

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
JULY 18, 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:

Kenneth C. Artz .....	Chairman
Dawn M. Hawkins.....	V-Chairperson
Edward A. Brensinger .....	Treasurer
Cheri f. Grumbine .....	Township Manager
Frederick S. Wolf .....	Henry & Beaver, LLP
Kim Wolfe .....	Chief of Police

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.

**COMMENTS FROM THE PUBLIC**

**A.)Jackie Becker – Colonial Circle Request for Block Party**

Ms Becker represents the neighborhood of Colonial Circle and Horizon Blvd. This year the neighborhood plans a block party. As part of the process they request permission from the Supervisors to block off a portion of Colonial Circle on Saturday, August 13. The area affected is from the Marks property, near the elementary school, south to Horizon Blvd intersection. Any of the driveways affected by this closure would belong to people who will be attending the block party. The closure of Colonial Circle at this portion will not inconvenience anyone. After some discussion the Board decided to approve this request. Chp Artz told Ms Becker the Twp would drop off barricades for their use on the Friday afternoon of the requested date and would pick them up on Monday morning. Ms Becker agreed to this arrangement.

**MOTION:** Was made and seconded to approve the request to close off a portion of Colonial Circle for a neighborhood Block Party. Unanimously carried.

**B.)Tom Stewart – Vacate Adams Ave**

Sol Wolf discussed Tom Stewart’s request as he is not present this evening. At the previous meeting Stewart had approached the Board in reference to vacating all Twp rights to Adams Avenue, located in Rockwood. The Avenue in question is a “paper alley” which the Twp never developed. Sol Wolf explained some of the details involved with researching the area before agreeing to vacate the Twp’s rights to the alley. If at some time in the future the Twp should decide to open this alley, it would have to go through the courts to do so. One of the neighboring property owners was not available to attend the meeting so Sol Wolf had prepared a statement of request for this person to sign. His signature indicates he is in agreement with the request to have the Twp vacate their rights to this alley.

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**Vacate Adams Ave (con't)**

Chp Artz said he feels Sol Wolf has now answered the questions that had been raised at the June meeting. He asked his fellow Board members if they have any more questions on this request. Suv Hawkins questioned how this process would change the deeds of the property owners. Sol Wolf replied that they would have to file a claim of ownership for the property that would reach to the middle of the alley and it borders their property line only. The Assessment office would then incorporate the additional land into the existing property.

**MOTION:** Was made by Suv Hawkins and seconded by Suv Brensinger to vacate all Twp rights to Adams Avenue. Unanimously carried.

**C.)Harry Peters – 3<sup>rd</sup> Avenue/ Maple Street**

Mr. Peters addressed the Board with concerns he has about water runoff. He is situated on 3<sup>rd</sup> Avenue close to Spruce Park and Northeast Pond. Northeast Pond is located in the City limits. Peters said he has been contending with this problem, at least, for the last 10 years. The water runs down off Maple Street, 1<sup>st</sup> Avenue through 3<sup>rd</sup> Avenue and Weavertown Road in the Spruce Park area. All this water is funneled toward Peters property via Spruce Park retention pond, according to Peters. He is caught in a cycle. Township says PADOT, PADOT says not our problem. City says this is North Lebanon's problem.

Mr. Peters stated there is a definite problem and it is causing damage to his property. He informed the Supervisors he has tried, throughout the course of these years, to correct or at least make an impact on the problem but has failed to control the water problem. He is asking for some help from someone, be it Twp or State or City. All three government entities have a "hand" in this situation he said. While he has cooperation from the different entities meeting with him and discussing the situation, he has not been able to get anyone to accept responsibility as far as a solution and the action to help correct the water problem. The water is not just his problem. It flows throughout the whole area and is funneled his direction. His driveway has been the major damage. A quality sump pump has saved him further damage. However he is now concerned about the foundation of his home after the last couple of heavy rains. Peters said he is not sure what he is asking of the Twp but he knows there needs to be some sort of help for his situation. Perhaps the continuous filling in of stone after it has been washed away by heavy rains. The ruts that are created by the torrential rains are not caused by water from just his property.

