

**MINUTES  
NORTH LEBANON TOWNSHIP  
BOARD OF SUPERVISORS  
AUGUST 20, 2007**

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 ..... Vice Chairperson  
Kenneth C. Artz ..... Treasurer  
Cheri F. Grumbine ..... Township Manager  
Harold Easter ..... Chief of Police  
Frederick Wolf ..... Solicitor

Also in attendance was Kathy Hackleman from the Lebanon Daily and many other individuals. The meeting was called to order and the pledge to the flag was done.

**UPDATE ON ACCESS MANAGEMENT ORDINANCE – Orth Rogers- Dan Kueper**

Tom Kotay reminded everyone that he had been here earlier this year to discuss access management. The County, North Cornwall and North Lebanon are the only three who decided to pursue this issue. Kotay and Dan Kueper are here to give an update on the Ordinance that they have been working on. At this point Mr. Kueper provided a presentation on the various aspects of the Ordinance. A power point presentation was given. Mr. Kueper explained as he went through his presentation that the Twp is able to modify everything in the Ordinance to fit with our needs for the Twp. Driveways and intersections were shown on several slides. Some examples of dangerous situations were depicted with some specific areas already located within the Twp. Routes 72 and 343. Another valuable aspect of having this Ordinance in place is the communication with PADOT. In areas where PADOT issues permits, notification would be provided to the Twp. The Twp would then have the opportunity to voice any concerns before a permit is issued. A portion of the presentation showed solutions to congested areas such as strip malls or multi-business areas. Future planning also plays a role in access management.

The Supervisors had several questions for Mr. Kueper. Suv Brensinger questioned the property owners not having enough footage to meet the requirements. Kueper said the idea of the Ordinance is not to keep land owners from doing improvements to the property. The Twp would have to work with situations as they arise. In certain situations it may be as simple as a shared driveway with the neighboring property. Grandfathering is also a consideration with this type of Ordinance. The spacing of the driveways is based on what? Suv Brensinger was told it would be based on calculations in the manual or whatever the Twp decides the measurements should be. The numbers are based on calculations of speed, reaction time and safe stopping distance.

Suv Artz questioned the areas where the road in question is a PADOT road. Whose Ordinance takes precedence, PADOT or Twp? And does the Twp have any say in what actually occurs? In some situations the Twp and PADOT can create the same regulations. In other situations the Twp would be given the information in plenty of time to offer comments before any permit is issued. Tom Kotay explained that PADOT is looking at a different set of circumstances than the Twp might be considering. That is why it is so important to have the communication lines open between the Twp and PADOT. Suv Brensinger said it will be nice to have equal say with the permits that PADOT are responsible for issuing. Some situations in the past have not been the most ideal for the Twp.

Suv Hawkins questioned the draft Ordinance. These standards are guidelines and can be altered, correct? Kueper said it is a flexible Ordinance that can be modeled to meet the Twp's needs.

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**Martin Barondick – New Street**

Mr. Barondick asked Mr. Keuper to bring up a particular slide in the presentation. It depicted a dangerous situation in regards to Lukoil and Heisey's Diner. According to Barondick this access area is a mess. How can this be improved? Tom Kotay offered his opinion that one way is to control the front area of Heisey's Diner where cars are pulling in and out. Barondick told Kotay that Gary Heisey will be screaming to high heaven if he tries to take that parking area away. Kotay explained that Gary Heisey would be grandfathered. Should the diner change owners or expands the new regulations would then take effect.

The Supervisors thanked Mr. Kueper and Tom Kotaty for their time and presentation.

**COMMENTS FROM THE PUBLIC****A.) Jeff Emerich – Vacating Rights to Unnamed Alley off Miller Street**

Jeff Emerich told the Supervisors he had been to County Planning in regards to constructing a new garage on his property. This situation is slightly different due to the fact that his current garage and his home are located on 2 different tracts of land that are deeded separately. He owns both tracts of land however the properties are separated by an unnamed alleyway. When asked about the alleyway being used by any of the surrounding property owners, Emerich responded he is the only one that uses this area, as most of the area is grassy. Emerich had provided the Board with an overview of the area previous to the meeting for their review. Emerich is asking the Board to vacate any rights to the unopened alleyway. The Board looked to Sol Wolf for advice on this issue.

