

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 20, 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	Vice Chairperson
Kenneth C. Artz	Treasurer
Cheri F. Grumbine	Manager
Harold Easter	Chief of Police
Frederick Wolf	Solicitor

Also in attendance was: Holly Miller of the Lebanon Daily News, and many other individuals.

COMMENTS FROM THE PUBLIC

There were no comments from the public this evening.

APPROVAL OF MINUTES

MOTION was made and seconded to approve the minutes from the November 6, 2006. 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.

FIRE CHIEF'S MONTHLY REPORT - George Gettler

George Gettler reported on all the calls for service that the 4 individual four companies had responded to on the month of October. He stated it was a very busy month for all the fire companies. There were some incidents where they were called to assist other fire companies. One of those situations would be the former Alcoa building. The estimated amount of water hauled in to deal with this fire location was close to a million gallons of water. There were also some training sessions that were attended by some of the fire fighters. He reported the number of man-hours, per company, that had been volunteered for the safety of the Township.

CHIEF OF POLICE REPORT - Harold Easter

A.)Calls for Service - October

Chief Easter gave a summary of the calls for service that had been responded to in the month of October. He stated that the highest number of calls for service appeared to be a Tuesday. Chf Easter also gave a brief summary of the activities from the Code Enforcement Officer.

B.)Introduction of Police Chaplain - Pastor Dean Cover

Chf Easter introduced Pastor Cover as the new Police Dept Chaplain. Chf Easter said he is very excited this new addition to the Department and appreciates Pastor Cover agreeing to this new capacity. Pastor Cover stated Police Officers are a part of his family. He has 2 older brothers who are retired state police in the state of New Jersey. Also his oldest son is a Police Officer in the state of Arizona. He is no stranger to the needs of the Police Officers. He continued on to say he is very happy to be included and offer this service.

C.)Appointment to Fire Police - Gloria Copenhaver

Chf Easter told the Board that this evening they have the pleasure of giving the Oath of Office to another volunteer offering services in the capacity of Fire Police. He introduced Gloria Copenhaver and asked her to step forward so that the Oath of Office can be administered. Ms. Copenhaver repeated the Oath of Office as Chp Hawkins instructed her. The Board extended their appreciation to her for volunteering her time to perform the duties she has decided to take on. Chf Easter also extended his appreciation to Ms. Copenhaver.

D.)Humane Society Contract for 10/01/06 through 9/30/07

During the last several meetings discussions have taken place about the Humane Society and the contract offered for the year 2007. Chf Easter introduced Tracey Stevens as the representative from the Humane Society and told the Board she is here to answer their questions. Chp Hawkins explained that the Board had several questions when reading the report from the Society and the report offered by Chf Easter. There appeared to be some discrepancies when comparing the two reports. Ms. Stevens was asked to explain what procedure is followed when a dog is impounded and then the owner reclaims the animal. Ms. Stevens stated that the owner is asked to give a \$25.00 donation to reclaim an animal. Chp Hawkins said that was one of her questions. The Twp is charged and the owner is also charged when they reclaim the animal. Ms. Stevens responded that has been the Society's policy. The donations from owners and adoptions are the only other source of income other than the financial agreements with municipalities. The policy is something that she can discuss with the manager and report back to the Board. Ms. Stevens stated that it is difficult financially for the Humane Society to provide all the needs that are sometimes required. She reminded the Board they do not agree to financially contribute toward the retaining of cats from NLT. She asked that the Board reconsider this issue, as many cats are brought into the facility that is from NLT. A discussion about the Twp relying on the Humane Society for this service was held. Chp Hawkins assured Ms. Stevens the Twp appreciates their services and is in need of this particular service. Chf Easter agreed to look over the information he is provided from the Society via fax communications. Stevens said she would also review the documentation at the Society and would be in contact with Chf Easter. Chp Hawkins thanked Ms. Stevens for attending to discuss the concerns of the Board.

E.)Agreement with West Lebanon Twp

Chf Easter had provided the Board and the Solicitor with a copy of an agreement regarding Police services for West Leb Twp. Sol Wolf stated he has several notations to discuss regarding some of the liability situations and the legal issues with NLT Officers enforcing West Leb Twp ordinances. When asked Chf Easter reported that the District Judge for West Leb Twp is Judge Wolfe, who is also the District Judge for NLT. He recommended that Chf Easter, himself and the Board meet to discuss and iron out some of the concerns. Sol Wolf said he would also make contact with West Leb's attorney to inform him of this meeting and some of the questions that have arisen. A definite timeframe is involved, as this agreement of services must be settled so that NLT Supervisors can adopt a Resolution as well as West Leb Twp before the end of 2006.