Mr. Peters mentioned the Spruce Park complex. He said there had been some sewer problems there a year or two ago. He understands the pumping station that services the complex is privately owned. He questioned if there is not some type of Ordinance that requires an alarm or some sort of device that would notify when the pump is not operating properly.

Sol Wolf asked to address the comments about Spruce Park sewer problems. Sol Wolf stated this is an Authority problem, which is being dealt with through the Wastewater Dept. A couple years ago (2 years) there had been a breakdown of the pump. At that time the City of Lebanon had used their equipment to flush and empty it out. Since that time Spruce Park has been under a maintenance program that is monitored by the Authority. Now whenever there is a problem the Wastewater Dept answers with the new flusher truck. Spruce Park in turn is charged for the service.

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**Peters – 3<sup>rd</sup> Avenue/ Maple Street (con't)**

Sol Wolf said he would like the opportunity to speak to the Sewer Foreman and find out exactly what program Spruce Park is on and then he would contact Mr. Peters and discuss this issue some more. Mr. Peters summed up his comments by saying he is seeking a solution. He does not feel this has to be a costly solution. However it will require the time and effort of someone from the Twp and PADOT to meet with him and move toward resolving this problem. Chp Artz discussed a few questions he had with Mr. Peters. He told Mr. Peters that he could not receive a specific answer tonight but this issue would be investigated and someone would be in contact with him.

**D.)Ruth Keller – Gary Ave; Pavilion Rental**

Mrs. Keller read a letter to the Board regarding Officer Snyder of the NLT Police Dept. The letter praised Officer Snyder for responding to a phone call for help in gaining entrance to the Park Pavilion on July 10, 2005. Officer Snyder responded and arranged access for the family. The letter thanked Officer Snyder for his prompt response.

**E.)Paul Schwab – 2006 Police Chief Opening**

Mr. Schwab reminded the Board about his question during the last meeting regarding the qualifications needed for an Officer to apply for the Police Chief position. He said he had been told that an average Officer requires 7 or 8 years of service to be eligible to apply for the position. Schwab asked if an Officer within the department who has 20 years experience is qualified for the Chief position. Chp Artz replied that any Officer who wished to apply for the position must follow the outlined procedure, whether he is currently in the department or not. Schwab asked why the Board would go outside the department when there are qualified people within. Chp Artz said the opportunity to apply is there for inside the department as well as outside the department. When asked Sol Wolf stated that the position must be advertised, by law, in order to avoid discrimination claims.

**F.)Charles Allwein – Police Chief Selection Process**

Mr. Allwein questioned who would be responsible for the selection process. Would it be the Supervisors? He was told yes, it would be the Board of Supervisors. Allwein asked if this would be done during a Public meeting? The announcement of their decision would be made at a Public meeting.

**G.)Bruce Sattazahn – Pansy Hill Nurseries Maple Street/ N 22<sup>nd</sup> Street**

Mr. Sattazahn said his first question is relative to the new traffic lights installed near his nursery on Maple St & 22<sup>nd</sup> Sts. The traffic lights are scheduled to go from flashing to operational as of tomorrow. He has a concern about some of the work that was performed by C.M. High during the installation of the traffic lights. Some of the curbing had been disturbed during the installation process. The problem is that some of the curbing was located on his property along the nursery side at 22<sup>nd</sup> St. After the curbing was broken out the workers realized the area was not a part of the project and just left the area as is. Mr. Sattazahn's concern is that he does not feel held responsible for the repair of the curbing as he was not the cause of it being damaged.

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**Maple Street/ N 22<sup>nd</sup> Street (con't)**

Sattazahn said he is not looking to have a letter arrive one day announcing he, as property owner is responsible for the repair of the curbing in this area.

