

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
August 21, 2006**

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	Chairperson
Edward A. Brensinger	V-Chairperson
Kenneth C. Artz	Treasurer
Cheri F. Grumbine	Township Manager
Harold Easter	Chief of Police
Sol Fred Wolf	Henry & Beaver LLP

Also in attendance was: Al Winn of the Patriot News, a representative of the Lebanon Daily News, and many other individuals.

CITIZEN AWARD

Chp Hawkins announced there would be a special presentation tonight to a citizen of the Township. She asked Kevin Crites to approach the front of the room and be recognized by the Supervisors. Chf Easter explained that Mr. Crites was instrumental in helping the Police department with several incidents, which lead to the arrest of many individuals involved in neighborhood crimes. Chf Easter complimented Mr. Crites for coming forward and not hesitating to help the Police when the help was needed.

COMMENTS FROM THE PUBLIC

A.)Martin Barondick - New Street

Mr. Barondick referred to a news article he had read in the Lebanon Daily News several weeks ago. It referred to the traffic light, which will be installed at the tunnels on 25th Street. The cost associated with the installation of this light was \$100, 000. Barondick questioned where the money is coming from. Suv Brensinger and Artz replied the Economic Development Corp is responsible for the cost of the light. Barondick asked if the Twp is responsible for maintenance once the light is in place. Suv Brensinger replied that the Twp has an agreement with the LVEDC for maintenance issues on that light and the light installed at the intersection located on Rte 72 and Tunnel Hill Road. Barondick then asked for confirmation that the light is not costing the taxpayers any money. He was told, yes, it is not tax money.

His next question was about the Lebanon Valley Mall. Did they have to contribute any funds for the light? He was told, no. Barondick said he does not understand why the mall did not contribute. As far as he is concerned the mall has had a free ride there for the last 30 years. Mgr Grumbine replied the mall paid for and maintains the traffic light located in front of the mall on Rte 422.

APPROVAL OF MINUTES

Action on the minutes from August 7, 2006 was tabled until the next meeting.

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 – Harold Easter

A.) Calls For Service Report – July 2006

Chf Easter reported on the various calls for service from the month of July 2006. He stated the highest day for incidents during the month of July was Monday. The Board members had some questions about the Police assists that were mentioned.

B.)National Night Out – August 1

Chf Easter reported that National Night Out was deemed a successful evening. He thanked everyone for showing their support by attending and said the department is looking forward to next year's event. He also mentioned all the contributors for this event and his thanks to them for helping to make the evening a success.

TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine**A.)Sean & Christi Gensler Subd Plan; Park & Rec Agreement – Sandhill & Mechanic St**

The subdivision plan presented to the Board for their review and action is located on the corner of Mechanic Street and Sandhill Road. The plan shows 3 separate lots with townhouses constructed on the lots. The utility design is shown for each unit and the storm water facilities are also shown. The Twp's Planning Comm has reviewed and recommended approval of the plan as well as Lebanon County Planning recommending their approval of the plan. There is one outstanding issue, which involves a right-of-way agreement with the Municipal Authority. Sol Wolf is handling this issue between the Authority and the Genslers. Sol Wolf reported the Genslers would need to sign the agreement. He has made arrangements through Steckbecks office for the signing to take place.

The Genslers have signed a Park & Rec agreement and paid the recreation fees associated with this 3-lot plan. The Board is being asked to approve the agreement pertaining to the recreation fees that were paid. Josh Weaber of Steckbecks office was present to answer any questions. The Board members questioned the distance between the first driveway and the intersection at Sandhill Road. A concern was expressed about the closeness of the two. Suv Brensinger asked about meeting the parking requirements. Josh Weaber informed the Board the driveways would accommodate 3-parked vehicles as well as a one-car garage option for each unit.

MOTION was made and seconded to approve the Park & Recreation agreement and the subdivision plan for Sean & Chrisiti Gensler. Unanimously carried.