Sol Wolf asked Emerich about the neighboring property owners. Emerich has received signatures from all the connecting property owners indicating they are in agreement with what is being asked for this evening. Sol Wolf explained to Emerich that the Board will be vacating only their rights to the alley. Any of the other neighbors might state a claim for use of the alley and it would then be a civil matter. Should the Board vacate their rights to the alley, Emerich would still have to seek an attorney's help to complete the creation of a new deed for the merging of the 2 properties. Emerich told the Board and Sol Wolf that this is necessary in order to get a permit to demolish his current garage and receive a permit to construct a new one. After some discussion on this issue the Supervisors indicated they were ready for action on this request.

**MOTION** was made and seconded to approve vacating Twp rights to the unnamed alley located between 904 and 906 Miller Street. Unanimously carried.

Sol Wolf stated that Mgr Gumbine and he would prepare a Resolution for the Board to adopt. Mr. Emerich would then have the copy of the Resolution to complete his re-deeding of the 2 properties.

**B.) Martin Barondick – Newspaper Article on 5<sup>th</sup> Ward**

Mr. Barondick questioned a newspaper article he had read in the Lebanon Daily News. It referred to the Fifth Ward and the Township taking over the property. Suv Brensinger had been quoted in the article. Sol Wolf told Barondick that there has been no meeting between these 2 groups as of yet. An attempt to schedule a meeting between the remaining members of the Fifth Ward and the Board of Supervisors is in process. No official proposal has been made or received regarding the property. After some discussion on this issue it was mentioned that the property will remain as an athletic field. That is one restriction that comes along with the property.

**APPROVAL OF MINUTES**

**MOTION** was made and seconded to approve the minutes from August 6, 2007. Unanimously carried.

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**APPROVAL PAYROLL and PAYMENT OF INVOICES**

**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 - July**

Chf Easter gave a summary of calls for service for the month of July. He reported that Tuesday seemed to be the day for the highest amount of calls for service this month.

**B.) Request from Avon Zion UMC**

A request was received from the Avon Zion UMC to close off Mishler Street on September 15, 2007 between the hours of 7AM and 7PM. They are planning a Festival and would like to have use of this street. Chf Easter has indicated this request had been received last year and he is happy to report there had been no incidents to report from last year's activities.

**MOTION** was made and seconded to approve the request from the Avon Zion UMC to close off Mishler Street on September 15 between the hours of 7AM and 7PM. Unanimously carried.

**Suv Artz** told Chf Easter he wanted to mention the great job the Police Dept had done with National Night Out. It was an enjoyable evening for all who attended. Also he asked the Chief to commend his department.

**TOWNSHIP MANAGERS REPORT – Cheri F. Grumbine****A.) JC Associates Final Subdivision Plan – 1 Lot WS Grubb Avenue; Planning Module; Park & Rec Agr**

A one lot subdivision off the west side of Grubb Ave has been submitted to the Twp office. The proposed lot contains 6.9015 acres in size and is improved with a single family dwelling, driveway access to Grubb Ave, storm water management facilities and associated site improvements. The residue lands are to retain 40+ acres in area, all existing structures and improvements is located on the east side of Grubb Ave. LCPD has provided a letter dated 8-09 recommending approval of the plan. During the August 13 meeting, the NLT Planning Commission had recommended approval also.

**MOTION** was made and seconded to approve the one lot JC Assoc final Subd Plan. Unanimously carried.

The sewer system will be an on-lot system. Resolution 16-2007 is being provided for action to approve the Planning Module for the one-lot off Grubb Ave. In addition the Parks & Rec agreement is being provided for a signature of approval. The developer has signed the agreement and paid all the required fees.

**Resolution No. 16-2007**

**MOTION** was made and seconded to adopt Resolution No. 16-2007 approving the Planning Module for the single lot subdivision of JC Associates and approving the Park & Rec agreement. Unanimously carried.

**B.) ZHB Case No. 7-2007; T-Mobile Northeast LLC Petition**

A variance has been requested by T-Mobile to the 500' setback required for placement of communication towers. A hearing before the Zoning Hearing Board has been scheduled for Tuesday, August 28 @ 7:30 PM here in the Twp meeting room. During the August 13 meeting of the Planning Commission this issue was discussed. Mgr Grumbine told the Supervisors that the Commission felt a waiver should not be approved and the Ordinance requirements should be complied with. Some discussion was held about the location for the proposed tower and the dimensions of the area. Suv Brensinger stated he would attend the hearing to voice the Board's desire to the ZHB to have the Ordinance upheld. He did mention the decision still rests with the Zoning Hearing Board.