Another concern he has is the fashion in which C.M. High supposedly restored the areas they had disturbed for installation of the traffic light poles. Today the areas that had been dugout received a sprinkle of seed and some straw placed on top of the seed. Sattazahn stated this is not his idea of “restoring to original condition”. He asked whom it is he needs to take this issue up with? Who should he voice his concerns to about the restoration of the area? Sol Wolf told him C.M. High is working for the Leb Valley Economic Development Corp. Sol Wolf suggested he contact Suzanne a the LVDEC. The Economic Development Corp is who hired C.M. High to do the installation. Sol Wolf suggested that he contact PADOT also because everything is being completed according to PADOT regulations. Some discussion followed about the design and the location of the traffic lights at this intersection. Sattazahn was informed about a meeting, on site, Thursday July 19 @ 1:00 in the event he might wish to attend to get answers to his questions.

Mr. Sattazahn said he wanted to ask about Roberto’s Towing located on Maple St. What date was the deadline for compliance on this property? Was it July 15, 2005, asked Sattazahn? Sol Wolf responded no, there has been some confusion about the date. The 15<sup>th</sup> of July was the deadline to have the exterior of the property cleaned up. They actually have until July 30 to have the vehicle count down to 15 vehicles only. Sattazahn stated he noticed an old cube van in back of the property that has old tires and other accumulation of stuff spilling out of it. There are also some other items he had seen that he feels were in violation to the required clean up.

Sol Wolf reported he had an update from Bonnie, the code enforcement officer for NLT. She had indicated that many of the items had been removed from around the building. Sattazahn told Sol Wolf that many of the tires and other items had been loaded into the cube van. He added that it seems they are headed in the right direction with this clean up however there are still many issues that need to be accomplished. A better time to discuss would be the end of the month when everything is to be in order for compliance.

**APPROVAL OF MINUTES**

**MOTION:** Was made by Suv Brensinger and seconded by Suv Hawkins to approve the minutes from July 5, 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 – Kim Wolf****A.) Calls for Service Report June 2005**

1. Calls for Service totaled 303
2. 71 Criminal arrests
3. 47 Traffic arrests
4. 49 Court dates

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**Report June 2005 (con't)**

5. 34 Warnings
6. 2 Burglar Alarms
7. 5 Assault or aggravated assault
8. 15 Domestic situations
9. 5 DUI arrests
10. 8 Drug Arrests
11. 14 Police Assists
12. 7 Assists Received

7,086 Miles logged on the cruisers

Chp Artz questioned what municipalities we had received assistance from and the ones that had requested our assistance. Some discussion followed about the service calls and the municipalities involved.

**B.)Reazer's Junkyard Inspection & License**

Chf Wolfe reported on the application received from Reazer's Junkyard facility for renewal of their license. Officer Dave Lauver had been assigned to complete inspection of the property. Officer Lauver is satisfied that the auto salvage yard is in compliance with Twp Ordinances. At this time the Board is being asked to approve the renewal application for Reazer's Auto Salvage business.

**MOTION:** Was made and seconded to approve the application for renewal of the Reazer's Auto Salvage license. Unanimously carried.

**C.)Federation of Sportsmans Club – Stoevers Dam**

Chf Wolfe reminded the Board that they had previously approved waiving the Ordinance on firearms for the Sportsmans Federation event to be held at Stoever's Dam in August. Chf Wolfe reported that a gentleman from the sports association by the name of Mr. Templin had been in touch with him requesting Fire Police assistance for the day of the event. He explained the liability insurance issues with Templin but did not feel comfortable discussing the amounts of liability coverage, as this was not in his daily field of duties. Sol Wolf has been provided with the information.

Sol Wolf explained the type of insurance coverage the Twp has been forced to ask for when we receive these requests. The Supervisors have learned what type of insurance protection (workmen's comp) to ask for from the individuals or groups making these requests due to a previous incident that has caused the Twp financial increases in their insurance premiums. Sol Wolf told the Board he had asked Chf Wolfe to discuss this issue to make sure this information is what they still want to receive when these requests are made for the Fire Police. At this point the sportsman's association is waiting for contact from Sol Wolf and Chf Wolfe to confirm what specific information is being asked for.

