

**MINUTES
NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS
APRIL 4, 2005**

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
Kim R. Wolfe	Chief of Police

Also in attendance was Sarah Hedrick of the Lebanon Daily 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.)Steve Dresch – Charlotte St

Mr. Dresch stated he had some questions on curbing. What are the requirements on the curbing for 25th St? Does everything have curbing so that the Twp will take it over? What is the plan for that area? Suv Brensinger answered that everything that will become Township streets will have curbing, yes. Dresch said the area that he refers to as the sewer line is not curbed yet. Dresch showed the Board some pictures of the area he was discussing. The picture indicated the area that went nowhere had no curbing. It is the old railroad bed. Suv Brensinger stated it is the sewer departments' right-of-way to get access to the manhole in the railbed. Dresch said he thinks if he should have to drive over a curb, they should have to drive over a curb.

Chp Artz asked Mr. Dresch if he is objecting to the fact that there is not curbing there? Dresch said it should all be the same, either all curbed or no curbing. Some discussion was had about the slant curbing that was on the pictures. Chp Artz asked if the curbing is difficult to drive over? Dresch replied, he thinks it does, yes. Chp Artz said the Twp was thinking the slant curbing would make the driving more accessible. Dresch said low vehicles would have a problem. Chp Artz asked a few questions about the finishing of the paving and seeing if there is a problem at that time. Dresch replied he is not willing to wait because all he has done is wait and then the adjustments are not forthcoming. He said if this is required he can understand but then all the areas should be the same.

Suv Hawkins asked if there are to be any other accesses of the road Mr. Dresch is asking about? Suv Brensinger replied only the driveway for the paint plant. He said both of the driveways would have the "rounded" curbing.

Steve Dresch – Charlotte St (con't)

Mr. Dresch said he has pictures to show the Supervisors of a Pennsy truck using the road they were told not to use. Also a Verizon truck using the road. Dresch said he remembered Sol Wolf saying that he needed to get the names of the trucks using the road. Chp Artz questioned if the Board may keep the pictures he has presented. Mr. Dresch stated he prefers to keep them himself.

Suv Brensinger said he understands that Dresch has a given easement to use. Mr. Dresch agreed yes. Suv Brensinger said he is under the impression that the Lebanon Valley Economic Dev group actually own the land. Dresch agreed they do indeed own the land. However he has the easement across the land. Suv Brensinger asked Dresch if he does agree that because LVEDC owns the land and he (Dresch) only has a right-of-way easement, that LVEDC also has the right to use the easement? Dresch stated he does NOT agree that they have that right. He said he has letters from Hanford, dated many years ago, which states the agreement. Chp Artz said he was under the impression an agreement like that always went according to the property owner. Dresch said he was told by relations that the lane always went with the farm not the field area. The same is true with Charlotte Street. Chp Artz said he is trying to explain that the purpose of a right-of-way road is for all to utilize. It cannot be denied to other people, as there is no ownership. Dresch disagreed saying not if he is the only one with the easement agreement. He said when he went to court it did make a difference.

Suv Brensinger told Dresch that he is uncomfortable with the fact that Dresch wants the Twp to be the “enforcer” here and he (Brensinger) does not think the Twp has that authority. Dresch said he agrees the Twp probably does not have that authority. He is just frustrated with trying to get LVEDC to see what is going on. The Economic Development Corp’s lawyer did meet with him in order to get a visual of what Dresch has been trying to explain over the phone. Dresch told the Board that the attorney assured him there would be no curbing placed there. When Dresch saw the curbing going in, he felt he had been lied to.

Dresch reported the trucks/trailers are still utilizing Charlotte St. Pictures were provided that show the condition of Charlotte St. He remarked that LVEDC keeps saying the street is back to its original condition and the pictures show it certainly is not. He continued on to tell the Board he knows it is not the way it had been, as he had worked every hard to get it in good condition. Chp Artz asked if LVEDC attorney had offered any resolution to the issue. Dresch stated that Attorney Lundberg voiced his wish that Bob McNarry would contact Dresch to resolve some of these issues. Dresch said Lundberg informed him he also has been receiving the run-around from Bob McNarry and Steckbeck’s office. When Dresch called Lundberg about the curbing, Lundberg was “flabbergasted” according to Dresch. He told Dresch he had personally phoned Steckbeck’s office to tell them not to place any curbing there.

Suv Hawkins questioned if the curbing was shown on the approved plans. Suv Brensinger stated the curbing had been shown but the area where Dresch’s driveway is was shown with the profile being lowered.

Steve Dresch – Charlotte St (con't)

Dresch told the Board that Attorney Lundberg mentioned to him that he thought the Dresch family would not be a consideration as he thought their property was to be bought by the LVEDC. Dresch told the Board he received one phone call on Christmas Eve, from Bob McNarry, regarding the sale of the property. Dresch said he does not feel he is being treated with professional respect from Bob McNarry. He told the Board that every time a situation arises and he does not get any response from McNarry, everyone tells him to go to the Twp. He is looking for answers so he keeps returning to the Twp to get those answers as he is not getting them from McNarry. Chp Artz told Dresch the Board will try to see what they can find out for him.

