24-04. He is requesting approval from the Board to donate the unclaimed impounded bicycles to the charitable organization "Toys for Tots". Previously the Board had adopted Resolution No. 28-2000 providing for this type of action to be taken after the Police department had possession of the unclaimed bikes for over a period of 90 days. State law does require a 90-day waiting period. All bikes listed in the MEMO have been held for longer than the 90-day waiting period. The Chief is asking approval to donate to the "Toys for Tots" organization.

MOTION: Was made and seconded to approve the bicycles listed on the Chief's MEMO be donated to the "Toys for Tots" organization. Unanimously carried.

C.)Wastewater Safety Award

An award has been presented to the Waste Water Dept. recently for safety through the Eastern Pennsylvania Water Pollution Control Operator's Association. Mgr Grumbine read a MEMO from Sheila Wartluft informing her of the award. The award was earned as a result of safety practices, operation of the systems and documentation of regular maintenance procedures. Also the Eastern Section requires an inspection by one of their representatives. Mgr Grumbine said she would like to commend the sewer department, Mike Kneasel, Tom Camasta and Tom Kissinger for achieving this award. Chp Artz agreed making his commendation of this achievement. Suv Brensinger asked Mgr Grumbine to make a note to mention this award at the employees Christmas luncheon.

D.)Notification from PADOt – Highway Improvement Project (Route 343)

The Twp has received correspondence from PADOT announcing upcoming highway improvement project along Rte 343 in NL Twp. The project is to begin at the Lebanon City/ North Lebanon Twp line and proceed north to the intersection of Hefflefinger Rd. The anticipated improvements include base repair, milling and overlaying the existing roadway, updating the existing drainage, updating the existing guide rail, updating the existing signs and pavement markings and related work. Subject to availability of funding, construction at the earliest is expected during the 2006 construction season.

A Municipal Response form has been provided that should be completed regarding any utilities located in the Twp R-O-W, which should be newly constructed, replaced or repaired along with any curbing or sidewalk along the route that the Twp has planned for installation or replacement. In addition, if there are any special events that may be affected by the proposed project a list should be noted on the return form. The information is to be returned to PADOT no later than 12-10-04. Mgr Grumbine has provided a copy of the form to both the Police and Wastewater Depts for any information that needs to be listed for return to PADOT.

Chp Artz questioned Ed Brensinger, Twp Roadmaster, if he can think of any immediate concerns the Twp might have. Suv Brensinger stated his only thought was that Chf Wolfe had expressed safety concerns the last time the Twp had received a notice such as this one. Mgr Grumbine said the Chf's concern was about National Nite Out, which takes place in August. Rural Security has also been contacted, as the paving project will affect them when answering calls. Mgr Grumbine told the Board the bus coordinator at Cornwall-Lebanon was also contacted with this information.

E.)Resolution No. 32-2004

Mgr Grumbine has provided Resolution No. 32-2004 to the Board. The Resolution outlines a list of certain Twp documents, which are destroyed according to the Township Municipal Manual code.

MOTION: Was made and seconded to adopt Resolution No. 32-2004 for destroying certain municipal records. Unanimously carried.

F.)Temporary Living Unit for 195 Grubb Ave

Mgr Grumbine explained to the Board temporary living arrangements are needed for the Ed Brensinger family. Sol Wolf has agreed to draft an agreement similar to the agreement the Grahams from Narrows Dr had signed. The placement of a mobile home for 6 months until all the repairs could be made to the Brensinger home was discussed. Chp Artz told Ed Brensinger how sorry everyone was that his family experienced this terrible tragedy.

MOTION: Was made and seconded to approve an agreement drafted by Sol Wolf for the temporary placement of a mobile home at 195 Grubb Ave. Unanimously carried by Chp Artz and Suv Hawkins with Ed Brensinger abstaining from a vote.

G.)Second Amended Note (Previous Loan for Moyer Tract)

This note is required by the bank for the second payment applied to the loan for the previously purchased Moyer tract located off Narrows Dr. When the Twp had made a lump sum payment earlier the bank had required an amended note be done at that time also. The amortization schedule will then be adjusted accordingly.

MOTION: Was made and seconded to approve the Second Amended Note (Moyer tract loan) according to the bank's request. Unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.)Suv Brensinger**

Suv Brensinger said he wanted to take the time to thank all the Twp employees who had come to his aid on Thursday. The Police dept, Road crew and Sewer departments all were there to help. He said his family was very grateful because there were few firemen available due to the fact it was daytime hours. It is his hope that nobody ever takes volunteer firemen for granted. The men used what equipment they had and did what they could to save a large portion of his home. He addressed Ms Zellers and Mr. McMichael by saying he is sorry to tell them but on Thursday afternoon, around 2:00 PM, he would have given his left arm to have the luxury of fire hydrant and public water. He said he knows they are very unhappy about the current public water project in going in their areas. McMichael remarked there probably wasn't any pressure there. Brensinger rebutted by saying there certainly was plenty of volume, which is what was needed in this situation. Suv Brensinger said the 20-minute wait to get the necessary water source he experienced felt more like 2 years. Whatever the cost of public water it would have been worth it rather than wait those 20 minutes while he watched his family's home burn.

Suv Brensinger again repeated how grateful he is to the firemen and that includes the Mt Zion Fire Company. He is also appreciates the outpouring of support he and his family has received since the fire. He wanted to mention everyone in his family is fine and everyday that passes is getting better.

Mr. Barondik told Suv Brensinger that he wanted to comment on the public water availability. He also has been trying to get public water in his area for the last 30 years. He is told that he cannot have public water.

B.)Suv Hawkins

Suv Hawkins said she is happy that the Twp's sewer dept is getting this award. She said whatever it is that they are doing must be working because she never has any problems with her sewer operation. Suv Hawkins also wanted to tell Ed she is very happy that his family is safe after the tragedy they have suffered. She told him we are all here to offer support.

C.)Suv Artz

Suv Artz said he also wanted to express his thoughts on the tragedy the Brensinger family suffered. He wanted Ed to know that a representative from the Kochenderfer Church will be in contact to offer their assistance.

Suv Brensinger

Ed Brensinger said he wanted everyone to know how much it really does help to have the sincere concerns expressed from everyone. He is thankful for all the offers his family has received.

There being no more business, meeting was adjourned.

Respectfully submitted,

Theresa L. George
Recording Secretary