Chp Artz stated he feels it would seem as if the Supervisors should establish a specific policy for dealing with these types of requests. If they do have a policy in place, a definite checklist would be available to provide to the requesting group.

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**Federation of Sportsmans Club (con't)**

After some discussion the Supervisors agreed to have Sol Wolf suggest required information and a checklist of required information can be created by Chf Wolfe to follow when taking these requests.

**MOTION:** Was made and seconded to have Sol Wolf establish a list of requirements regarding any future requests for Fire Police assistance during non-emergency events. The Chief will request the person or party to provide the listed required insurance information prior to any event. Unanimously carried.

**D.)New Cruiser Car Order/ Delivery**

Chp Artz questioned the status of the new cruiser car. Chf Wolfe stated he had made contact with the dealer. He was told that production of the 05 cruiser is no longer an option. However the 06 models are now being provided in as of August. Due to an error on their part, Chf Wolfe was told the Twp could have a 06 model at no additional charges over the 05 models. Chf Wolfe is waiting for a confirmation fax on this information. The vehicle would be available mid August according to the dealer Chf Wolfe had spoken to.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.)Letter from City of Lebanon**

The Board received a letter from the Administrator of the Community Development for the City of Lebanon. The letter is requesting input on the housing and community development needs for the City of Lebanon, which may impact the Twp. Any written comments should be completed and delivered to the City of Lebanon by Sept 9, 2005 or participate in the Public Hearing scheduled for Oct 20 @ 3:30 PM.

**B.)MEMO from Earl Meyer – Update on County Comprehensive Plan & MPO Long Range Transportation Plan**

A letter was received from Earl Meyer suggesting attendance at the regularly scheduled meeting in July, August or early September to provide an update for the County Comprehensive Plan and the development of the Metropolitan Planning Organization (MPO) long range transportation plan. A form has been provided to list any transportation issues the Twp might have. A separate form has been provided to complete for each transportation project that is submitted. The information is due September 9, 2005. Ed Brensinger is the representative from North Lebanon Twp on the MPO committee.

Mgr Grumbine had reviewed the dates and has narrowed it down to the Monday, August 15 meeting. This item will be scheduled on the agenda first as they will have to leave for another appointment scheduled for the same evening. Some discussion followed about a few of the projects that had been discussed which the Supervisors thought would fit into this category.

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**County Comprehensive Plan (con't)**  
**Charles Allwein – Martin Drive**

Mr. Allwein asked if the Twp actually had any long-range transportation plans for the Twp. Chp Artz replied that the Twp does not have a committee that looks at the transportation. Allwein said he is concerned about all the new developing and the need for upgrading the existing road systems we have. How will the existing systems support all the increased traffic, which we are already experiencing? Chp Artz mentioned the development of the Comprehensive plan for the Twp. Suv Brensinger added his thoughts about the neighboring municipalities and their wish to avoid city traffic.

**C.) Forums for Our Future**

Correspondence has been received from Lebanon County Planning outlining the schedule for upcoming public meetings to be held throughout the County. The purpose of the meetings is to provide updates on the County Comprehensive Plan and to allow an opportunity for residents to discuss countywide and local concerns and ideas. The forum is posted on the project website [www.lebcocomplan.net](http://www.lebcocomplan.net). All meetings begin at 7:00 PM. Residents are encouraged to attend and voice comments or concerns.

**D.) Mgr Grumbine – Commend Office Staff**

Mgr Grumbine told the Board she wanted to mention the Office Staff. We have been short-handed the last few weeks and with vacation times being requested she wanted to commend the staff for the cooperative efforts that have been made to keep the office running smoothly.

**SOLICITORS REPORT - Frederick Wolf****A.) Spruce Park Determination – Real Estate Transfer Tax**

Sol Wolf reported that filing for default judgment has been completed. He has not received any information back from the court as of yet.

