

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 19, 2016**

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:

Edward A. Brensinger	Chairman
Richard E Miller	Vice – Chairman
A. Bruce Sattazahn	Treasurer
Cheri F Grumbine	Twp Manager
Harold L. Easter	Chief of Police
Frederick Wolf	Henry & Beaver LLP

Also in attendance was Nathan Frey, of SESI, and several other individuals. The meeting was called to order and the pledge to the flag was done.

COMMENTS FROM THE PUBLIC

A.) Michelle Hawk – Lebanon Community Library

Michelle Hawk provided the annual update to the Board regarding the Library's scheduled events and activities. Some of the programs she spoke about were the children's summer reading program, computer access for members, and the technical/computer classes that are offered throughout the year. Membership with the library continues to grow and be successful. She told the Board donations from people such as North Lebanon Twp allows the library to expand and grow. She expressed her appreciation for the support received from North Lebanon Twp.

B.) Avon United Methodist Church – Subdivision Plan and Planning Waiver

This Subdivision Plan proposes to subdivide lands owned by the Avon UM Church. The house will be separated from the parking lot. The tract with the parking lot will not be permitted to be sold as a building lot and must remain with the Avon UMC property. Suv Miller questioned what is planned for the house being divided from the Church property. Nathan Frey, a representative for the Church, stated the option to sell the house to a long term tenant would now be available. NLT Planning Commission and Lebanon County Planning Dept have recommended approval of this plan and the Planning Waiver & Non-Building Declaration.

MOTION was made and seconded to approve the Subdivision Plan for the Avon UM Church as well as the Planning Waiver. Motion unanimously carried.

C.) Ron Natale – Trucks to Sunset; Brake Retarders

Ron Natale, who resides at N 7th St and Willow Ln had contacted PADOT regarding the trucks going to Sunset and the use of their brake retarders. PADOT referred Mr. Natale to the Twp. He explained the trucks travel south on Route 343 and hit their air brakes in the area prior to Kochenderfer Rd. The trucks go into the Sunset property and park there. He said he noticed the company name on one of the trucks and researched to find an email address. He had contacted them through email and asked the company to advise the drivers not to use the engine brake retarders as it is offensive to the residents who live there. To date he has not received a response.

Trucks to Sunset; Brake Retarders (con't)

Suv Brensinger said he understands the neighbors' frustration. However, he reminded his fellow Board members of the process. The Twp would have to mail a request letter to PADOT for placement of the signage. PADOT would complete a traffic study which would determine the need for signage. Then the Twp will have to decide how many signs to post. He then questioned Chf Easter if the signs will be enforceable. Chf replied the Officers have the option of giving a warning or a citation.

Suv Miller mentioned the same issue being discussed for Ebenezer Rd in the area of the Fire Co. The request was approved but PADOT had reduced the area that had been requested by the Twp. Suv Brensinger felt it would have to be posted in the area north of the Camp Meeting Grove and cover to Mechanic St due to the hills involved in the area being discussed.

MOTION was made and seconded to authorize Mgr Grumbine to compose a letter of request to PADOT asking them to conduct a traffic study for the use or non-use of engine brake retarders from the Camp Meeting Grove to Mechanic St. Motion unanimously carried.

D.) Dustin Daubert – Ebenezer Football/Cheerleaders Assn; Lighting Issue

During the September 2015 Board meeting the Football Assoc had requested the placement of lights at their field. The Board gave direction to submit details of the lighting and the location needed. Now the information has been received and the Board is being asked review the information. The Association will be responsible for all costs but the Board will need to approve as it is Twp property. Dustin Daubert is present to represent the Football Association.

Daubert told the Board he had stopped in the office to drop off information on 3 different quotes he had received for 3 lighting fixtures. The lights would be mounted on the storage shed located near the tennis court on the Long Lane fields. After some discussion Daubert repeated the Association would purchase the light fixtures and install them. In speaking to the electrician he was told the 80 watt LED would be the most beneficial. Although more expensive at the beginning, he was told the fixtures efficiency would "pay for itself". Suv Brensinger expressed his concern about vandalism. Daubert agreed that the possibility exists however it is very dark at this time of year when these kids are practicing. Suv Miller agreed the Twp would not want anyone to get injured due to poor lighting.

