

WEST LEBANON TOWNSHIP
July 3, 2023

The regular meeting of the West Lebanon Township Board of Commissioners was called to order at 7:00 p.m. by Vice President Michelle Testerman with the Pledge of Allegiance

The following were in attendance:

Commissioner Richard Pflueger	Treasurer: Julie Clouse
Commissioner John Gurganus	Secretary: Antoinette Issis
Commissioner Michelle Testerman	Maintenance: John Brenner
Commissioner Harry Fox (absent)	Township Engineer: Mr. Joshua Weaber
Commissioner Phylis Dryden	Solicitor: Mr. Michael Light

Phylis Dryden made a motion, seconded by Richard Pflueger and agreed by the Board to approve the minutes as written June 5, 2023.

Phylis Dryden made a motion, seconded by Richard Pflueger and agreed by the Board to approve the minutes as written June 20, 2023.

VISITORS' ADDRESS: There were 18 visitors in attendance.

David Snyder, 1923 W. Cumberland Street, stated at the June 5th meeting he asked if the board knew who was doing a traffic study on Chapel Lane and was told they would ask the question the following day. David wanted to know if the board has an answer.

Michelle Testerman stated she asked and at that point Mr. Brenner did not know who was doing it since they were not doing it just at Chapel Lane.

David asked so the township does not know who is doing it.

Michelle stated from her understanding they were doing it in numerous places in the township and not just at Chapel Lane.

Dave asked where the other places that it was being done.

John Brenner stated at 25th Street by the generator place, one behind the mall, and one at Union Canal Drive. John stated it was weird because the traffic study was set up on a Sunday and usually a traffic study does not start on a Sunday.

Dave stated it is strange that the traffic study appeared, and no one knew who put it out.

John stated an engineering company put it out and it's just a material.

Dave stated that the township does not know if it is just a material.

John stated true but an engineering company will eventually propose something sooner or later.

Dan and Sue Vanfleet, 2190 Lehman Street, stated at the May meeting they submitted a request to change the ordinance to have an AirBNB in their home.

Michelle Testerman stated in May the board did discuss it and it was decided to deny the request. The ordinance was recently put in place and the board turned others down who requested the same thing. It would be very unfair to allow one and not the other.

Sue asked about changing the ordinance.

Michelle stated it would be difficult to change the ordinance just for one person especially when the ordinance was recently put in place for the protection of the township.

Sue asked if the board would consider changing the ordinance for the entire township.

Michelle stated not at this time.

COMMITTEE REPORTS:

Treasurer’s report: Copies of the report were given to the Board members and available to the visitors in attendance.

Total monies in all West Lebanon Township accounts as of June 30, 2023 are \$1,991,418.51.

Lebanon County Treasurer Real Estate Taxes collected are \$902.85 from 5/28/23 to 6/3/23
Municipal (\$827.20), Street Light Taxes (\$75.65).

Lebanon County Treasurer Real Estate Taxes collected are \$351.95 from 6/4/23 to 6/10/23
Municipal (\$334.95), Street Light Taxes (\$17.00).

Lebanon County Treasurer Delinquent Real Estate Taxes collected are \$447.28 from 5/1/23 to 5/31/23
Municipal (\$827.20), Street Light Taxes (\$75.65).

Lebanon County Treasurer Real Estate Taxes collected are \$5,210.10 from 6/18/23 to 6/24/23
Municipal (\$827.20), Street Light Taxes (\$75.65).

Phylis Dryden made a motion, seconded by John Gurganus and agreed by the Board to accept the Treasurer’s report.

POLICE: Chief Knight was in attendance and gave the report for the month of June 2023 as follows:

Total Calls for the month	52
Traffic Arrests	23
Criminal Arrests	01
Parking Tickets	16
Faulty Equipment Cards	10
Non-Reportable Incidents	17
Reportable Incidents	27
UCR Crimes	08

SPEEDWELL FIRE COMPANY:

Skylar Ford gave the following report for June 2023 as follows:

5 calls for the month with 14 personnel for 68.04 hours.

Training for hours for the month: 19 personnel for 49.1 hours.

