

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JUNE 20, 2005**

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.....V-Chairperson  
Edward A. Brensinger .....Treasurer  
Frederick S. Wolf .....Henry & Beaver, LLP  
John Leahy ..... Police Sgt/ Det

Also in attendance was: Al Winn of the Patriot News, Sarah Hendrick of the Lebanon Daily News, Theresa George, Twp employee, and many other individuals.

The meeting usually scheduled for the first week in June was cancelled due to Cedar Crest graduation night.

**COMMENTS FROM THE PUBLIC**

**A.)Tom Stewart – Vacate Adams Ave**

Mr. Tom Stewart is asking the Supervisors to relinquish any rights to a paper alley that is located along his property line in the area of Rockwood. Mr. Andrews is also present, as his property at 154 connects to the alley also. The avenue is a grassy path that has never been developed or used as a street. Sol Wolf summarized the request saying that Mr. Stewart is asking that the Township relinquish any rights to the avenue as it has been over 21 years and nothing has ever been completed to make this a street. There is no traffic on this alley and McKinley Ave is a dead end Street. Suv Hawkins questioned if the other property owners in the area are aware of this request. It was decided and agreed that all the neighboring properties that border the avenue would be informed about this request and have the opportunity to make comment on it.

One of the neighboring property owners is in the military and is based in New Jersey. Sol Wolf told Stewart he would prepare a statement for this individual to sign and return to the Township. All the individuals that are involved will be contacted before the next meeting. Sol Wolf suggested once all this is done the paperwork could probably be completed at the next meeting, which is the second meeting in July. Sol Wolf told Stewart he would notify him when the next meeting is going to be held.

**B.)Colette Raker – Ebenezer PTE – Conditional Use Request**

Ms Raker is representing the Ebenezer PTE in requesting the placement of a new sign for the Ebenezer Elementary School located on Colonial Circle. Some discussion took place about the actual requested placement of the sign. A concern was expressed that the sign will not be a sight obstruction for the cars or school buses. Ms Raker explained the drive thru loop is a one-way direction. The Supervisors were provided with all the information about the type of sign and the placement of the sign.

**Ebenezer PTE – Conditional Use Request (con't)**

**MOTION:** Was made by Suv Brensinger to grant Conditional Use to Ebenezer Elementary School for placement of a new 4x8 double-faced, illuminated school sign. Suv Hawkins seconded the motion. Unanimously carried.

Suv Brensinger told Ms Raker the office would notify County Planning to inform them of the approval. She could then meet with County to complete the permit process.

**C.)Street Sweeper Usage**

Martin Barondick questioned Ed about the street sweeper. Has the sweeper been used yet this season? He was told that the sweeper had been out early in the season. Ed questioned Barondick if he is asking about a specific area. Barondick responded that there are many areas that still have cinders on the road. Ed said he would look into this matter.

**APPROVAL OF MINUTES**

**MOTION:** Was made by Suv Brensinger and seconded by Suv Hawkins to approve the minutes from May 16, 2005. 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.

**CHIEF OF POLICE REPORT (Sgt/Det John Leahy)**

**A.) Calls for Service Report May 2005**

1. Calls for Service totaled 309
2. 31 Criminal arrests
3. 69 Traffic arrests
4. 26 Court dates
5. 30 Warnings
6. 19 Burglar Alarms
7. 4 Assault or aggravated assault
8. 8 Domestic situations
9. 2 DUI arrests
10. 5 Drug Arrests
11. 15 Police Assists

7,567 Miles logged on the cruisers

**TOWNSHIP MANAGERS REPORT – (Read by Suv Hawkins)**

**A.)Sandhill Christian Union Church - Lot Addition; North side Laurel Street**

This plan proposes a 2,040 sq ft lot addition to be conveyed from the lands of the Sandhill Christian Union Church lot to the neighboring lands of Michael Shutter.

**Sandhill Christian Union Church - Lot Addition (con't)**

The Supervisors had discussed this plan at the last meeting when a concern had been discussed about the garage access to a neighboring property owner. A note has been added to the plan in reference to the access of this garage. Also County Planning has indicated the alley (Anita Alley) had been vacated by the Township in 1973. The proposed subdivision is for lot addition only. A letter from Lebanon County Planning Dept indicates their recommendation of approval. The NLT Planning Comm had given their recommendation of approval dated May 9<sup>th</sup>.

**MOTION:** Was made by Suv Hawkins to approve the subdivision plan for the Sandhill Christian Union Church located on Laurel Street. Suv Brensinger seconded the motion for approval. Unanimously carried.

**B.)Narrows Glen Final Subdivision Plan**

During the March 21 meeting the Preliminary Subdivision Plan for Narrows Glen had been approved. During that time the only issue of concern had been the traffic study, which was required before the approval of the Final Subdivision Plan. The placement of “School Zone” signs has been approved and the developer has agreed to install the signs. The cost will be included in the overall bond held by the County.

Another traffic issue had been the reduction of the speed zone from 35 MPH to 25 MPH. The traffic study did not indicate a warrant for the reduction of speed, however after speaking to PADOT it was learned that we could consider this as a “Residence District”. If the area meets the outlined criteria the area could be posted at 25 MPH. Act 1998-151 is the Act that is used for new developments where the speed limit is posted at 25 MPH. PADOT has indicated this Act is also able to be used for existing conditions providing the conditions can be met. Rick Bolt, County Engineer and Philip Speer of PADOT are confident we will be able to meet these guidelines for this situation. Dependant upon Sol Wolf’s agreement, the developer would be responsible for the new signs and will be included in the overall bond with County. The Twp would then need to revise the Ordinance to reflect the reduction of speed for this portion of Narrows Dr.

Part of the Plan is the “Building Use, Covenants and Restrictions” document that is to be recorded to mirror the requirements on the plan regarding maintenance and financial responsibility of the storm water appurtenances located on individual lots. This document must be approved by Sol Wolf and then recorded along with the plan.

Storm water requirements dictated the loss of a building lot in the Preliminary Plan. It had been decided to annex a portion of adjoining lands, also owned by Conestoga Log Cabin, to the Narrows Glen Subdivision. This Final Subdivision Plan incorporates this adjoining land and creates 1 viable building lot.

County Planning is recommending the Board’s approval of the Final Subdivision Plan, which is in accordance with the Preliminary Plan. During the Planning Commission meeting of June 13, the Planning Comm was locked at a split decision, 2 for approval and 2 not recommending approval of the plan. One Comm member was absent.

**Narrows Glen Final Subdivision Plan (con't)**

The Supervisors are being asked to take action on the plan with a recommendation from Lebanon County Planning and a split recommendation from NLT Planning Comm. The Pa Municipal Planning Code states a specific ordinance must be cited that the developer is not meeting in order to deny a plan. In this case there does not seem to be such an Ordinance. Earl Meyer of LCPD has indicated it is acceptable not having the Planning Commission signature on the plan as no recommendation was given.

Brian Hockley was in attendance to answer any questions the Supervisors might have regarding this subdivision plan. Suv Hawkins asked Brian to point out the difference between the Final Plan and the Preliminary Plan. Mr. Hockley proceeded to explain the creation of the storm water lot, which was the lot that had been annexed to the Final Plan.

Suv Brensinger questioned if a notation is included on the plan, itself, about the speed limit change for this portion of Narrows Drive. Sol Wolf referred to information he had received from Mgr Grumbine. The Supervisors would have to adopt a Resolution that contains all the PADOT requirements, which would allow for this to be declared a “Residential District” and would then qualify for a 25MPH speed limit. This would have to be done during a Public meeting and would more than likely be at the next Suv meeting. The notation about the speed limit is listed in the agreement the developer and the Twp have signed. Sol Wolf suggested that the Supervisors approve the plan with the condition that the agreement would be recorded and then bonded.

Sol Wolf discussed the procedure for recording the Rules and Covenants of the subdivision plan that have been established. One of these is the sale of Lot #6. The owner of Lot #6 will be responsible for the maintenance of the Smutch Farm Cemetery. This information is recorded on the plan itself. Lot #27 has a sewer right-of-way that cannot have any type of obstruction or structure placed on it. He explained the Rules and Covenants which are being recorded may not be changed or eliminated without the Twp being informed. However the developer may create additional rules for the development without informing the Twp.

**MOTION:** Was made by Suv Brensinger to approve the Final Subdivision Plan and all additional documents for Narrows Glen and seconded by Suv Hawkins. Unanimously carried.

**C.)Proposal for Unleaded Fuel**

The advertisement for bids for Unleaded Fuel had to be completed a second time as we did not receive any the first time it had been advertised. A bid from Meyer Oil Co has been received at \$1.515 with an escalating/de-escalating clause. The facility is located at 107 N Washington Street, Cleona. Suv Hawkins asked Sol Wolf about the escalating/de-escalating clause. He responded it had not been included in the provision and he is recommending the Board withhold action until he is able to have it included. There is wording in the bid however there is not a definite amount mentioned for a high or a low.

Suv Brensinger asked Sgt Leahy his opinion on this issue. Leahy responded anytime they could get fuel 24 hours 7 days a week, including Holidays, would be good for the officers. Often times right now they are limited to the fuel providers hours of operation.

**Proposal for Unleaded Fuel (con't)**

Suv Brensinger asked Sol Wolf if he could have the information on the escalating and de-escalating scale for them by the next meeting. Sol wolf responded he should be able to have the info for the next meeting.

**D.)Update on Meeting with DCNR Representative**

Sheila Wartluft had met with a representative from DCNR regarding the funding for the Comprehensive Plan. During that meeting a discussion of a Study Committee was held. A Committee consisting of 9 persons is needed to help establish the needs of the Twp for future Park & Recreation areas. The P & R Board and Sheila will make up 6 persons. A suggestion was to include someone from the school district, business owners, clergy, disabled persons and/ or people interested in recreation. Anyone interested in serving on this Committee is asked to contact the Township office and ask for Sheila.

**E.)Safety Committee Inspection of Parks**

The Supervisors received a MEMO from the Safety Committee regarding the Safety inspection of the playground located at the Long Lane facility (NCCS). The equipment is showing signs of definite wear and is in need of some attention. The Board is being asked to review the equipment and advise if this equipment should be removed, repaired or replaced. Sol Wolf stated he had reviewed the agreement between NCCS and the Twp. The agreement outlines maintenance for all the grassy areas and the sports fields but does not reference the actual playground equipment.

During the course of conversation the subject of the monument located in the flag display circle at the front of the New Covenant Christian School came up. It was mentioned that the monument was in honor of all the soldiers from Ebenezer who did not come back from World War II. A suggestion of moving the monument to the Ebenezer Fire Company or Lions Lake Veteran's garden was discussed.

**F.)Letter of Appreciation**

Suv Hawkins read a letter of appreciation received from the Borough of Myerstown. The letter is thanking Dave Strohm, Building Maintenance, for taking the time to visit their office during his lunchtime to help them with a building maintenance problem. The manager expresses her appreciation to Dave for his willingness to help in their time of need.

**SOLICITORS REPORT - Frederick Wolf**

**A.)Spruce Park Determination – Real Estate Transfer Tax**

The last step of the process for Spruce Park has now been taken according to Sol Wolf. The court has now been filed with to make a judgment. The filing will be completed sometime this week. A final notice will be sent to Spruce Park for payment. If payment is not received the execution for payment will be provided through the court. The end result is that if the Twp does not receive payment, the property could be sold to get that payment from the owner.

**B.)Mechanic Street Property**

Sol Wolf reported the Mechanic Street property had been sold during a Public Auction. Nelson Ebersole had conducted the sale for the Township. Sol Wolf reviewed all the expenses and costs involved with the sale of this property.

**C.)George Hardick Property Clean Up**

There seems to be more problems with the George Hardick property. These additional problems will probably prevent any more progress on the clean up project of his property. Sol Wolf received notification that Mr. Hardick is now in violation of several DEP regulations. DEP is in charge of any clean up that is necessary for their regulations. Per the Twp Sewage Enforcement Officer, the clean up for DEP has already begun. Sol Wolf stated that unless the Board instructs him to do otherwise he will be scheduling this clean up problem with the courts outlining what Hardick needs to do to be in compliance with the Twp regulations.

**D.)Roberto's Towing/ Boger Property**

The complaint has been filed against this property. A hearing date has been set and the surrounding residents will be notified to allow for their attendance if that is their wish. This will ensure the hearing is held whether the property gets cleaned up or not. This will allow for the court to impose any Twp costs and/or fines. The Zoning for this property will then be continued under the court order. The courts would enforce any future violation.

**E.)Resolution No. 6-2005; Participation in PACC Contract**

Sol Wolf is presenting Resolution No. 6-2005 to the Board for their consideration. This Resolution will allow for the Twp's participation in the PACC contract. The Twp will be eligible to purchase auto equipment and vehicles at a favorable cost through participation with this contract. PA Capital City auto equipment will bid out equipment, which provides better purchasing for its participants. However to get the better pricing the municipality must adopt a Resolution to be included in the contract.

Sol Wolf asked Suv Brensinger to add any thoughts he might have to share about this process. Suv Brensinger mentioned that the Twp has already purchased several pieces of equipment such as the roadside mower and the new loader that has been ordered has also been done through this contract. He explained the suppliers listed under the contract agree to sell their products at a lower mark up. Suv Hawkins asked if this is something the Twp will have to complete every year. She was told that would have to be reviewed because no one really knows if this would be annual or not. The adoption of the Resolution is a formality that allows the Twp to participate in this program. Also there is not fee attached to this program.

**MOTION:** Was made by Suv Hawkins to adopt Resolution No. 6-2005 and was seconded by Suv Brensinger. Unanimously carried.

**F.)Terrorism Coverage on Insurance**

Sol Wolf explained that every year the Twp receives information on Terrorism insurance. After reviewing the terms and the acceptable items for coverage, Sol Wolf told the Board this is something he feels might not be worth investing in. There are so many issues and circumstances not covered it is like spending money on nothing. Suv Hawkins questioned if his recommendation is to not include this coverage. Sol Wolf replied, yes it is.

Suv Hawkins asked if the Board is expected to act on this tonight. Sol Wolf responded if they choose to take action tonight, Ken would be able to sign as the Chairman when he returns from vacation. Suv Brensinger said he does not think we need to act on it tonight, as everyone has not had the opportunity to see the information. Suv Hawkins agreed they should talk about this after the Board has seen more information regarding the costs and the actual coverage.

**COMMENTS FROM BOARD MEMBERS/ TWP MANAGER/PUBLIC**

**A.)Suv Hawkins**

Suv Hawkins said she would like to comment on the appreciation letter to Dave Strohm. She is pleased that the other municipalities recognize our employees when we try to help. By helping them they will in turn help us in a time of need.

As there was no more business to conduct or discuss the meeting adjourned at 8:04 PM.

Respectfully Submitted,

Theresa L. George  
Recording Secretary