Dresch brought up the issue of 31st Street and the trucks using it. He mentioned Jack Gingrich living there and seeing the trucks from Pennsy and others using 31st Street. Mrs. Gingrich agreed there are some trucks using the street. Suv Brensinger said he thinks once Hanford Drive is completed, the truck traffic will cease.

Steve Dresch told the Board he had a question about the onlot sewer issues and the meeting he had attended previously. His question is in reference to the 2 properties that had been bought by LVEDC. The plan is to demolish the houses. Will the septic tanks be pumped previous to demolition? Suv Brensinger responded the tanks would both be pumped out and filled in with clean fill. If that process were not followed, complete removal of the tanks would have to be completed. Dresch asked if the LVEDC would receive notice of this procedure? Suv Brensinger stated that a demolition permit would be required and County probably notifies them at that time. Dresch asked about all the “junk” items such as cars that are in the area. Who would he talk to about those issues? Suv Brensinger said it would be in the best interest of LVEDC to clean it up in order to make it more marketable. He said the Twp could alert Leb Co Planning about these items. When a demolition permit is applied for, they could speak to them about the other clean up items that need to be addressed.

B.)Bruce Sattazahn – Roberto’s Towing

Mr. Sattazahn asked the Board if they had an update on the Roberto’s Towing property located on Maple St. He reminded them the deadline for cleanup was the end of March. Sattazahn reported there are now 28 cars parked on the rear of the property and the couch is still there. Mgr Grumbine reported that Bonnie had spoken to County Planning earlier this afternoon. County had been out to visit the site and confirmed he is definitely in violation of his agreement. Bonnie contacted Sol Wolf who will be preparing documentation, including Lebanon County Planning as a partner, to submit papers to court. The court system will be responsible for the decisions.

Sattazahn mentioned his concerns about 2 vehicles in particular that are parked to the rear of the property. The macadam area is very narrow there. With 2 vehicles parked very close to the edge of the macadam, it is difficult to pass in the area. This seems like a dangerous situation to him.

Sattazahn – Roberto’s Towing (con’t)

Sattazahn had spoken to the Chief of Police about this situation. Chf Wolfe informed him there is no Ordinance on the books that prevents people from parking on the Twp right-of-way. Mr. Sattazahn asked the Board to consider looking into placing this restriction in the Twp Ordinances. Is it difficult to proceed with creating an Ordinance? Chp Artz explained there is a procedure that must be followed. There are advertisements to be placed and date deadlines that must be followed. It does not just happen overnight, Chp Artz said. Sattazahn said he thought that would be the case, however would it not be a good idea to do this for any future problems?

Chf Wolfe suggested that the Twp establish a specific space, measured away from the right-of-way, to allow this type of parking. In doing so it would eliminate the problem of having vehicles parked or stored on the edge of the Twp right-of-way. After some conversation, Chp Artz asked Mr. Sattazahn to allow the Board some time to consider all the circumstances involved with this type of Ordinance.

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.

CHIEF OF POLICE REPORT – Kim R. Wolfe**A.)Calls For Service – February**

Chf Wolfe provided the following report for the month of February:

1. Calls for Service totaled 181
2. 48 Criminal arrests
3. 77 Traffic arrests
4. 50 Court dates
5. 33 Warnings
6. 8 Burglar Alarms
7. 1 Assault or aggravated assault
8. 10 Domestic situations
9. 1 DUI arrests
10. 13 Police Assists
11. 7,699 Miles logged on the cruisers

Chp Artz asked Chf Wolfe if there would be a method used to identify the Police assists. He would be interested in knowing where the assists are being made and to whom. Chf Wolfe agreed to look into this and provide the information for the Board.

B.)Youth Field Day @ Stoevers Park

Chf Wolfe informed the Board he had received a letter from Mr. Glen Blouch about the annual Lebanon Youth Field Day held at Stoevers Park.

Youth Field Day @ Stoevers Park (con't)

August 13th is the date set for the Youth Field Day. They are requesting exemption from the firing of arms. Chp Artz stated there have never been any problems reported from this event.

MOTION: Was made and seconded to approve the Lebanon Youth Field Day, hosted by the Lebanon County Federation of Sportsmen's Club, to be held at Stoever's Park. Unanimously carried.

C.)Disposition of Certain Records

Chf Wolfe is requesting that the Police Dept be permitted to dispose of certain records that are permitted to be destroyed. Suv Brensinger asked Mgr Grumbine if a Resolution needs to be adopted to complete this. She stated that the Twp is including some of their files to be destroyed along with the Police Dept's old files. The Resolution will be ready at the next meeting for adoption.

D.)Speed Limit Signs – Sholly Ave

Suv Brensinger told the Chf that the speed limit signs for Sholly Ave have been ordered. A PA ONE Call has been placed and as soon as they are received the signs will be posted.