MOTION was made and seconded to approve the Football Assoc purchasing and installing 2 light fixtures, 80 watt LED, to be placed on the storage shed at the Long Ln field near the NCCS. Motion unanimously carried.

APPROVAL OF MINUTES

The minutes are ready for action.

MOTION was made and seconded to approve the Board of Supervisors minutes from the meeting held August 15, 2016 and the Ordinance Workshop of August 16, 2016. Motion unanimously carried.

APPROVAL OF PAYROLL, FUND BALANCES and PAYMENT OF INVOICES

MOTION was made and seconded to approve payroll, fund balances and invoices for payment subject to audit. Motion was unanimously carried.

FIRE CHIEF'S REPORT – Don Steiner Jr., Weavertown Fire Chief**A.) Monthly Report – August**

Don Steiner reviewed the calls for service of all 4 Fire Companies. A total of 57 calls for service were logged for August 2016. Volunteer man hours/minutes equaled 154.19 along with 7 training sessions.

B.) 130 Old Ebenezer Rd – Appreciation for Training Opportunity

Mgr Grumbine told the Board she had received an email from Ebenezer's Fire Chief thanking the Supervisors for allowing the training session which took place at 130 Old Ebenezer Rd involving all 4 Fire Companies.

C.) PADOT Closing of N 15th Avenue to Weavertown Rd

Suv Brensinger told Don Steiner of the impending closure of 15th Ave from Joel Dr to Weavertown Rd next week for some paving work being completed by PADOT. He was not sure the Fire Company had been informed. Don Steiner stated he did not know of any type of communication but appreciated the Twp telling him about it.

CHIEF OF POLICE REPORT – Chief Harold Easter**A.) Monthly Report – August**

Chf Easter reported on the summary of activities for the month of August. A total of 603 citizen/Police contacts were completed along with 8,726 miles on the cruisers.

B.) Aggressive Driving Program – Wave 3

Chf Easter said he wanted to commend the Officers on the good job performed while executing wave 3 of the Aggressive Driving Campaign. He felt our Officers did an outstanding job during this campaign.

TOWNSHIP MANAGERS REPORT – Cheri Grumbine**A.) Budget Workshop Dates – Sept 27 with Fire Committee & Others**

A draft of the Budget Workshop schedule has been prepared and provided to the Supervisors. Mg Grumbine is asking the Board for approval to advertise the schedule as provided.

September 27 @7pm – Fire Committee in the Conference Room

October 11 @ 1 pm

October 17 – Budget workshop following regular Board meeting

October 18 – Budget workshop @ 1 pm

November 2 – Budget Workshop with Fire Chiefs @ 6:15pm prior to Fire Chiefs mtg

Suv Miller said he had to verify one of the dates in connection to another meeting. He said he would let Mgr Grumbine know if he has a conflict.

B.) Park & Rec Memo

Lori Books, Admin Asst, provided a Memo to the Supervisors outlining 3 issues discussed at the September Park & Rec meeting. The list contained 3 requests from the Baseball Assoc regarding the teener and midget fields. The Park & Rec Board has recommended proceeding with these maintenance issue for the Long Ln fields with the understanding the Twp is responsible for no costs other than equipment use and staff time. Mgr Grumbine is asking the Board to take action on the Memo from the Park & Rec Board.

Park & Rec Memo (con't)

The requests outlined in the Memo are as follows:

- Midget Field – the backstop needs new fencing behind home plate and the poles are rusted. The fencing is bowed and is not attached at many places which could allow for balls to exit the area and enter into the roadway. Gary stated they would pay for all materials needed to “reskin” the backstop. He just needs the Township to provide equipment to help get the job done.
- Midget Field & Tenner Field – Both fields need “skimmed”. Over the years, the ground has started to make a hill/slope along the infield/outfield base line. Gary is asking for Dave to use the skid loader to “skim” four feet around the base line from 1st to 3rd. Again, he will have guys available to do the rest of the work (i.e. raking, seeding, applying diamond-tex). Gary asked to give him some notice so he can arrange for the help, preferable a Monday or Tuesday.
- Teener Field – They continue to have storm water runoff issues. Gary stated every time we get heavy rainfall the home plate area gets flooded and the water then travels down the base line to third base and onto second base which then creates a gully in the running path.