Skylar gave the following updates for Speedwell:

- Speedwell Engine & Hose is working very aggressively with mutual aid companies and expanding training and call volume.
- Training records/manhours are greater than the call volume, which is good keeping the residents of WLT safe and public going through the township as well.
- Speedwell will be supplying one engine to the baseball field July 4 for fire protection as well as having Neversink standby with Speedwell.
- Speedwell Engine and Hose asked anyone setting off fireworks within the township to do it in a safe legal manner, be aware of your surroundings, while setting them off.
- Anyone within or out in the township who would like to become a member. Speedwell highly encourages anyone to stop by and grab an application as the fire department is seeking drivers, firefighters, and administrators as well as general members. No

experience is needed, and the department will train and have paid training for members as needed.

Bill Houser stated he has a quote from the Knox Company to purchase 2 Knox boxes and believes the township has a public safety budget.

Michelle Testerman asked Julie Clouse or Mr. Brenner, who is the public safety officer, if there is anything left in that fund.

John Brenner stated the township does not have money in the budget for Knox Boxes for the fire company. Knox boxes are a fire company items and the fire department is responsible to purchase those. John stated that is not the township's responsibility to purchase those.

HIGHWAY: Phylis Dryden stated a reminder of 4th of July parking along Lehman Street on North Side is prohibited.

Phylis Dryden stated street cleaner this Wednesday July 5, 2023, and July 12, 2023.

WATER: Richard Pflueger stated the daily average for the month was 34,000 gallons per day (GPD). The water tank is full. The total City of Lebanon Authority (COLA) water was zero (0).

SEWER: Richard Pflueger stated still receiving a lot of rags/commercial wipes in White Row.

STORM SEWER/MS-4: Josh Weaber stated the storm sewer drainage project 20th and 22nd Street will be starting the week of July 17, 2023.

Josh Weaber stated a noted regarding the Raponi property below the water tower, there was an issue with the excavation on the property. There was some fill put back on their however this does not take it back to the original conditions. It takes it back to a satisfactory position where the slope is stable with one condition that there needs to be permeant vegetation established on the slope. There is some erosion however nothing significant at this point. If nothing is done it will continue to erode over time so permanent vegetation will need to be put back on the slope to stabilize it. As far as the stability goes it will be stable after the vegetation.

Phylis Dryden asked how the board will accomplish getting the results.

Josh stated he believes there will have to be some correspondence through the township solicitor or North Lebanon Township solicitor, as there may a zoning issue with North Lebanon

Township informing that the slope needs stabilized with a steep slope or permanent vegetation.

Michelle asked Michael Light to check on the issue.

TOWNSHIP BUILDINGS: Michelle Testerman stated still waiting to finish the upstairs A/C.

RECREATION: Michelle Testerman stated a lot of children were seen using the walk path. Well Span Healthy program is also using it.

PUBLIC SAFETY/CODE ENFORCEMENT/SANITATION: John Gurganus stated the EMA Coordinator attended a new Damage Assessment Training. This program is the first in the state that Lebanon County Department of Emergency Services has and the technology to report Damage Assessment at any time. The training on 6/28/23 for the new technology and the authorizing users to use it, by the county, and to submit to West Lebanon Township's damage

assessment reports to county online or mobile device. This information is always needed in a timely manner when any disaster strikes in the County or Township so the county can forward it to state and federal authorities for possible funding.

GREEN WASTE/RECYCLING: John Gurganus stated Greenwaste card renewal notices were sent out. Reminder on July 8th, if Recycling Cards are not renewed, the card will not work.

John Gurganus stated he appreciates the opportunity to be able sit on the board of commissioners whether it is full time or part time. The reason being is because he likes West Lebanon Township due to it being a nice, quiet, friendly township. Even though there is a lot of construction going on; hopefully that can keep going with all the new residents moving into the township.

Zoning:

Purchase Certificates issued as follows:

Zoning Permits issued as follows:

Z-5-2023 issued to Carol Miller, 2312 Mifflin Street, for Gas Added/HVAC.

Z-9-2023 issued to David Weisman, 2223 Church Street, for fence addition.

Z-10-2023 issued to Ryan Winters, 2325 Guilford Street, for pool.

Building Permits issued as follows:

B-10-2023 issued to Carol Miller, 2312 Mifflin Street, for Gas Added/HVAC.

Excavation Permits issued as follows:

E-4-2023 issued to Mastec North America.

FINANCE: Phylis Dryden made a motion, seconded by Richard Pflueger, and agreed by the Board to pay all the bills as submitted.

OLD BUSINESS

The secretary stated nothing to report.