TOWNSHIP MANAGER'S REPORT – Cheri F. Grumbine

A.)Request to Use Fire Hydrant @ Lions Lake for Training

A letter of request was received from Ron Miller, who serves on the Fire School Committee with the Lebanon County Fire Fighters Assoc. They are requesting the use of the fire hydrants located at Lions Lake to provide a water source for one of the courses scheduled for the annual fire school weekend that is held April 23 and 24. This particular course is scheduled for Sunday April 24 from 12:30 to 4:30 PM. They would be utilizing the dry hydrant on the corner of Water St as a fill site and deposit the water back into the Lake. Water St will be closed just on the immediate corner and no residents or traffic would be disturbed. On the Jay St side they will be completely off the roadside and utilizing the boat ramp to deposit the water back into the lake.

Mgr Grumbine suggested that an approval, if given, be conditional on Park & Rec approval. Their meeting is tomorrow night and they would be able to verify if there are any other activities planned for that weekend.

MOTION: Was made and seconded to approve the use of the dry fire hydrant located on Water St, conditional upon Park & Rec granting their approval. Unanimously carried.

B.)Authorization for Bidding of Certain Road Items

Bids for paving, fuel, culverts and asphalt zipper are ready to be advertised for our summer projects. All bids are scheduled to be due Friday, April 29 with the awards taking place on May 2. Copies of the specifications were provided for the Board's review. Mgr Grumbine is asking the Board to allow the letting of the Bids at this time. She reminded the Board the paving is scheduled for Emma Road and Snow Drive. The second project would be the Long Lane parking lot.

Suv Hawkins asked if all the projects come out of the budget money. Or does it come out of Park & Rec funds? Mgr Grumbine responded it would be taken from Capital Improvement Fund. The funds were marked when the former Ebenezer School had been sold. There was some discussion about the octane of gasoline that was listed in the bidding documents. Suv Hawkins stated she thought we were trying to use a less expensive blend of gas. Suv Brensinger told her that Bonnie probably used last year's documents to prepare for this year. He said he would make it a point to speak to her about changing the information for the documents. Typically we don't receive any bids for gasoline anyway. When asked about the bidding process as opposed to the budgeting for the gas, Mgr Grumbine explained the Twp had included the information in the budget.

MOTION: Was made and seconded to authorize Mgr Grumbine to proceed with the items to be advertised for bids. Unanimously carried.

C.)Tulpehocken Greenways Update

As a member of the Steering Committee that the Board had appointed Sheila Wartluft as Twp representative, a MEMO has been provided to give the Board an update. On March 17th there was a Greenways Public Hearing held to allow the public the opportunity to ask questions or comment on the study. Sheila attended the Public Hearing as a member of the Steering Committee. The main focus of the study is to preserve the greenways along the Tulpehocken Creek. The study is to be adopted by both the Berks and Lebanon Valley Conservancies.

Mgr Grumbine stated she wanted to thank Sheila for serving as the Twp's representative on this Committee. Chp Artz said it seems she gained a lot of information from attending these meetings.

D.)Traffic Studies – Narrows Glen Development

During the March 21st meeting the developer of Narrows Glen provided traffic studies to the Twp. The first study was regarding the placement of 2 optic yellow School Zone signs at the Union Canal Elementary School. This study along with a letter of request must be forwarded to PADOT for approval before any installations can begin.

The second study was to reduce the speed limit of 35 MPH to 25 MPH. According to the study the reduction is not warranted. Mgr Grumbine has made contact with PADOT to find out if there are any other criteria that could be used.

Traffic Studies – Narrows Glen (con't)

Also, LCPD could be asked to review the study should the Board like them to make a recommendation. Mgr Grumbine mentioned she had spoken to Chf Wolfe and he indicated that 35 MPH is the acceptable speed for this area. After some discussion, the Board was in agreement that Mgr Grumbine should pursue the issue with PADOT. Suv Hawkins asked for confirmation that the developers will be placing crosswalks on Narrows Drive. Mgr Grumbine agreed the developer of Narrows Glen would be completing crosswalks. Suv Brensinger stated once the crosswalks are completed it will change the criteria used for this study. It was agreed by everyone to pursue this further in order to get the speed limit lowered to 25 MPH.

E.)June 6 Meeting Conflict

Cornwall-Lebanon School District graduation is scheduled for Monday June 6, 2005 which is the same night as the Board meeting. All three Supervisors plan on attending graduation ceremonies. It will have to be decided to either re-schedule or cancel this meeting. A decision should be made by the May 16th meeting. There are 3 weeks between the May 16th meeting and the June 6th meeting. There is time to reschedule the meeting the week prior (with the exception of Monday Memorial Day) or within the week of June 6.

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

Suv Brensinger said he wanted to make sure everyone who attends regularly remembers there will be no second meeting this month. The annual State Convention is that week.

B.)Suv Artz

Suv Artz said he wanted to comment on the presentation that was given at the last meeting, which had been held at the Union Canal Elementary School. He felt the information given was very well prepared. His only disappointment was the low attendance. Mgr Grumbine told the Board that letters of appreciation have been prepared and mailed.

There being no more business, meeting was adjourned.

Respectfully submitted,

Theresa L. George
Recording Secretary