The Supervisors discussed this request as the Association is saying they will assume the costs for materials and complete the tasks. However they are requesting Twp equipment usage and staff time to assist in the projects. Some conversation followed about the requests from the Association.

MOTION was made and seconded to approve the Baseball Association working with P & Rec and the Roadmaster to complete the requested items listed on the Memo, at no cost to the Twp other than equipment usage and staff time. Motion unanimously carried.

C.) Phase 7 of Rails to Trails

During the June meeting Tom Kotay, Transportation Planner at LCPD, presented plans for Phase 7 of the Rails to Trails Project which goes through North Lebanon Twp. Another set of the plans was also reviewed by the Supervisors for this phase of the project. Phase 6 has not been completed yet due to 2 issues, 1 issue involves 422 and the other issue is the railroad underpass on N 25th St. The Supervisors previously approved closure of Tunnel Hill Rd for 2 weeks in 2017. Mgr Grumbine stated plans are available in the Twp office as well as Twp website and the Lebanon County Planning office.

D.) Rural Security Fire Co.; Testing of Fire Hoses – September 25th

A request has been received from Rural Security Fire Co to block off Old N 7th St starting at the Fire Station to Pine Street. Both Elizabeth St and Pine St will be open for use. Testing of fire hoses will be performed from 7am until completed. A company will be coming to the station to do the testing. The Fire Crew will be on site and will be using orange cones to direct traffic. Suv Miller verified this was planned for a Sunday. Mgr Grumbine replied yes, that is when the Fire Co members are not working at their daily jobs.

MOTION was made and seconded to approve the closing of Old 7th St on 9/25/16 from 7 am to completion of hose testing. Fire Company personnel will be available to direct traffic. Motion unanimously carried.

E.) Pertinent Matters

1. Update on Ebenezer Committee – Met Ed; Agreement Signed
Mgr Grumbine updated the Board regarding progress with the Ebenezer Committee. The

agreements that had been provided by Bob Deck have been signed by Mgr Grumbine and mailed to Met Ed. Mgr Grumbine will keep the Supervisors informed as this project continues.

2. Lebanon Tire Collection – Thursday, November 10th – 8AM to Noon; EXPO Center
The Lebanon Co West Nile Virus Program is conducting a tire collection at the Lebanon Valley Expo Center on Thursday, 11/10/16 from 8am to noon. This is being scheduled due to the threat of the Zika virus which is spread by mosquitoes that use tires as breeding grounds. Any resident of the County may bring 4 regular auto tires or 1 oversized tire (oversized being determined as any tire having an inner rim diameter greater than 15”). The tires will be taken at no charge, as long as space is available in the collection trailer. Unlike the spring collection, this event is first-come first-served basis with no pre-registration. Also no additional tires will be accepted even if residents can pay for them.

3. Lebanon County Association of Township Officials; Oct 6 @ 8AM
For informational purposes, Mgr Grumbine told the Supervisors the Lebanon Co Association of Township Officials is scheduled for Oct 6 @7:30.

4. ZHB Case 4-2016 – Pole Barn; WS Kenbrook Rd – Sept 27th @ 7:30pm
Mgr Grumbine wanted to remind the Supervisors about the ZHB Case which is scheduled for Sept 27th @ 7:30pm. This issue is concerning the construction of a pole barn on a currently vacant lot which does not contain a living dwelling. Mgr Grumbine mentioned the Twp up to this point has not allowed a structure to be constructed without a living dwelling located on it. Chm Brensinger asked if this property was located in the AG district. He was told yes it is. His thoughts were that a pole barn is in relation to agricultural operations. A conversation followed about potential future plans for this location. Mgr Grumbine commented that the Board will have to decide if they want someone in attendance at this hearing.