NEW BUSINESS

Phylis Dryden made a motion, seconded by Richard Pflueger and agreed by the board to adopt Resolution 2023-7 for West Lebanon Township to follow the Municipal Records Schedules and procedures for disposition of records as set forth in the municipal records manual approved on December 16, 2008. All in favor.

Michelle Testerman stated because of being a first-class township, West Lebanon Township has the opportunity to have a head manager. The township did conduct interviews for the position and hired someone for the position. He will be in training and will be helping the residents out. Michelle introduced David Weisman, who got hired as the township manager.

David Weisman stated he appreciates the opportunity to serve the community. He knows a lot of people in the township, having lived in the township for 20 plus years. He is looking forward to serving the community and is getting trained by John Brenner.

Michelle stated the next order of business is the resignation of President Harry Fox and read Harry Fox's resignation letter dated June 28, 2023.

John Gurganus made a motion to accept the resignation letter from Harry Fox as President of the Board of Commissioners. Motion fails due to no second.

Michael Light stated the board does not have to accept and will be deemed as accepted 45 days after the date of the letter to be automatically accepted.

Phylis asked for discussion.

Michelle called for an executive session. Before having an executive session, Michelle expressed some concerns. When receiving John Brenner's resignation letter as commissioner, Michael was at the meeting when the letter was accepted, and the board had 30 days to fill the position. The July 3, 2023, meeting was within those 30 days. The board was told at the June 7, 2023 that the board did not need to have a special meeting and could have appointed at the July 3, 2023 meeting. Later the board was told the board needed a special meeting, in which Paul attended. Paul came to the meeting unprepared and unable to answer the questions. The answers given to the residents were inaccurate. Mr. Snyder and Mr. Templin were eligible to be on the board at this time and the board was told they were not eligible. Now taxpayer's money was wasted on a meeting that was not needed to be given inaccurate information. The township will need to have another special meeting to appoint another commissioner in 30 days. The last special meeting was pointless and unprepared by the solicitor.

Julie Clouse stated this resignation is different though because this resignation was not accepted so the board would have 45 days so it could be done at the next meeting.

Michael stated it could be done at the next meeting.

Julie stated if the board did not accept the resignation, the board cannot fill the position.

Michelle stated so the board will not have to have another special meeting.

Michael stated no the township will not have too.

Michelle asked if he was sure since the township was told that last time and then came back and told the township a special meeting was needed.

Michael stated a special meeting would need to be held if the next meeting is not within the 30 days. It would be 45 days from the date of the letter. After the date of accepting the letter, the board would have 30 days to appoint a commissioner.

Phylis asked so it could occur in September.

Michael stated yes. For the September 2023 meeting the board would have to have someone appointed or have a special meeting if the board is outside of those 30 days. If the board does not appoint someone it would go to the vacancy board.

Michelle stated with that being said she would like the board to go into an executive meeting.

Antoinette asked if the board needs a motion to go into an executive meeting.

John Gurganus made a motion for the board to go into an executive meeting. Motion fails due to no second.

John Brenner stated the board may run into legal issues if the board does not do anything because the president of the board is on the finance committee and does the finances.

Michelle stated hence the executive meeting.

Tina Houser stated yet the board did not second the executive meeting.

John Brenner asked what that has to do with the finances of the township.

Bill Houser suggested for the board to second Harry Fox's resignation because the township will just prolong the process by not accepting the resignation.

Michelle stated that motion has already passed, and the executive meeting is for the board to discuss things as Mr. Brenner stated.

Tina stated Michelle does not have the rest of the board on the same page.

Michelle asked if Michael could answer Mr. Brenner's question about finances.

Michael stated to save the bills until a president is appointed.

Michelle stated so no one would get paid for a month or two until this can be resolved.

John stated that cannot be done that way. The president must be on the finance committee and is on the checking accounts and must get bonded. The vice president cannot get bonded due to an issue and cannot hold the position.

Michelle asked if there is a second for an executive meeting to discuss these things behind closed doors. John Gurganus made the motion for the motion for the executive meeting. These issues impact every resident in the township if the board cannot get on the same page to do what needs to be done. The board needs to have a meeting to organize this.

Michael stated the board is entitled to have an executive meeting to discuss the issues.

Phylis Dryden made a motion, seconded by Richard Pflueger and agreed by the board for the board to have an executive meeting to discuss the issues brought up but not have the reorganization of the board. The Board went into an executive session at 7:26.

Michelle readjourned the public meeting was back in session at 7:37.