F.)Recommendation on C.M. High Contract

A contract received from C.M. High has been reviewed by Chf Easter. Chf Easter has made some recommendations to the Supervisors regarding this contract. He had offered some suggestions to the Board to consider. Chp Hawkins asked Sol Wolf some questions concerning liability situations. After much discussion between Chf Easter, Sol Wolf and the Board it was decided to accept the contract as offered for a 1-year maintenance agreement regarding the traffic signals/lights at the intersections of Rte 422 & 15th Avenue and at Rte 72 & Long Lane. The Board expressed appreciation to Chf Easter for his recommendations.

MOTION was made and seconded to approve the agreement with C.M. High for a one year maintenance contract for the traffic signals/lights located at Ret 422 & 15th Avenue and Rte 72 & Long Lane. Unanimously carried.

G.)Officer Keith Rudy - Recommendation to Retain

Chf Easter reported that Officer Rudy has his 1-year anniversary tomorrow. He stated that in his opinion Officer Rudy is a valuable addition to the department. He received a favorable recommendation from the Retention committee and he is in agreement with recommendation to retain Officer Rudy as an Officer with NL Twp.

H.)Various Officer Activities

Chf Easter said he wanted to inform the public about some of the activities the Officers have been involved with recently. A few weeks ago, operating on a tip from some residents, the Officers were able to investigate and prosecute 8 individuals involved in concession stand burglaries. Some of the individuals were minors and the investigation led to solving similar robberies in Palmyra, Myerstown and several other concession stand locations.

Another incident was the robbery of the First National Bank of Fredericksburg, located near the Boscov's Mall. With the assistance of several other Police Departments 2 apprehensions and arrests have been made in this situation. Chf Easter wanted the public to know the good Police work that is coming from their Police Department. He also wanted to commend his Officers for a job well done in both of these situations.

Chf Easter reported that a donation from Wal Mart has been received in the amount of \$2500 and will be used to purchase a speed detection device. He wanted to announce that fact and thank Wal Mart for the donation.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.)Appointment to Planning Commission**

Mgr Grumbine reported to the Supervisors that the Planning Commission members had discussed and made a recommendation of Charles Allwein Sr. to fulfill the term left vacant by John Scheer. The term is to expire 12-31-2008. The Planning Commission felt the fact that Mr. Allwein has experience, as a Civil Engineer would be helpful in this position.

MOTION was made and seconded to appoint Charles Allwein Sr. to the Planning commission and fulfill the unexpired term of John Scheer. Unanimously carried.

B.)Preliminary Budget Review

Mgr Grumbine explained that she and the Board of Supervisors have been working on preparing the Preliminary Budget for the year 2007. She has prepared a brief narrative along with some charts to present to the public this evening. The public was invited to come forward and get a copy of the Preliminary Budget. Mgr Grumbine read through the narratives for each Fund that the Budget is broken down into. Also provided was the information about what each Fund covers. The proposed Budget does not call for a Real Estate Tax increase and the tax rate of 7 mills will remain for NL Twp. However it has been decided to adopt the new EMS tax rate. That means anyone who works in North Lebanon Twp and earns more than \$12,000, annually, will be assessed an emergency services tax of \$52.00 instead of the current \$10.00 OPT tax. There were no questions on the budget from those in attendance tonight.

SOLICITORS REPORT - Frederick S. Wolf**A.)Update on George Hardick Property**

Sol Wolf updated on the George Hardick property, which has been an issue for several years now. A hearing with Judge Tywalk is scheduled for 11-30-06 at 8AM. The Judge will review all the variables with the court order to determine if Hardick is in violation or not. Sol Wolf stated that Officer Wengert and himself have been in contact with Mr. Hardick regularly in order to keep track of any progress that might be made. Mr. Hardick's issues with DEP continues and a new letter was just received from DEP regarding new violations, which have just occurred.

B.)Roberto's Towing

The condition of the property located on Maple St where Roberto conducts his towing business has been a longtime issue for the Twp. Code Enforcement Officer Wengert has been working with Sol Wolf to track the condition of the property. Roberto has been in violation of the existing court order the last several times that Officer Wengert has stopped to review the property. Sol Wolf reported that Officer Wengert has had conversations with Roberto about the violations. Officer Wengert has indicated he is now ready to sign a petition *regarding the condition of this property*. As this issue develops Sol Wolf said he would report back to the Supervisors any new developments.

C.)Ordinance Updates

Sol Wolf reported that there are many updates being discussed for various Twp Ordinances. Some of these Ordinances will be ready for adoption by this year. The remaining updates will be made once all the required information and decisions have been made.