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

A hearing date has been scheduled with the court for Wednesday @ 1:00 PM.

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

The court had given Roberto until July 15 to have the exterior debris cleaned up. He has until July 31 to have the vehicle count down to where it should be. The Zoning Hearing Board had determined the number of vehicles permitted during a previous hearing. The court costs and constable costs from the Solicitor's office were forwarded and the court has directed Roberto to reimburse the Henry & Beaver as well as the Twp for all their legal costs.

**D.) Review of Bids for Building Expansion**

The bids for the building expansion project had been opened on May 16, 2005. The documents provided the Board of Supervisors with 60 days in which to award the contract unless an extension had been signed.

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**Bids for Building Expansion (con't)**

The apparent low bidders had been asked for an extension to award. A 30-day extension had been received Stoner and Woodland. G.F. Bowman granted an extension until July 20<sup>th</sup>, due to a time constraint on costs from their suppliers. The total bid price was \$1,606,830. The specific bids were from Stoner for electric at \$190,180; G.F. Bowman had 3 different categories – plumbing at \$86,700, heating at \$123,948 and ventilating at \$69,785. Woodland Contractors came in at \$1,606,830 as the General Contractor.

Sol Wolf stated the bids came in at a higher amount than had been anticipated. In doing some research with some of the other municipalities, it was discovered that they too had received higher bids than expected. The prices of materials seem to have increased quite a bit, the prevailing wage rate is a factor in this project and the cost of paving is very high right now. This seems to be the position that everyone who is contemplating construction is faced with at this time. It would not appear the pricing would decrease any time in the near future. If anything the prices will be increasing as is evident with the information coming from the Bowman office.

This expansion has been in the planning process for many years. Money has been put aside by the Twp for this project for a long time now. It was suggested the Municipal Authority might contribute to this project as their equipment is housed in the buildings. In reviewing the subject with the Authority, it was indicated that a contribution from them would be considered. This would be in lieu of paying any rent in the future. An amount of \$200,00 to \$300,000 was being discussed. The interest rate has already been approved and locked in for the next 10 years by the State and the Lebanon Valley Farmers Bank. The plan is to pay off the loan in that period of time. To delay the project could also mean a higher interest rate. Sol Wolf mentioned the last time an expansion had been done to the Twp building. The original plan had been to complete a larger addition. In the planning process reductions kept being done to save money. Part of the current expansion project is to complete what had originally been planned previously and had been eliminated at that time. A time extension had been granted after June 15<sup>th</sup> for consideration of this project by the Authority and Township. However it is anticipated this project will be completed sooner and not later. Sol Wolf advised the Board a decision should be determined and soon.

If the decision were made to move forward with the project a letter of intent would be sent to the contractors. The contractors would then provide bonding information and insurance certificates before an actual award of the bid. During this time the Twp is able to review with the contractors any changes that are being made. Any requested changes should be in place before the actual notice to proceed. Sol Wolf asked if there were any questions at this time. Suv Hawkins asked for clarification on the timing of the awarding versus the ability to make changes. Discussions could not take place with contractors until the bids are accepted and the letter of intent is issued. Does she understand the timing sequence is her question? Sol Wolf agreed this is true unless they would decide to reject the bid and discuss the changes. Then the contractor would have to re-bid the project. Suv Brensinger stated he did not have any questions.

Martin Barondick said he would like to comment on this issue. He said he is not in favor of spending this amount of money on a building. However if the Board decides to move forward with this expansion, he would advise them to do it right the first time. Do not do a half way project. Don't be cutting items out of the project to save money. Do it right, if you commit to do this project.

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**Bids for Building Expansion (con't)**

Down the road you end up paying a lot more for the project that could be done now for less. Schwab indicated his agreement with Barondick's remarks. Barondick said he is mystified as to why we did not receive more bids from other contractors. Discussion followed about the larger construction companies being too busy for what they deem a small project such as this one. Bruce Sattazahn agreed that there are many companies just too busy to even think about accepting or bidding another project.