Richard Pflueger stated he would like to bring up Harry Fox's letter of resignation to accept it. Richard Pflueger made a motion seconded by John Gurganus and agreed by the board to accept Harry Fox's resignation as Commissioner. Phylis Dryden opposes.

Michelle asked Antoinette when the next meeting is.

Antoinette stated the next meeting would be August 7, which is outside the 30 days.

Michelle stated a special meeting would need to occur for the vacant commissioner position.

Rick asked if the board could just appoint someone at the current meeting.

Michelle stated what she would like to do is to give everyone an opportunity to provide a letter of interest to know who is interested. Then have a special meeting to appoint.

Justin Snyder, 1923 W. Cumberland Street, stated that when he came in and went to grab his papers Phylis asked if he was still interested in filling the vacant commissioner position. Justin stated he has now done everything correctly twice by the system and was not selected. At this time Justin will deny the position and wishes the township the best. When the election happens, he plans to come in with open arms because he agrees with Mr. Gurganus with his remarks about West Lebanon being a nice township to live in.

Michelle apologizes to Justin Snyder and Joe Templin as the board was given wrong information by the solicitor at the special meeting.

Michelle asked if July 19 or July 24 works for all commissioners for Michael to get it advertised. Commissioners agreed on the special meeting being July 24, 2023 at 7:00pm.

Justin asked where residents can drop the letters of interest.

Michelle stated residents can drop the letters in the box on the door and just write commissioners on the envelope.

Tina Houser asked what the deadline for residents is to submit letters of interest.

Michelle stated July 19, 2023 to give the board enough time to look through the letters of interest.

John Gurganus made a motion seconded by Richard Pflueger and agreed by the board to accept letters of interest for the position of township commissioner, which is a bipartisan position, no

later than July 19, 2023 with a special meeting being held on July 24, 2023 to appoint a commissioner.

Michelle stated due to John Gurganus' appointment on the board of commissioners; he had to resign off the zoning hearing board. The board did receive a letter of interest for the zoning hearing board from Jon Litz. Michelle asked Jon Litz if he is still interested in accepting the vacancy for the zoning hearing board.

Jon Litz stated yes.

Phylis Dryden made a motion seconded by Richard Pflueger and agreed by the board to accept Jon Litz to be alternate on the zoning hearing board and Justin Snyder move onto the zoning board.

John Brenner asked if Jon Litz was going in as alternate and the current alternate is moving up. Michelle stated the current alternate should move up and Jon Litz should move in as alternate.

Antoinette stated the current alternate is Justin Snyder, so he would move up, and Jon Litz would become alternate.

Michelle asked Justin if he is fine with moving up at this time.

Justin stated yes however it would have to be filled if he gets elected in November.

Michelle stated the township will cross that bridge when it comes time for it.

Michelle stated one question from the June meeting she wanted to clarify for appointments is that John Gurganus is on the board until January 2024. There will be 5 open positions on the board during election. Whoever expresses interest will only be on the board until January.

During the January meeting, whoever won the election will be on the board of commissioners per Lebanon County Bureau of Elections. Michelle asked Mike if that is correct.

Mike stated he will have to get back to the commissioners about that.

Michelle stated that should have been answered because Paul had a list of things to have answers to be able to answer the questions.

Jon Litz stated someone in the election in November will fill John Brenner's seat.

Michelle stated John Brenner's seat was filled by John Gurganus until January. The next position would be to fill Harry Fox's position, which would be a four-year term as his term would have ended at the end of the year. Michelle, Phylis, and Harry are up for re-election. John and Rick's positions would be the 2-year terms. Come election time in November there are 2-two-year terms open and 3 four-year terms open to be filled.

JoEllen Litz asked if those positions were for the election in November.

Michelle stated correct as that is what she was told by Lebanon County Bureau of Elections.

Julie Clouse stated whoever expresses interest for the vacant commissioner position would be until January and if residents want to be on the ballot, they would need 10 people to write them in on the ballot.

Phylis Dryden stated the only person on the ballot for the 2-year term is Joe Templin, which was from write in votes.

Dave Snyder asked what happens if no one is interested.

Michelle stated that could very well be a problem.

Antoinette asked with accepting Harry's resignation, is the board going to reorganize tonight and appoint a president tonight.

Michelle stated not until July 24th when the board has the special meeting to appoint a commissioner and will reorganize at the next meeting.

Phylis stated the township does need the appointment of the finance committee.