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**C.) Open House for Municipal Officials @ GLRA – September 11**

Invitations from the GLRA to the Supervisors and their families have been extended to attend an Open House scheduled for Tuesday September 11 following the regular meeting scheduled at 6:00PM. A response is requested concerning the number attending. Tours of the facility and refreshments will be provided. Suv Artz, Suv Brensinger and Suv Hawkins both indicated they would be attending.

**D.) Youth Award Program**

PSATS sponsors a Youth Award Contest, which was established in honor of the Association's former director, Milton W. DeLancey. The award is to recognize youth groups who make valuable lasting contributions to their communities. An entry form has been completed by Clayton Snyder who completed his Eagle Scout project along with his Troop by mapping all the memorial trees located at Lions Lake. The Board previously provided Clayton with a Certificate of Achievement acknowledging the great job he did in the mapping and cataloging project. The Board is being asked to approve the signing of the entry form in order to forward to PSATS.

**MOTION** was made and seconded to approve the signing of the entry form for Clayton Snyder and the Youth Award application to be forwarded to PSATS. Unanimously carried.

**E.) Proposals for Line Striping**

The Roadmaster has received quotes from 3 different companies for the line striping of various roads within the Township. All 3 quotes came in over \$10,000, which would require the bidding process to be completed. Any projects between the amounts of \$4000 and \$10,000 require 3 quotes. Mgr Grumbine suggestion is to revise the amount of footage for striping so that the quotes would be acceptable instead of having to complete the bidding process. After some discussion the Board was in agreement to revise the footage to a maximum of 266,640 feet and going with the price quoted by Interstate Road Management Corp, which would come in at \$9,999. This would eliminate having to complete the bidding process which would delay the line project.

**MOTION** was made and seconded to approve the 2007 line striping project, at a maximum of 266,640', with Interstate Road Management Corp. Unanimously carried.

**SOLICITORS REPORT - Frederick S. Wolf****A.) N 11<sup>th</sup> Avenue RR Crossing – Recommended Decision of Administrative Law Judge**

Sol Wolf has provided a summary of the court ruling on the request made by Norfolk Southern regarding the proposed closing of the N 11<sup>th</sup> Ave railroad crossing. He read through some of the decision pertaining to the maintenance of the crossing and any proposed lights and/or devices suggested by the court. There were some exceptions Sol Wolf informed the Board about. These exceptions are going to be made by the City of Lebanon and Lebanon County regarding some of the wording that is contained in the maintenance portion of the decision. Sol Wolf will keep the Supervisors updated as this issue progresses. Suv Brensinger asked Sol Wolf if he would be taking care of filing any exceptions on behalf of the Twp. Sol Wolf agreed he would be working on filing these exceptions this week.

**B.) L.E.R.T.A. Request by LVEDC – HOLD until LVEDC Completed Outstanding Rail Park Issues**

Lebanon Valley Economic Development Corp had applied to the Twp for a L.E.R.T.A. status regarding the remaining property at the Lebanon Rails Business Park. A meeting had taken place at the Twp office with all the concerned groups regarding the remaining outstanding issues with the Business Park. It was decided that until all the outstanding issues are completed the issue of the LERTA request will be placed on hold.

**C.) Progress of North/South Lebanon Fireman's Relief Assoc Split**

Sol Wolf reported he had received all the information he needed from the North Lebanon fire companies. He is now waiting to hear from the attorney for the South Lebanon Fire companies in order to schedule a meeting between the two.

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**Progress of North/South Lebanon Fireman's Relief Assoc Split (con't)**

A total audit will have to be completed regarding all financial activities before any type of separation is accomplished. Sol Wolf stated this will not be a quick completion. It could take until the end of the year to accomplish everything that needs to be accomplished.

**COMMENTS FROM BOARD MEMBERS**

**A.)Reminder: September 4<sup>th</sup> meeting of Board has been cancelled**

Suv Hawkins reminded the public that the Board of Supervisors' meeting for September 4<sup>th</sup> has been cancelled. The next meeting will be on September 17<sup>th</sup>.

**B.) Suv Ed Brensinger**

Suv Brensinger stated he would be remiss if he did not mention the National Night Out. He extended his appreciation to all the Police Dept, their spouses, all Township employees and definitely all the local businesses that had donated to make the event a success. He feels it was well attended and the location was a good choice.

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

Respectfully Submitted,

Theresa L. George  
Recording Secretary