

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
AUGUST 15, 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.)County Comprehensive Plan/ MPO Transportation Update – Earl Meyer, Tom Kotay

Suv Artz introduced Earl Meyer, Director of Lebanon County Planning, who was in attendance to give an update to the Board on the County Comprehensive Plan. Tom Kotay will give an update on the MPO Transportation Program. Earl Meyer then introduced Tom Kotay to give his information, as he will have to leave in order to attend another meeting.

County Planning recognizes the need for planning future transportation needs of the County as well as the individual municipalities. MPO stands for Metropolitan Planning Organization, a committee that Ed Brensinger represents from NL Twp. Some of the issues this group studies is the financial funding that is available for various highway projects as well as the needs of the municipalities. Due to the current Census figures the need for this organization was recognized and the group was established in 2003. The group has 2 different divisions, the Technical Committee and the Policy Board. The Technical Committee is the “worker bees”. They receive and try to coordinate the information that is submitted. They check into funding available and try to chart guidance for the various projects. This information is then passed unto the Policy Board. The job of County Planning regarding these 2 groups is to organize all the information for both the groups and track down various projects and keep things on track and moving.

There are meetings once a month. Anyone is welcome to attend. The meetings are advertised at the courthouse. Everyone’s input is welcome. Tom Kotay is a retired PADOT employee and is joining Lebanon County Planning as a Transportation Planner. He is one of 2 planners with Lebanon County Planning. Prior to 2003 there were no transportation planners in the department. Funding has now been received from PADOT to step up the transportation planning for Lebanon County Planning. The outreach to the public serves a twofold purpose. Number one is to give a better grasp to the public of what is being done and to talk about the TIP program (Transportation Improvement Program). The second part is to schedule any programs that are not a part of the TIP program in with the long-range transportation planning.

Tom Kotay – MPO Transportation Plan

Mr. Kotay explained his background in transportation planning. The two important facts to remember about this is the long-range planning, which is about 20 to 25 years and the TIP program, which is a priority for the next 4 years. Any funding that is available for these projects and is a part of the MPO program is provided through both Federal and State sources. These are regulated on a Federal fiscal year, which begins on October 1 of each year and runs through September 30. Mr. Kotay presented the Supervisors with packets of information that will be used to submit project applications to the MPO. Part of the process is the Technical Committee sorting through the applications for “candidate” projects that will be recommended to the Policy Board. The forms that are being provided to the municipalities should be submitted to the MPO Committee. The Committee at that time will evaluate the application and research any available funding. Mr. Kotay urged the Supervisors not to be concerned about the funding portion. What they need to concentrate on is the applications for projects being completed and submitted before the time deadline. Another part of the MPO is to coordinate project requests that involve one or more municipalities. One example of this would be the coordination of a municipality and PADOT on certain issues.

Mr. Kotay at this time asked for any remarks from the Board and then afterwards from the public. Chp Artz said one of his concerns is the intersection of Rte 343 and Kimmerlings Road. This is one area he would like to see addressed. Kotay said that is indeed one that would fit the criteria, as it is a State road and would be considered for funding. Another of his concerns is the updating of the traffic light at Prescott Drive and Rte 422. Suv Hawkins stated that one of her concerns is the number of developments that are going on right now. The problems that might arise from these areas, is that something that could be applied for at a future date? Mr. Kotay replied the planning would be reviewed and a project list done every year. An update of the program with new projects will be completed every 2 years.

Earl Meyer explained that conversation with Barry Hoffman of District 8-0, revealed that anytime there is a project with a substantial local chair, priority is given to that project. In other words if there are situations where a developer has knowledge of their plans impacting the traffic issues and are willing to contribute to the improvements, this project would be given priority consideration. Tom Kotay went on to explain that any time a private match or local match to a project it tells the funding source that your are committed and need their commitment as well.

When asked for his opinion of the Committee to date, Suv Brensinger stated he feels it is definitely an upbeat thing for the County. Whether we want more traffic or not, we are getting it. Hopefully the MPO will help by planning for it. His concern is about Sandhill Road and Grace Avenue and all the complaints the Twp receives regarding flooding and drainage. There is more and more traffic traveling these areas and the roads are narrow and a lot of curves in some areas. It is a State road and the State really should be looking at for improvement. Another issue is the signage for the whole Township. The State is mandating the upgrading of all the signs in the Twp, which would be quite costly. Would there be any funding for these types of projects? On State level it could be done. However the local level it becomes very difficult, was the answer to this question. Kotay said he feels it is worth the Committee taking a look at however. Suv Brensinger said one other concern he has is in regards to neighboring municipalities. He would hope during the process of approving large-scale development, whether Commercial or otherwise, the consideration is given to the neighboring municipality.