Michelle stated Richard Pflueger will take care of the financial aspect of it.

Phylis stated will John Gurganus be on the finance committee and sign vouchers.

Michelle stated yes, he will be signing.

John Gurganus stated West Lebanon Township has come so far with being modernized, from the expansion of the fire house, new maintenance garage, a new salt bin, emergency generators, newer equipment. He cannot say enough about the current employees, past employees, and the commissioners, especially John Brenner, the township has come a long way and hopes that it keeps going that way.

CORRESPONDENCE

Received checks as follows:

Mastec North America- \$190.00 for Excavation Permit E-4-2023 (Invoice #2023-516).

Greenwaste Keycards (6/7/23)- 15 at \$30.00 each totaling \$450.00.

Luis Hernandez- \$50.00 for Rental License.

Huntler Corporation- \$5,129.00 for Invoice#2023-507 for EDU Water Tap (\$500.00), Sewer Tap (\$1,000.00), and Sewer EDU (\$3629.00).

Huntler Corporation- \$5,129.00 for Invoice#2023-510 for EDU Water Tap (\$500.00), Sewer Tap (\$1,000.00), and Sewer EDU (\$3629.00).

Huntler Corporation- \$1,000.00 for pit fee for 415 N. 18th Street.

Huntler Corporation- \$1,000.00 for pit fee for 1764 Alamo Way.

Huntler Corporation- \$1,041.10 for Invoice #2023-505 for recreation fee for 415 N. 18th Street.

Huntler Corporation- \$1,041.10 for Invoice #2023-508 for recreation fee for 1764 Alamo Way.

Ryan Winters- \$20.00 for Zoning Permit Z-10-2023 for 2325 Guilford Street for pool.

Lebanon County Probation Services- \$200.00 for fines for case CP-38-JV-0000117-2022.

Key Zoning Assessment- \$70.85 for copies of plans at Lebanon Valley Mall.

Brad Menzel- \$114.17 for water meter #065

Carol Miller, 2312 Mifflin Street- \$93.31 for Zoning Permit Z-5-2023 and Building Permit B-10-2023 for Gas Added/ HVAC.

David Weisman, 2223 Church Street- \$22.33 for Zoning Permit Z-9-2023 for fence addition.

William Fair- \$35.00 for handicap parking maintenance fee.

Greenwaste (6/12/23)- 12 at \$30.00 each totaling \$360.00.

Lebanon County Tax Claim Bureau- \$447.28 for May 2023 Municipal Tax delinquent.

Greenwaste cards (6/20/23)- 5 at \$30.00 each totaling \$150.00.

North Lebanon Township- \$90.79 for May Code Enforcement and mileage.

DJ-52-3-03: \$1,448.78 for June 2023. Local Ordinance (\$1,177.18), Title 18- Payable to Municipality (\$271.60).

Received letters as follows:

Dylan Savidge- pool at house on N. 23rd Street being taken away and will be going door to door to get support due to feeling ashamed that the pool was taken away.

Staples- information about account closing as of 7/31/2023.

Lebanon County Commissioners- copy of resolution 6-6-2023 for a temporary burn ban on outdoor burning will be in effect for 30 days, expiring on July 8, 2023 unless extended prior to the expiration.

Lebanon County Library- Thanking the township for the continued support via the donation to library.

JBT- Letter of credit for emergencies only.

PA Environment Digest Blog- copy of article for LuAnn Horn and Kathy Redinger recognized with community Pride award.

Keystone Collection Group- copy of the recent public funds audit report for Act 32 Tax Collection District and the current tax officer bond.

Jon Litz- vacancy on zoning board interest.

John Gurganus- resignation letter for zoning board due to filling a temporary vacancy on the Board of Commissioners.

Harry Fox- resignation letter from Board of Commissioners and President of Board of Commissioners.

Carolyn Novak, Hoaster Gebhard- Bonding information for employees.

The next meeting of the West Lebanon Township Board of Commissioners is the special meeting Monday July 24, 2023 at 7:00 p.m. at the West Lebanon Township Building, 322 North 22nd Street.

The next meeting of the West Lebanon Township Board of Commissioners is Monday August 7, 2023 at 7:00 p.m. at the West Lebanon Township Building, 322 North 22nd Street.

Richard Pflueger made a motion, seconded by Phylis Dryden and agreed by the Board to adjourn the meeting at 7:50 p.m.

Respectfully submitted,

Antoinette Issis, Secretary