5. Personnel Manual – Review by Board
Mgr Grumbine told the Supervisors the Personnel Manual is finally in its final draft. She is asking them to review and be ready to take some action on it at next month’s meeting.

SOLICITOR’S REPORT; Sol Fred Wolf -- Henry & Beaver

A.) Misc Ordinance Updates Workshop Dates

Sol Wolf told the Board another workshop date should be scheduled as slight revisions were made to the Ordinance after their previous workshop in August. He suggested a date be selected in order to allow proper advertisement of the meeting. After much debate it was suggested that they meet prior to the ZHB meeting on September 27 at 6pm in the meeting room and then move onto the Fire Committee meeting in the conference room @7pm.

Dawn Hawkins questioned when this Ordinance will be available for the public to view. She is particularly interested in the revised Burning Ord. She was told the final draft will be posted on the Twp website and available in the Twp office for public review as soon the Public Hearing is advertised.

B.) Appeal to Zoning Hearing Case – Authorization to Respond

Sol Wolf told the Board he received notification from Attorney Christianson that he is appealing the decision by the Zoning Hearing Board in regards to Glen Adams proposal for the property on Prescott Dr. He is citing the timing of the release of the written decision. Due to that Christianson is of the opinion the application is approved by “application of deemed approval”.

Appeal to Zoning Hearing Case – Authorization to Respond (con't)

Sol Wolf is asking the Board to authorize him to respond to Christianson's appeal by applying to the courts to deny Christianson's appeal. Sol Wolf explained the Twp, as well as 2 other attorneys, were present at the Hearing to oppose the requested use for this property. He said he does not see how the courts could find in favor of the appeal when there was so much opposition to the variance request.

Suv Miller said he is still unclear how this situation occurred. Sol Wolf explained the timing of the written decision being released is what has caused this dilemma. Suv Miller asked who is tasked with the mailing of the written decisions. He was told Attorney Ann Kline provided the document to Lebanon County Planning Dept for dispersal. The individual at the County office remembers taking the documents to the mailing room but does not know at what point in time the documents were mailed. Suv Miller asked does that mean LCPD is responsible for this situation. He questioned why the Twp is being financially tasked with this when it should be LCPD attorneys following up on this situation. Sol Wolf said he cannot disagree with Suv Miller's remarks. However he is very concerned about the amount of time involved once again. He feels it is in the best interest of the Twp to follow through on this situation immediately. Chm Brensinger suggested the Board authorize Sol Wolf to file the documents with the courts. However the Twp should forward all the expenses to County and inform them we expect the County to pay the associated costs due to their error. After more discussion the Supervisors indicated their agreement that Sol Wolf should move forward with filing documents with the courts. Lebanon County Planning Dept will be notified that the Twp will be forwarding all costs to the County to be paid. Once the documents are prepared the Supervisors will meet in Executive Session to review the information.

MOTION was made and seconded to authorize Sol Wolf to prepare documents for filing to the courts on this issue with all costs being forwarded to Lebanon County Planning Department. Motion unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.) Suv Brensinger; Meeting with Pat Wright - LTAP**

Suv Brensinger informed his fellow Board members that after the discussion at last month's meeting he had contacted Pat Wright who is involved in the LTAP trainings. It was agreed to meet at the intersection of Kochenderfer/Kimmerlings and Rte 343 to view some of the traffic patterns and watch the traffic interaction. Jon Fitzkee and Song Kim of the County MPO were in attendance as well. Suv Brensinger reminded the Supervisors that the traffic study completed several years ago showed the area did NOT warrant a traffic signal. That being said the amount of traffic travel has changed since that time. Patrick Wright will be asked to prepare an outline of concerns for submission to PADOT concerning this heavily traveled intersection.

With no further business to discuss, meeting adjourned.

Respectfully Submitted



Theresa L. George
Recording Secretary