MPO Transportation Plan (con't)

The traffic flows from one municipality to the next. Whether the traffic is to work or shopping or wherever, the neighboring municipality feels an impact.

Paul Schwab – Hunters Chase Lane

Mr. Schwab mentioned the intersection at 15th Avenue and Lehman Street, near Wal Mart. The traffic pattern is complex and not an easy area to travel. Tom Kotay agreed with Schwab that the intersection is one that could be looked at and submitted as a possible project.

Martin Barondick – New Street

Mr. Barondick stated he questions anytime someone tells him there is money to do these types of projects. Earl Mater replied that was not the statement that had been made. What was stated was that each municipality should submit as many candidate projects as possible. From those submissions, hopefully, 1 or 2 will be funded through this program. Funding for these projects is determined by the number of submissions received from all the municipalities in the County. If there are a lot of submissions the chances for multiple approvals goes down. If there is a low response the chances for approval increase. Meyer said they felt it was worth the time to go out and talk to the communities to get interest in submitting the candidate projects.

Tom Kotay went on to explain that the candidate projects would not be pushed aside. The developing of a long-range plan is involved. The backlog of submissions to draw from for projects, in this case is a good thing. Approvals may not be received in the next months but could be considered in the future for possible projects.

John Scheer – 720 Narrows Drive

Mr. Scheer stated that the Twp is experiencing real traffic problems now already. Some of these problems will be increasing in the near future. Weavertown Road is a nasty problem right now, according to Scheer. What is available to relieve some of these problems now? Kotay told Scheer he is not trying to minimize the traffic situations in NL Twp. However the situation is not anywhere near the problems experienced in Harrisburg or York areas. In reality there are only 2 roads in LeB County that have a total of 20,000 vehicles per day. There are 40% of the roads that have above capacity usage. Low volume roads have options that can be implemented to relieve some of the problems. Kotay warned again that it is not a quick fix. These changes take some time. Also new developing is where some of these fixes or changes can come into play.

Earl Meyer said he wanted to repeat that up until this time County Planning did not have full-time transportation planners. Currently there are 2 full-time planners on staff that address the types of situations that the Department did not have time to do before. Funding can be sought and other special situations that can be reviewed. He thanked Tom Kotay for attending tonight and offering his comments.

B.)County Comprehensive Plan - Earl Meyer

Mr. Meyer told the Board he wanted to update the Board on the progress with the County Comp Plan. January of this year the actual work began after 2 years of preparing for this Comp Plan.

County Comprehensive Plan (con't)

There have been several meetings held already, which Cheri Grumbine has been in attendance for some of them. At this time the background portion of the planning is being done. Goals and objectives will be determined in the latter part of this year. Next year the actual plan will be constructed with the implementation of the plan to follow. There are 4 different State agencies that have approved funding for this plan; DCED, DCNR, DEP and PADOT have all agreed to fund this project. Lebanon County Planning is the pilot program for the State of PA to have State agencies work collectively and place funding together in one project. It is hoped the collective work being accomplished on this project will spearhead other local municipalities to work together on similar projects. Not only is the county working with municipalities but the school districts are also involved.

Meyer suggested several issues that need to be considered when creating the Twp Comp Plan. Many of the things the Twp is hoping to accomplish should be included in the Comp Plan. When funding is applied for one of the first things the State does is refer back to an established Comp Plan for the Twp. Having the information included in the Comp Plan is a sure way to receive some funding that might be requested. Next year the County should have “plan proposals” ready for the public to hear about.

Chp Ken Artz

Suv Artz questioned when the plan proposals are ready to be heard, will it be in a Public Meeting setting? Mr. Meyer stated there have been several Public Meetings that they have held already. Each school district has hosted a regional meeting throughout the County. This allows for the public to be informed as to what information is being recommended for the plan.

C.)On Lot Management Update – Mandy Eisenhauer

Earl Meyer introduced Mandy Eisenhauer who is coordinating the On-Lot Management Program, which had been adopted and put into place at the beginning of the year for N Leb Twp. Mandy provided information on the program, to this date, to the Supervisors. Two of the 3 districts in N Leb Twp have been involved in this program. The West District had received their paperwork in January and the Central District began their portion of the program in April. Mandy reviewed all the information with the Board that has been compiled to this date. She told the Board that overall the program has been very successful. Any of the property owners that have not complied with the program are due to paperwork not being received from the pumper haulers for one reason or another. There has been only 1 septic failure to this point in time.