B.)Kochenderfer Rd Storm Water Update

A letter has been received from John Smith, Lebanon County Maintenance Office regarding the storm water drainage pipe at the intersection of Sandhill Road and Kochenderfer Road. According to PADOT the pipe located there belongs to the Twp. Tom Kotay of the Lebanon County Planning Dept is working with the Twp on this issue due to his expertise. A copy of this letter was faxed to him for his review. Mgr Grumbine reported she would keep the Board updated with this issue as it goes along. Mgr Grumbine said she is hopeful to obtain copies of the permits referred to in the letter. The Twp currently has no permits for this project in our records. She would like to try to obtain copies of the permits.

C.)Junkyard License – Reazers Inc.

A written report has been received from the Code Enforcement Officer, Donald Wengert, stating that the junkyard in Heilmandale owned by Reazers Inc. has now come into compliance will all the regulations. The Board is being provided with the 2006/2007 Junkyard License for the Board's approval.

MOTION was made and seconded to approve the Junkyard license for Reazer's Inc. Unanimously carried.

D.)Line Striping Quotes

Annually the Roadmaster obtains quotes for line striping in the Twp. For 2006 \$9500 was budgeted in the Liquid Fuels Fund. The following are the quotes Ed has received for this project in 2006. Alpha Space quoted .0385 per lineal foot, Ross Industries at .0385 and Interstate came in a.0395. Mgr Grumbine stated that Ed has recommended going with Alpha Space as we had used this company last year and the project went well. Roadmaster Brensinger stated that in the past we had all the lines throughout the Twp striped for \$9500. However this year that will not be the case. The ones that are the most faded will be completed this year.

Line Striping Quotes (con't)

Suv Hawkins questioned this amount not being enough to do all the lines within the Twp. Ed stated we have recently added fog lines and some double yellow lines on some of the rural roads. She asked if this is just the paint we are buying. Ed replied no, this is the amount we are paying for them to complete the service.

MOTION was made and seconded to accept the quote from Alpha Space for the line painting in 2006. Unanimously carried.

SOLICITORS REPORT – Sol Fred Wolf**A.) Update on George Hardick**

Sol wolf reported on the progress with the George Hardick property on Mt Zion Rd. Hardick has made a significant amount of progress. The equipment has been moved from the front of his property. He has separated the licensed equipment from the non-licensed equipment. Any equipment owned by anyone else will be removed from his property. Sol Wolf informed Hardick he will have to start attending a regular monthly meeting until the remaining junk is cleaned up and removed from the property.

B.) N 11th Avenue/ 15th Avenue RR Crossings

Sol Wolf reported any new information that had been received on the 11th Ave crossing since the pre-conference hearing that he and Ed had attended in Harrisburg. The parties were instructed to file all their information by September 15. It appears that gates will be need to be installed. County has committed to pay all costs, except engineering costs, to install all the new gates. At this point he will continue to attend any hearings until this is finally resolved.

C.) Ordinance Update

Mgr Grumbine and Sol Wolf have been reviewing all the updates that have been compiled. A few that have been under discussion are some that involve Officer Wengert and Chris Miller. These issues are code and structure issues that might require Ordinance adoption. A meeting has been scheduled for Wednesday in order to discuss portions of the proposed Ordinances or updates to current ordinances. He hopes to have a copy by the first of September for the Board to review. After the Board has conducted their review, a Public Hearing will be advertised.

D.) West Lebanon Maintenance Agreement

West Lebanon Twp is in the process of doing a water system installation. Some of their roads connect to NLT roads. Street cut permits and insurance information became necessary. Also the agreement that NLT streets will be completed under our specifications, as well as our Roadmaster completing the inspection for this work. Bonding is necessary so an agreement will be drafted between NL Twp and West Lebanon's contractor, who is True Line Inc. This agreement will insure that NLT streets will be restored to NLT's standards and specifications. Some discussion was held in reference to the actual Bonding requirements. Sol Wolf stated that both West Lebanon Twp and True Line Inc will have to sign this agreement.

MOTION was made and seconded to approve the agreement with West Lebanon Twp and True Line Inc. Unanimously carried.

E.) Horst Agreement – Former Witters Property

Mr. Howard Horst had approached the Twp last year regarding the former Witters property located on Kathleen Street. He was interested in purchasing this property and maintaining the non-conforming use of the property, which is located in an R2 zone. Sol Wolf explained the history of the property and the legal options pertaining to the property when a new person takes ownership. Due to the surrounding property owners dissatisfaction with Mr. Witters use of the property, it was decided to draft an agreement regarding the acceptable uses that Mr. Horst had available to him. Sol Wolf read through some of the items in the outlined agreement. Suv Artz asked if Mr. Horst has seen this agreement.