D.)N 11th Ave RR Crossing - PUC Hearing/Timetable for Decision

Sol Wolf explained that he and Ed Brensinger had attended a hearing in Harrisburg on the proposed closing of the railroad crossing on 11th Avenue. He said it was a very long day. After giving testimony from both Tom Kotay and Ed, it was announced that a decision could take as long as a year. Sol Wolf reminded the Board that the County has offered to cover the expense of placing gates at this crossing. The railroad has declared they wish to close it due to financial costs to maintain the crossing. He told the Board he would keep them informed as this issue moves forward.

E.)ZHB Case Decision #5-06

Sol Wolf explained the Zoning Hearing Board heard a request from Michael Webster and his wife in regards to several building lots that they had purchased. The purchase was for several small lots, which Webster wished to combine into 3 appropriate building lots. There are several issues that the Websters will need to address before any building permits are approved. Some of the issues involve proper access, from a public road, to the lots. Currently there is only an alley. This alley would have to be constructed to meet Twp road specifications and then turned over legally to the Twp as a public road. Also there are several sewer and water line installations that are complications, as well as some existing lines. Suv Brensinger mentioned the Park & Rec fees in regards to the 2 new lots are another issue that was not discussed with Webster. All these situations are problems the Zoning Hearing Board was not aware of when they had made their decision on the requested variances for the Webster lots.

Sol Wolf explained to the Board that if they choose to file an appeal on the decision of the Zoning Hearing Board, there would be additional time to try to resolve all these problem situations that the variance approval has created. Some discussion was held among the Supervisors in regards to what method they agree should be followed. Sol Wolf mentioned that Webster and his wife probably are not aware of how much all of this is going to cost to develop these 3 lots.

MOTION was made and seconded to file an appeal of the decision made by the Zoning Hearing Board for Case #5-06, which is the Webster case. Also being approved is the Twp Manager signing any necessary paperwork for the appeal process. Unanimously carried.

**F.)Various Subdivision Plan Updates/Property Enforcements
Spring Creek Covenants - Draft of**

Sol Wolf reviewed a draft of the covenant with the developer for the Spring Creek development. *The information seems to be order*. Sol Wolf stated the water and sewer agreements with the Municipal Authority must now be addressed.

James Morrissey/ Seyfert Lot Addition

The required deed information is now complete and correct for the deed regarding the lot addition to the Seyfert property. The plan submission, along with deed information, is now ready for the Planning Commission to make a recommendation to the Supervisors. Once approval is given, the plan as well as the deed information will be recorded.

Zimmerman/Klopp Lot Addition

This plan submission is for a lot addition located on 8th Street and is the same type of submission as the Morrissey plan. However the deed information provided from the surveyor was not correct and needs to be revised. Once the correct information is provided, the deed information and the plan will be ready for approvals from the Planning Commission and the Board of Supervisors. Sol Wolf has been in contact with the surveyor to notify him of the revisions that are needed. When the correct information is provided this plan submission will be ready to go before the Planning Commission for a recommendation.

Ebenezer UM Church/ Slayton Lot Addition

Another plan that is a lot addition is the Ebenezer United Methodist Church. The deed information that had been provided to Sol Wolf is correct and the plan will now move forward to the Planning Commission.

Richard Seyfert Property Condition - 11th Avenue

Suv Brensinger questioned Sol Wolf about the barn located on the Richard Seyfert property. He remembers discussing this in the summertime and being told the structure is now empty. The structure is still standing and this is November. Where are we at with this issue? Sol Wolf stated he also remembers Officer Wengert discussing this issue. He is not sure of the timing of this particular issue in regards to getting Chris Miller, of Leb City, on board as an inspector for unsafe structures. Sol Wolf said he would question Officer Wengert during a meeting he has scheduled for tomorrow.

Joyce Street Property

Suv Brensinger said this is another situation he thought had been completed. The road crew was asked to go out to Joyce Street and board up an old hand dug well to prevent anyone falling in and getting injured. At the time he was told this structure was deemed unsafe and would be removed to allow for a new structure to be built. Sol Wolf said he does not remember this situation but he would ask Officer Wengert about it tomorrow and report back to the Board with his findings.

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

Suv Brensinger said he would like to commend the Fire Police, as well as the Firefighters, for the excellent job they perform in order to keep the residents of NL Twp safe. He mentioned the drastic weather conditions they have to endure for many different types of situations. These individuals have earned his respect and are in need of recognition of they job they do voluntarily.

B.)Suv Ken Artz

Suv Artz wanted to thank Cheri for all her hard work in preparing the budget information. The preparation is what makes the process go more smoothly.

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

Theresa L. George
Recording Secretary