Earl Meyer and Mandy described the whole process and time line they are using with this program. When a question about fining individuals who do not comply with the program was asked, Meyer reported citations would be the last resort. Everybody to this point has worked with County Planning on getting the requirements accomplished.

D.)Sue Young – 22nd Street Property

Ms Young told the Board she is here to discuss a problem she is having at her 22nd Street property with stormwater runoff. Recent construction of a neighbor's garage and the erection of a retaining wall by another neighbor have all contributed to directing the flow of the runoff toward the property owned by Ms Young.

22nd Street Property (con't)

The continual water has caused damage to the paved driveway on her property, according to Young. She is asking the Twp to help her resolve this problem.

Suv Brensinger had met with Ms Young at her property to review the situation. There are many issues that are involved in this situation that have been a factor before the garage had been built. When the neighbor had received the permit to erect the large garage, a storm water facility had not been included with the planning when constructing the garage. Ms Young stated she felt the Twp should help her determine who is financially responsible for the damage done to her property. Suv Brensinger said he would like to hear from the Solicitor what the Twp, as a municipality, can do to help in this situation.

Sol Wolf said that a review of the permit for the garage should be done. This would insure that everything was completed according to the permit, which had been lifted from LCPD. A discussion of how much runoff is generated from the Twp Street was held. Another suggestion made by Sol Wolf was to arrange a meeting to discuss a solution to the problem. Chp Artz told Ms Young that although she is not going to be leaving with a solution to the problem, the Board will need to review her request and then, hopefully, have a solution at the next meeting or the following one. The Board all agreed they would go to the area to view the situation and layout of the properties.

E.) Bruce Sattazahn – Maple St/ 22nd St/Tunnel Hill Rd/ Hill St

Mr. Sattazahn told the Board he has several issues or comments he would like to make. The first comment was in reference to the meeting he and Ed Brensinger had with PADOT at the new traffic light intersection located on Rte 72 and Tunnel Hill Road. The issue of the broken curbing along N 22nd Street was discussed. The PADOT representative stated he would check who is financially responsible for the damages. The issue of the installation of the traffic lights and his opposition about the restoration that had been completed on the corner of his property was discussed with the group who had done the installation. The issue of maintenance around the poles supporting the traffic light balusters was discussed. There were several restoration areas, which had been discussed.

Mr. Sattazahn mentioned there was an intersection that might be added to the list that was being compiled earlier in the meeting. The intersection at Weavertown Road and Maple Street is a very difficult visibility intersection. As these are both State roads it would be a good candidate for the program that was being discussed.

Mr. Sattazahn asked about the property that is leased by Roberto for Roberto's Towing. He reminded the Board that the deadline for compliance of his property clean up has now passed. Sol Wolf said he had contacted Bruce last week on this issue. The phone call was a courtesy to keep Bruce up to date on what the progress is on this issue. Basically the issue of enforcement is now in the hands of the court. A Hearing date of September 30 with Judge Charles has been scheduled. If there are any cancellations the hearing may be moved to an earlier date.

APPROVAL OF MINUTES

MOTION: Was made by Suv Brensinger and seconded by Suv Hawkins to approve the minutes from August 1, 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 July 2005**

1. Calls for Service totaled 269
2. 36 Criminal arrests
3. 92 Traffic arrests
4. 26 Court dates
5. 37 Warnings
6. 15 Burglar Alarms
7. 2 Assault or aggravated assault
8. 14 Domestic situations
9. 1 DUI arrests
10. 7 Drug Arrests
11. 35 Police Assists
12. 7 Assists Received

7,019 Miles logged on the cruisers

B.)Petition to Reduce Speed Limit – Prescott Drive

Mr. Richard Boeshore of 100 Prescott Drive was in attendance to represent the people who signed a petition to have the speed limit for Prescott Drive reduced. Chf Wolfe stated he had been made aware of this request and had contacted PADOT's safety division on August 8, 2005. The response from PADOT had been that the Twp should make a specific request in writing and then PADOT would complete a study to assess if a reduction in speed limit is appropriate for that area. After a review of the records Chf Wolfe mentioned he had discovered there had been 7 accidents with injuries. The accidents were on record however the number of citations for speeding was not part of the review he had completed. After PADOT does its survey and makes their recommendation, it is expected that the Twp will honor their recommendation. Suv Brensinger asked Chf Wolfe what he anticipates the response from PADOT to be. Chf Wolfe said it is hard to predict. If they decide to lower the limit it would more than likely be in the area north of Kercher Ave where it is more developed than where Mr. Boeshore resides. Chf Wolfe repeated several different scenarios that he could think of that PADOT might suggest. In the end the decision or recommendation will be up to PADOT.