Paul Schwab commented on the need for the additional space. Chp Artz said there is a need for office space, including the individual departments, police department and the storage of equipment. Another individual mentioned the various methods of maintaining files and records such as laser or microfiche. Mgr Grumbine explained that those methods are good for maintenance of files but we would not be able to add to the files. The Twp property files change daily with addition to and taking away from. While some of the newer processes have advantages there are also disadvantages because of the method used for the property files. Mgr Grumbine added that the filing is only a portion of the project. Office space and squad room area is needed as well as other needs.

**MOTION:** Was made by Suv Brensinger to accept the bids of the apparent low-bidders for the municipal building expansion project and have Sol Wolf provide a letter of intent to the contractors. Chp Artz seconded the motion. Suv Hawkins indicated her agreement making it a unanimous decision.

Sol Wolf reviewed with the Board the next steps in this procedure.

**E.)Sale of Mechanic Street Property – Settlement July 14, 2005**

The sale of the Mechanic St property transferred July 14, 2005. The money has been paid and the money has been deposited into the account.

**F.)Agreement with Joseph & Margaret Meily**

Sol Wolf reported to the Board on an issue with the Meilys. The subject is a possible expansion of their farming operation, which has been in operation for many years within the Twp. They actually own approximately 58 acres and lease approximately 300 acres in connection with the dairy operation. As part of the expansion, other than increasing the number of cattle, additional buildings are being planned. A review was done under the new regulations of the Intensive Ag that the Twp had adopted previously. A specific formula, provided by the State, has determined that the expansion would not place this operation into the Intensive Ag category. However to keep current with the information on this operation, an agreement will be drafted between the Twp and the Meilys. This will enable the Twp to be informed of any changes that might occur such as change of ownership. Another possibility of change would be if the leasing of the additional properties were to change. Part of the agreement, which the Meilys have agreed to, is to complete a form annually that will inform the Twp of any changes in the leasing of these lands or any other changes that might occur. The purpose of these agreements is to keep the Twp informed of any changes within these farming operations year-to-year.

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**Agreement with Joseph & Margaret Meily (con't)**

The question was raised regarding the transportation of the liquid manure from their farm to the lands that have been leased for the distribution of the manure. An objection to the wear and tear on the Twp roads was voiced. The Supervisors agreed the amount of time spent on driving on the roads would be very minimal. It was suggested the Board ask Joe Meily for some of his land to straighten out the “dogleg” on Long Lane. Frank Strack had made this request many years ago and the Twp had been turned down at that time. Maybe this would be a good time to make the request again. Sol Wolf explained this agreement is something the Twp requested from the Meilys. It is not something they are required to do as they meet all the State standards for what they are requesting.

Mgr Grumbine wanted the Board to know that the individual acreage that is leased and is listed in the agreement is approximate. Peg Meily had agreed to contact Mgr Grumbine tomorrow to provide the actual acreage information.

**MOTION:** Was made and seconded to approve the agreement with Joe & Peg Meily regarding the expansion of their dairy farm operation. Unanimously approved.

**G.)2005 Ordinance Updates; Preparation for Review with the Board**

The Twp is preparing to update the Ordinances. Chf Wolfe has been asked to review the Ordinances his department deals with, as will Mgr Grumbine. The Board is being asked to submit their comments or issues to Mgr Grumbine. Bonnie has already provided some information about the states' updates to the Recycling. After all the proposed revisions are compiled the Supervisors will have the opportunity to review the updates.

**COMMENTS FROM BOARD MEMBERS/ TWP MANAGER/PUBLIC****A.)Suv Ed Brensinger**

Suv Brensinger stated he would like to congratulate Mr. Allwein. He read about him in the LTAP news the Twp receives. As a former employee of PADOT, Mr. Allwein will now conduct training seminars for local municipalities.

As there was no more business to conduct or discuss the meeting adjourned at 8:55 PM.

Respectfully Submitted,

Theresa L. George  
Recording Secretary