Horst Agreement (con't)

Sol Wolf replied he has seen it and is willing to sign the agreement. This agreement will provide an option for enforcement to the Twp should the property not be maintained and used as described in the agreement.

MOTION was made and seconded to approve the agreement with Mr. Horst regarding the non-conforming use of the property located at 1006 Kathleen Street. Unanimously carried.

F.)Twp/City of Lebanon Authority/Municipal Authority Agreement

Sol Wolf reviewed the beginning of the last water project completed in the East District. Upon completion of the project it was agreed the City of Lebanon would accept ownership of all the water lines. This would only occur after all the new customers are connected to the water line. To date there are still some property owners who have not connected to the line. An agreement is being proposed that would allow the Twp and Municipal Authority to implement penalties to all the property owners who have not yet completed connection. Due to the fact the City does not own the waterlines, the City is not able to implement any penalties. The Twp approved the mandatory connection Ordinance, not the City. The agreement also sets forth the time for conveyance of the lines to the City.

Suv Hawkins told Sol Wolf she is not sure why this agreement has to be done. Sol Wolf repeated the mandatory connection ordinance adopted by NL Twp is not the same rules and regulations provided in the City's ordinances. The City has indicated that any of the rules and regulations in their ordinances that are in conflict with our mandatory connect ordinance might create a problem when trying to enforce the connection issues. This agreement will define that the Twp ordinances will overrule the City's regulations. This will eliminate any confusion regarding the ordinance. Some discussion followed about the waterlines, connections not yet made and conveyance of the lines to the City for ownership.

MOTION was made and seconded to approve this agreement between the Lebanon City Authority, the Twp and the Municipal Authority. Suv Brensinger and Artz voted in favor and Suv Hawkins voting against the agreement. Majority vote carries the motion.

G.)Property Maintenance – 130 Old Ebenezer Road

Sol Wolf stated Officer Wengert, NLT Code Enforcement, and Chris Miller our appointed public building inspector are working on the property located at 130 Old Ebenezer Road. Harold Dice owns the property. A list of numerous violations has been prepared and notification sent to the owner, Mr. Dice. Officer Wengert has asked Mr. Dice to prepare a plan of action to correct the violations and bring the structure into compliance. At this point in time there has been no action from Dice. Officer Wengert is now asking the Board to approve taking action to get Mr. Dice to correct the violations on this property. Up to this date Dice has been dealing with Officer Wengert. Sol Wolf will now be sending Mr. Dice a notification letter that Dice has 10 days from the date of the letter to respond to Officer Wengert. The letter will instruct Dice to prepare an outline and timetable to correct all the violations. Officer Wengert will also be given the opportunity to approve the plan of action. If no response comes from Dice within the 10-day time period, Officer Wengert is asking the Board to approve filing an action in court as a Code Enforcement Officer for NLT.

The courts would be asked to either order Dice to clean up the property or tear it down. One other option the Twp has is to have the property demolished and then bill Mr. Dice for the costs of demolition. Suv Hawkins questioned if this property owner is the same person that owns property in the City. She thought she recognized the name as one the City is having difficulties with. Sol Wolf confirmed he is the same person.

MOTION was made and seconded to approve Officer Wengert working with Sol Wolf and file with the courts to get the property cleaned up and in compliance. Unanimously carried.

COMMENTS FROM BOARD MEMBERS**A.)Suv Ken Artz**

Suv Artz stated he had attended National Night Out and had thoroughly enjoyed all the activities. He expressed his hope that next years event will be better attended than this year. He thanked the Chief and the department for putting the event together for this year.

B.)Suv Brensinger

Suv Brensinger stated he wanted to commend Officer Wengert for his dedication to his code enforcement duties. He stated it is more difficult than most people realize to even respond to a grass and weed violation. Suv Brensinger mentioned several of the properties that Officer Wengert has worked on previously and the steps that are now being taken to correct the situations.

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

Respectfully Submitted,

Theresa L. George
Recording Secretary