Mr. Boeshore asked to add his comment on this issue. He stated he feels this area should be double lined, as the rest of the roadway in this area is double lined. Some discussion followed about the benefits, or not, of having the road double lined. Chp Artz read the petition to the public. The petition is asking to have the speed limit reduced, no passing lines painted on the road and a request for more Police activity in the area.

MOTION: Was made and seconded to compose a letter to Barry Hoffman of PADOT requesting a study for Prescott Drive on the stipulation that it is done with no charge to the Twp. Unanimously carried.

C.)Traffic Signal at Route 72 &22nd Street

Chf Wolfe informed the Board about several complaints the Police Dept had received in regards to the new traffic lights installed on Route 72, Tunnel Hill Road, N 22nd Street and Hill Street. The positioning of the actual light is causing some confusion for the drivers. After visiting the area and doing a review, Chf Wolfe agrees the lights are confusing. He discussed some of the suggestions he made to PADOT with the Supervisors. There is a timeframe of 6 months to get this situation resolved, on PADOT's dime. After that, it could become the Twp's financial problem. Mgr Grumbine told the Board she had faxed information to Steckbeck Engineering, who then faxed the information to Lebanon Valley Economic Development Corp, and Doug Plank of the ELA firm. As of now she has not heard back from any of them.

D.)D.A.R.E. & Tobacco Grants

Chp Artz is being asked to sign Grant applications for the D.A.R.E. program and the Tobacco Compliance Program. Both are programs the Police Dept are involved in. Chf Wolfe outlined the types of activities that are exercised within the programs. Chp Artz stated he is happy about the school district becoming financially involved in the D.A.R.E. program.

MOTION: Was made and seconded to approve the signature for the Tobacco Compliance Program and D.A.R.E. Grant applications. Unanimously carried.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.)Review of Personnel Manual for Adoption**

Mgr Grumbine asked that the issue of the Personnel Manual be placed on hold per Sol Wolf's request. There are some issues he would like to review before it is presented for adoption.

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

Judgment has now been entered and execution will be issued. He warned this is a long lengthy process. He is hopeful they will pay what they owe before the place has to be resold to get what is owed to the Twp.

B.) George Hardick Property Clean Up

The Court has found Hardick in contempt of the court order regarding the clean up of his property.

C.)PUC & 15 Ave Railroad Crossing

The Public Utility Commission has scheduled investigative procedures for the railroad crossing located in South Lebanon Twp on 15th Avenue. This was the scene of a fatality several months ago. Various parties have been ordered to appear before the judge to give testimonies in an effort to review the safety measures in place at this location.

PUC & 15 Ave Railroad Crossing (con't)

Mgr Grumbine added that the office received information today about a field investigation that would be held on Wednesday August 24th. She said a representative from the Twp should be present at this investigation. Sol Wolf stated he would be in attendance. As long as he could reach Ed Brensinger on the Cell phone, he felt comfortable in being the Twp representative.

D.)Carter Case – Cumberland Street/ Boscov's Intersection

This litigation case has been an on going case for a long time. It involves a pedestrian who parked at the Boscov's Mall and crossed the street to the Fenwick. When returning to the parked car, a vehicle struck this pedestrian. The court is now ready to proceed with this case. Mgr Grumbine informed Sol Wolf that PADOT and NL Twp has been dismissed from civil liability on this action. However representatives must be available to testify at the trial.

E.)Building Expansion – Pre-Construction Meeting

The proposed building project for the Twp has now reached the point where a pre-construction meeting will be held. Many issues will be discussed at this meeting, which will include Mgr Grumbine, Ed and Dave. Representatives from all the contractors will also attend this meeting.

COMMENTS FROM BOARD MEMBERS/ TWP MANAGER/PUBLIC**A.)Suv Dawn Hawkins**

Suv Hawkins commented on the updates for the MPO Transportation and County Comprehensive presentations that were given tonight. She feels this is a good thing for the County.

B.)Suv Ken Artz

Suv Artz recognized the members from the NL Planning Commission who are in attendance. He questioned if any of them had any comments/ questions they would like to make this evening. He also commented he is happy the County Commissioners are moving forward with these programs for the County.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary