

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
JULY 17, 2006**

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

Dawn M. Hawkins	Chairperson
Edward A. Brensinger	V-Chairperson
Kenneth C. Artz	Treasurer
Cheri F. Grumbine	Township Manager
Harold Easter	Chief of Police
Sol Fred Wolf	Henry & Beaver LLP

Also in attendance was: Al Winn of the Patriot News, Sarah Barry of the Lebanon Daily News, and many other individuals.

Chp Hawkins told the public the format of the meeting will be slightly different this evening. There are some awards the Board will be presenting to several Police officers this evening. Until all their family members are ready the Board will proceed with action on the minutes from the previous meeting.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from July 3, 2006 meeting. 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.

AWARD PRESENTATIONS

On behalf of the Board of Supervisors Chp Hawkins asked the Officers to come forward to receive recognition of their achievements. Those Officers include Officer Tim Knight, Officer Dave Lauver, Officer Greg Behney, Officer Duane Koons and Officer Wengert.

Officer Duane Koons is being recognized for completion of 5-years of service with the department, Lebanon County Officer with the Emergency Unit, Tactical Team Member Award, Accident Reconstructionist, and serving as a Field Training Officer.

Officer Tim Knight is being recognized for his 5-years of service, Training Officer Award, serves as a member of the Lebanon County Emergency Services Unit and the Tactical Team Member Award.

Officer Dave Lauver is being recognized for 5-years of service with the department.

Officer Greg Behney is being recognized for 5-years of service with the department.

Officer Donald Wengert is being recognized for 25-years of service with the department.

Officer Wengert has retired from full-time police duties and is serving as the township's Code Enforcement Officer in a part-time capacity.

AWARD PRESENTATIONS (con't)

The Officers were recognized with applause for their achievements. Suv Artz commented he would like to recognize Chief Easter. His encouraging attitude for his Officers is the reason we are having this recognition ceremony.

COMMENTS FROM THE PUBLIC**A.)Jennifer Camasta – Weavertown Road; Concerned Citizens Group**

Ms Camasta told the Board she would like to provide to the Board a sample Ordinance adopted by Jonestown and Union Twp. The Ordinance is in reference to the construction of cell towers. She said that she and a group of concerned citizens have been meeting to collect this information to submit to the Board of Supervisors for their consideration. The group's concern, according to Camasta, is that another request would be submitted to the Twp and the Twp does not have a strict Ordinance in place to prevent the placement of a tower. Suv Brensinger corrected her comment saying we do have an Ordinance that allows cell tower placement in the Industrial zone. Sol Wolf added that the Twp does indeed have an Ordinance for cell towers, but someone could still apply for a Zoning Hearing Variance to construct a tower. However he added that the restrictions in the Industrial Ordinances were not as inclusive as the sample Ordinances provided by Camasta. The Board thanked Ms Camasta for her submission and told her that they would be reviewing the contents.

B.)Christine Beard – Kochenderfer Road

Mrs. Beard told the Board she is in attendance to discuss the water issues she had brought up at the last meeting. She reminded the Board of all that had been discussed at the last meeting. Mrs. Beard said she also had spoken to Senator Brightbill about the water run off problems. A lengthy conversation took place between Mrs. Beard, Roadmaster Brensinger, the Supervisors and Manager Grumbine on this issue. A lot of the past history was discussed about the developing of the area and the actions of previous Supervisors.

Suv Brensinger explained to Mrs. Beard the work that PADOT has scheduled for this summer in her neighborhood. He has met with and discussed the need for a larger cross pipe to be placed at the intersection and to upgrade the existing parallel pipe along Sandhill Rd. A letter has also been sent to John Smith, County Manager at the Lebanon County PennDot office to make a formal request and to state the Twp's willingness to meet, on site, to review this issue. Much discussion took place about some other improvements Mrs. Beard would like to see completed in this area. She also asked that the cinders be swept up from the street, as she has nowhere to take them. The Board was in agreement that the installation of the larger pipe size by PennDot at the intersection of Kochenderfer Road and Sandhill Hill Road would eliminate the majority of the water problems in this area.

C.)Constance Snavelly – Janet Ave

Ms Snavelly wanted to mention she had a lot of water she was dealing with also. She said she has spoken several times with Ed and met with him on this issue. Suv Brensinger said he has spoken to the County Engineer and is waiting to hear back from him to schedule a meeting date at her property. The Engineer is in Lebanon on Thursdays only and has not had the time to get to her situation yet. Suv Brensinger is also planning to speak to the engineer about the water problem in her front yard. He asked if she had received paperwork from FEMA about assistance. Ms Snavelly stated that she had talked to the EMA representative who took notations right on her paperwork. She told the Supervisors that they would be hearing from FEMA on her issues.

D.) Audrey Zellers – Wal Mart Intersections; Traffic Accidents

Ms Zellers questioned Chf Easter about an accident she had encountered while leaving the Wal Mart shopping area. Her question to the Chief was in reference to having a traffic light placed at this intersection as she sees this as a dangerous intersection. Chief Easter agreed this could be a dangerous place to travel. Suv Breninger explained the previous Chief of Police had tried to have some type of traffic control installed for this area. When the survey came back from PADOT, it was determined the traffic numbers were not enough to warrant a turning lane, let alone a traffic light.

E.) Martin Barondick – New Street; Lions Lake Dam & Releasing of Water

Mr. Barondick questioned the procedure for releasing the water off the dam breast at Lions Lake during heavy periods of rain. He expressed concern for the minor amount of water that had been released recently during the heavy rains and flooding experienced last week. He was told the Twp is restricted, by DEP and the Fishing Commission, to the times and amounts of water that could be released. Barondick commented on the amount of financial costs he could experience should the dam breast fail. Barondick expressed a concern for the financial loss to everyone around the Ebenezer area should the dam fail. Mgr Grumbine stated DEP and the Fishing Commission govern the Twp's actions at these times.

CHIEF OF POLICE REPORT – Harold Easter**A.) Calls For Service Report – June 2006**

Chf Easter reported on the various calls for service from the month of June 2006. Chf Easter stated the highest day for incidents during the month of June was Friday. One of the events for the month of July was the opening of the Great Escape Theatres located at the Lebanon Valley Mall. To date there have been no incidents related to this business and it is his hope that it remains this way. Chf Easter also reported on a possible dangerous situation that had occurred and fortunately was resolved with no injuries reported.

B.) National Night Out – August 1

Chf Easter reported that National Night Out would be observed on Tuesday August 1 here at the Twp building. He stated there would be many different activities some of which include a petting zoo, a dunking booth and lots of good food to eat. He issued an invitation for all the residents to join in the good time scheduled for that evening.

C.) Update on Police Department Activities

Chf Easter told the Board that the department has been busy keeping up with moving into the newly renovated Police Department. Several of the officers have been involved in receiving additional training. Officer Wengert, the Code Enforcement officer, has had many calls for service, especially with grass and weed complaints.

Suv Artz mentioned that he has been seeing the cruiser cars in the developments more frequently attempting to control the speeding motorists. He said he would like to commend the Officers and encourage this practice to continue. Suv Hawkins agreed, saying the children are out of school and are outside playing. They need to be kept safe.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.) Resolution No. 8-2006; Vacating a Portion of 4th Ave a.k.a. Haig St**

Mgr Grumbine referred to Mr. O'Neill's earlier remarks about the vacating of rights to a portion of Haig Street, or 4th Ave. Mr. O'Neill's original request had been made during the May 15 meeting on behalf of his daughter and son-in-law. Sol Wolf since that time has made contact with Jon Beers, City Engineer, as the adjoining property owner.

Resolution No. 8-2006; Vacating a Portion of 4th Ave a.k.a. Haig St (con't)

The City has indicated no objections to the vacating of the rights to this portion of 4th Ave (Haig St). Resolution No. 8-2006 is being presented for the Board's consideration of adoption. All legal and recording costs associated with this issue will be billed to Mr. O'Neill, as stated at the May 15 meeting.

MOTION was made and seconded to adopt Resolution No. 8-2006 for vacating a portion of 4th Ave (Haig St). Unanimously carried.

Chp Hawkins asked Sol Wolf what the next step is in this process. Sol Wolf reported that he would have the Resolution recorded and the Twp's part is then ended. However, Mr. O'Neill will be responsible for having the deed revised to reflect the additional property he is adding to the existing property. Sol Wolf explained to Mr. O'Neill that he might want to contact the City to determine if they might be interested in selling him their portion of the land.

B.)902 Recycling Grant – Dump Truck w Leaf Loader

At the last meeting the Board had decided to table the decision on the proposed dump truck with a leaf loader attachment. Roadmaster Ed Brensinger agreed to do some research on what options the Twp had in order to keep the cost of this equipment down. Suv Brensinger said he had received a solid pricing for the cab and chasis for the truck. He did not receive a solid price for the upfitting of the truck. According to the state contract the cab and chassis would be coming from Verman Freightliner out of Leesport, regardless of whom we contract with to do the upfitting. Ed reported he was also told that if we order the 04 engines, which is the older style engine, it would be less expensive than if we ordered the newer 07-style engine that has tougher emissions restrictions. The 07 engines would be at least \$4500 higher. He is suggesting to the Board that the cab and chassis order be placed in order to lock in receipt of the 04 engines.

MOTION was made and seconded to approve the 902 Grant applications. Unanimously carried.

MOTION was made and seconded to approve Roadmaster Brensinger to proceed with the ordering of the cab and chassis of the dump truck. Unanimously carried.

C.)Grand Opening Union Canal Tunnel Park North – 9-17-06 @ 1:00 PM

Mgr Grumbine reminded the Board members of the invitation received from the Union Canal committee to attend the grand opening ceremony for the North entrance. A response has been asked for and she would like to include in the response the name of the person who will be making some comments on behalf of the Twp. After some discussion it was decided that Ken Artz would speak on behalf of the Board of Supervisors. Suv Hawkins indicated she would be in attendance also.

D.)Offer from Halifax Police Dept

An offer from Halifax Police Dept had been received to purchase a set of (6) freestanding used lockers. They are offering \$50.00. Due to the fact that this is received from another municipality it is not necessary to place out on bid.

MOTION was made and seconded to accept the offer from Halifax Regional on the set of (6) used lockers. Unanimously carried.

SOLICITORS REPORT – Sol Fred Wolf**A.) Update on George Hardick**

Sol Wolf reported that George Hardick has now completed all that was required of him by DEP.

Update on George Hardick (con't)

Now that he has finished that commitment, Hardick should now be able to complete his commitment to the Twp. Sol Wolf said he would have more information for the Board after he has spoken to Mr. Hardick again.

B.) N 11th Avenue/ 15th Avenue RR Crossings

Sol Wolf reported there is a PUC pre-hearing conference scheduled on August 1 @ 10:00 AM, in Harrisburg on the 11th Ave crossing. Another meeting is scheduled at Lebanon County Planning for 1 PM on Thursday. The County is involved in this situation because should it be determined that gates are needed for this crossing, the MPO from County has agreed to provide the funds, provided from PADOT, necessary for the installation of the gates. Some of the businesses in this vicinity have come forward and expressed their desire to keep this 11th Ave crossing opened. Ed indicated he would attend the meeting scheduled for Thursday at LCPD.

The 15th Ave crossing has now been resolved. South Lebanon Twp has filed a report with the PUC that S Leb Twp has completed all the required work. S Leb Twp has submitted a completion certificate to the PUC.

C.) Lebanon City Authority Take Over

The legal actions involving the takeover of the City Water Authority continues. The City has now filed an appeal claiming the statute that had been filed against the take over action is unconstitutional. This issue is currently with the Commonwealth Court.

D.)On Lot Sewer Systems Program

Sol Wolf updated the Board on the progress with the On Lot Sewer Program that is being conducted by Leb Co Planning. To date the number of residents in non-compliance for NL Twp is 15 property owners. These owners have received several notices from County Planning about bringing their properties into compliance. No response was received from these property owners. Sol Wolf intends to send a final notice to these property owners giving them a 2-week period to contact either himself or County Planning. He also will provide the Supervisors with a list of the non-compliant property owners once the list is completed.

E.)Law Suit Notice - Thome

Sol Wolf reported the Twp has received a copy of a Suit by Summons, which had been filed in July of 2006. The suit has been filed by individuals of the name of Thome and is against various parties, which includes the Twp, the County of Lebanon and PADOT. Sol Wolf said it is important to turn this information over to the Twp Insurance Company and asked Mgr Grumbine to make contact with the Insurance Company.

F.)Lot Addition for Shirk/ Worrilow Plan

The legal deed description that Sol Wolf has been waiting for, regarding the Shirk/ Worrilow Minor Subdivision Plan, has been received. Sol Wolf explained to the Board the actions the surveyor took to correct the deed description that reflects the existing property. The Shirk deed does not close and Sol Wolf will advise the Engineer that his client should be made aware of this problem. Now the deed will be revised and recorded to include the additional lands to the Shirk property that had been provided due to the Worrilow subdivision Plan. Sol Wolf wanted to update the Board on this issue.

G.)Franchise Fee - Comcast

Sol Wolf discussed the Franchise Agreement the Twp has with Comcast Cable. The agreement is due to expire this year and he has been collecting information for the new agreement. He has

passed this information unto Mgr Grumbine and the Supervisors. He mentioned the legislation that is open right now to change the cable franchising which could possibly be reduced.

Also the control of the franchises could be under the Federal government. A review and update will be continued of the agreement. Should an agreement be reached and signed between Comcast and the Twp before any changes in legislation are adopted, the new PA legislation would not effect the Twp's agreement with Comcast.

H.)Possible Ordinance Updates

Sol Wolf discussed the updates of the existing Ordinances. Officer Wengert, Twp Code Enforcement Officer, and Chf Easter have been doing an excellent job of providing new and updated suggestions for some revisions to the Twp's Ordinances. Updates to the other Ordinances are also being reviewed with the Twp Manager. The cell tower Ordinance information that was provided to the Board members this evening will be reviewed and discussed. Sol Wolf and Mgr Grumbine will be coordinating all the proposed updates and meeting with Chf Easter and Officer Wengert. Once all the information is ready for review the Supervisors will receive the information. Sol Wolf is hoping to have this task completed by the end of summer or early fall.

I.)Former Smith Property – Water Street

Suv Brensinger repeated to Sol Wolf a request made by the property owner of the former Smith property on Water Street. He had questioned Officer Wengert about having the 2 remaining structures on the property demolished by using them for a fire training exercise. The local fire departments could use the structures for training and the current property owner would make a donation to the fire companies. He asked Sol Wolf if this is something that would be considered as an option. Sol Wolf agreed this is something that we had done in the past. Everything would have to be done in accordance with all the safety measures in mind and that all the costs are provided for by the property owner. A high weed complaint was registered against the property and the owner was instructed to cut the weeds until all the questions about the burning exercise are answered. Officer Wengert indicated to Suv Brensinger that both structures are in violation of the safe structure Ordinance. Suv Brensinger said he would inform Officer Wengert that the controlled burning of the structures would be permitted as long as he understands all costs are his responsibility. Sol Wolf stated that the fire companies must also have a safe plan of action for conducting the burn. Suv Artz mentioned that the environmental issue must be dealt with also.

COMMENTS FROM BOARD MEMBERS

A.)Suv Ken Artz

Suv Artz said he wanted to mention what a pleasure it was to honor the Police Dept tonight.

B.)Suv Brensinger

Suv Brensinger stated he wanted to reiterate the Chief's invitation to the public for National Night Out scheduled for Tuesday, August 1, 2006.

As there was no more business to conduct or discuss the meeting adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary