

WEST LEBANON TOWNSHIP
October 2, 2023

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

The following were in attendance:

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| Commissioner Richard Pflueger | Treasurer: Julie Clouse |
| Commissioner John Gurganus | Secretary: Antoinette Issis |
| Commissioner Michelle Testerman | Maintenance: John Brenner |
| Commissioner Justin Snyder | Township Engineer: Mr. Joshua Weaber (absent) |
| Commissioner Phylis Dryden | Solicitor: Mr. Paul C. Bametzreider |

Phylis Dryden made a motion, seconded by Michelle Testerman, and agreed by the Board to approve the minutes as written September 5, 2023.

VISITORS' ADDRESS: There were 15 visitors in attendance.

Justin Thompson, North Cornwall Township Public Works director, stated a few weeks ago a letter of intent was sent out. North Cornwall Borough, Cleona, Annville (will be passing letter of intent on 10/3/2023). North Cornwall reached out to West Lebanon for Speedwell Engine and Hose to participate in the study.

Justin Snyder asked if Justin Thompson can explain the study.

Justin Thompson stated the study is free through the state. It is a regional study and does not know what will be asked exactly from the township and fire department. It will study the fire apparatus, manpower, and region the department responds to. Ann, from DCED, will walk the township through the entire process.

Justin Snyder asked what the benefits are for participating in the study.

Justin Thompson stated the township and fire department would have a third party, non-bias, opinion of the fire department. The information provided would go a long way with the study and the feedback would be beneficial for the operation of the fire department.

Justin Snyder asked if this can be explained to the public for what this is about for those who may not know.

Justin Thompson stated in today's world, volunteer firefighters are difficult to get and assist with the expenses of fire companies. The idea is fire apparatus which would save on expenses.

Neversink across the street has 2 engines, Speedwell has 2 engines It is difficult to budget for.

Justin Snyder asked if this study is for the possibility for all these municipalities to merge into one fire department.

Justin Thompson stated yes. This is only for the study and the township can take part in the study and take the feedback and say that merging is not for the township.

Richard Pflueger asked if the township is voting to take part of the study.

Gary Redinger asked when the study comes back will it have the breakdown for the cost to the township.

Justin Thompson stated when the study is complete, it will break all that down. He does not have the current cost of it now. It will break down the cost of the mechanisms and what engines should be in what areas.

Jon Litz asked who would have oversight if the fire company's merge.

Justin Thompson stated in his mind the township would have one or two commissioners on the regional fire board who would oversee the operation.

Richard Pflueger stated when the study is complete more information will be provided.

Justin Thompson stated there is not very many answers right now.

Jon Litz asked are they were looking to have paid firefighters within this.

Justin Thompson stated the future is having paid firefighters.

Michelle Testerman stated she has attended a lot of meetings, and the answers are still the same that they don't know. Just so Justin Thompson is aware that the fire company discussed it at their meeting and the fire department voted to not be a part of the study because of having a lot of unknown answers. It sounds great however there was a meeting involving Neversink and Speedwell and the chief's of each department could not get along. In theory it sounds great to get manpower, but Justin Thompson is talking about Speedwell responding to calls as far as Mount Gretna.

Justin Thompson stated that they will not get the fire departments to agree entirely. That is where the commissioners on the regional fire board will have to step in to say this is what needs done.

Michelle asked who is paying for the insurance if the fire departments merge.

Justin Thompson stated the regional fire company. He does not have all the answers currently.

Michelle stated the board needs some answers before voting on something.

Justin Snyder stated the board is voting for the township and fire department to participate in the study.

Michelle stated when Speedwell had the meeting at Neversink it was clear that the letter of intent needed done before anything was done. The letter of intent was to be written for the purpose of going to do it.

Justin Thompson stated Michelle and him are talking about two different things. Justin Thompson is talking about a letter of intent to initiate the state study. What Michelle is referring to is a letter of intent to merge before being ready to go with a merger.

Skylar Ford stated when the study is complete, the fire department will take the information to determine if everything is feasible.

Justin Thompson stated the study may come back and show it is not feasible for Speedwell to participate in merging.

Skylar stated the fire department can do what they want with the results.

Bill Houser stated the fire department already voted so the information can get brought back to the department. Once having the information, it can be brought back up at a fire company meeting to discuss what the fire department wants. As of right now the fire department has already voted.

Phylis asked if Justin stated that Annville Township will be voting on the intent to participate in the study.

Justin Thompson stated that as far as he is aware Annville Township is voting on it on October 3, 2023.

Skylar Ford stated his opinion as deputy fire chief for Speedwell is to participate in the study. It will be very important for the future. The fire department can determine what to do with the information when it comes back. Going through times, manpower is going to be short and to figure out things. Skylar agrees with doing the study but disagrees with merging right away.

Michelle thinks what held them back and why the department voted against it, is what was sent out initially. The letter of intent is completely different than what Justin Thompson just informed the township.

Justin Thompson stated he had nothing to do with what was sent out initially.

Michelle stated that is where she is stuck because she does not want a letter drafted with all of the commissioners approving it for a study and then decide.

Justin Snyder stated that is what the study is for.

Michelle stated she hears that now but that is not what was brought up at the other meetings with the chiefs.

Richard Pflueger stated that is all history.

Justin Snyder stated on September 28 Chief Knight had the honor to look at a study done by the police departments to merge everything, and it brings in ideas. Justin Snyder stated if reading the entire study, it does break down the finances, logistics, and manpower.

Chase Testerman stated there were a lot of meetings prior that the fire department was not involved in.

Justin Thompson stated there was no reason for the fire department to not have been involved to begin with.

Bill Houser stated when he was contacted for the meeting with himself, Chief Testerman, and Commissioner Litz, they were told something entirely different. They had many meetings prior to that which did not involve Speedwell.

Justin Thompson stated that he is not here trying to force Speedwell to take part of it but wanted to be a good neighbor.

Bill stated the fire department already voted no on participating in it. When the results come back, the results can get brought up at department meetings.

Dennis stated he thinks prior to the board voting on it, the board should notify all residents about what is going on.

Richard stated all the township is doing is participating in a study.

Dennis stated as the township gets the results back to have a meeting to inform residents of the results to hear the public's opinion about it since it is residents tax money being spent.

Justin Snyder stated that is a good idea.

Justin Snyder made a motion and seconded by Phylis Dryden and agreed by the board to participate with the free study and when the study comes back, the commissioners have a special meeting about the results of the study.

Bill Houser asked when the study comes, will the commissioners go against what the fire department votes on during their meetings.

Paul stated there is two parallel tracks one being the fire company and the township cannot regulate what the fire department does internally. The fire department can make a decision they will not participate. The township itself under the first-class township code is paying for fire protection and the township can decide what fire companies respond in the township. The fire department can make their decisions, but the township could potentially make a separate decision. Paul is not saying the township will make a different decision, but the commissioners have the authority to decide which fire company will run calls.

Bill stated that is what this is all about.

Paul stated right now this is just a study. Paul stated there is a 2nd to the motion and asked if there is any more discussion.

Michelle stated not at this time until the results of the study are received by the township.

Richard Pflueger asked for a roll call vote for the motion.

Antoinette took a roll call vote.

Michelle stated that Justin Snyder must abstain due to being a member of the fire company.

Paul stated since it is a study, he technically does not have a conflict at this point.

Michelle stated that he very much does have a conflict.

Paul stated that if the commissioners are going the route that Justin Snyder has a conflict of interest a new motion needs to be made.

Phylis Dryden made a motion, seconded by John Gurganus to proceed with a letter of intent to go ahead with the study as long as the township is not locked in about a decision. The board will bring the results to the residents of the township for recommendations. Justin Snyder and Michelle Testerman abstain. Richard Pflueger voted to proceed with the motion.

Bill Houser stated that Richard Pflueger does not have the right to vote due to being president of the board.

Phylis Dryden stated that Richard does have the right to vote to break a tie.

Gary Redinger, 2019 Church Street, noticed the treasurer's report that the ending balance for the Penn Vest fund is \$73,414.89 and the loan payment is about \$15,000. That is only enough to pay for about 5 months. Will the loan get paid off in 5 months?

Julie stated that is not correct. That is just for the end of this year and in January the township transfers money into the Penn Vest account from the water fund. Penn Vest fund takes money out of that fund. The township builds the funds for the account in the water fund during the year and then transfers it to the Penn Vest account.

Jon Litz, 2302 Guilford Street, asked to have any dates been set for the budget meeting per the Sunshine law.

Michelle stated the township does not have actual meetings regarding the budget.

Paul stated the township is not required to have meetings for the budget and it can be discussed at an actual meeting.

Jon Litz asked with the development with the trailers, has anything been done additionally to get them to comply with the weeds. It seems like no motion has been complied with it.

John Brenner stated a NOV was sent to them and they are maintaining the outer part which is not in the containment of woodchips.

Jon asked if the weeds are fine.

John Brenner stated the conservation district has the permit.

Jon asked do the weeds meet the requirement of the West Lebanon Township ordinance.

John Brenner said yes.

Jon Litz asked what the board can do to control the shot gun exhaust systems that have been extremely prevalent in the township.

Michelle stated this issue is like loud music where the police have to catch them in order to proceed with a violation.

Jon stated it could be controlled with the noise ordinance because they are making sounds that a vehicle does not normally make.

Michelle asked if the police could catch them and hear.

Chief Knight stated yes, the police must hear it within a certain distance.

Michelle stated it must be an aftermarket alter.

Chief Knight stated it is an aftermarket alter and he has witnessed it during traffic stops.

Jon Litz asked if the board can ask the police to monitor it better.

Michelle stated Jon can feel free to ask the police department because as a resident he will have just as much say as the commissioners do.

COMMITTEE REPORTS:

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

Lebanon County Treasurer Real Estate Delinquent Taxes collected are \$468.48 from 8/20/23 to 9/2/23 Municipal (\$468.48), Street Light Taxes (\$0.00).

Lebanon County Treasurer Real Estate Delinquent Taxes collected are \$545.61 from 8/20/23 to 9/2/23 Municipal (\$446.49), Street Light Taxes (\$99.12).

Total monies in all West Lebanon Township accounts as of September 30, 2023, are \$1,863,387.99.

Phylis Dryden made a motion, seconded by Michelle Testerman, 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 September 2023 as follows:

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| Total Calls for the month | 30 |
| Traffic Arrests | 16 |
| Criminal Arrests | 03 |
| Parking Tickets | 05 |
| Faulty Equipment Cards | 03 |
| Non-Reportable Incidents | 12 |
| Reportable Incidents | 16 |
| UCR Crimes | 08 |

Chief Knight stated a reminder that Trick-or-Treat is on October 31 from 6:00pm to 8:00pm. The rain date for Trick-or-Treat is November 1 from 6:00pm to 8:00pm.

John Gurganus stated he knows it is in North Lebanon Township, but when traveling on Lehman Street and Union Canal Drive. The dealer there has cars parked on the side of the road where 24th Street is. It is not a heavily traveled area, but it is difficult to see oncoming traffic when stopping at the stop sign there.

Chief Knight stated he will have to look at it. Chief Knight asked John Brenner if he knows what the right of way is on the street there.

John Brenner stated maybe 15 feet.

Chief Knight stated he has to look at the ordinance for the right of way. They were warned about the parking on the other side of the road and the police department was told if they see them to write them a ticket if for it.

John Gurganus stated the lot is full and they have cars parked very close to the macadam. Drivers have to pull way up to see if there is oncoming traffic.

Chief Knight stated they have too many cars for the lot and will take a look at it.

SPEEDWELL FIRE COMPANY:

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

5 calls for the month with 7 personnel responding for 3.79 manhours.

Skylar asked if there were any questions or concerns, he should bring back to the fire department.

Justin Snyder asked if the fire department has been cleaning, working, training, and doing what the commissioners have asked for.

Skylar stated yes and everything is documented for what they are doing for the month.

Phylis asked if a member misbehaves do they get a warning.

Skylar stated that is correct. Warnings and penalties are given to members when issues arise.

There have been no incidents to report recently.

Michelle stated the fire department has policies and procedures which everyone is given and must sign. There are different steps, and it is spelled out for them. Every member must sign upon admission to the fire company, so they know and there are no discrepancies.

Richard Pflueger asked what the standard procedure for responding to a call. Is it necessary for the company to respond to a call when there is already an apparatus on scene.

Skylar stated when the fire company gets dispatched, they will respond. If Speedwell is no longer needed, the command officer or the county will communicate that to Speedwell. Some calls will get downgraded from lights and sirens to a non-emergency. There are different procedures to follow.

Michelle stated sometimes drivers will drive by a scene and see numerous engines but will only have one person so they will call more fire departments for the manpower. Michelle stated that Speedwell is lucky to have the manpower currently and it was brought up at a recent meeting.

Justin Snyder stated good and hopefully it shows in the upcoming study.

HIGHWAY: Phylis Dryden stated the township maintenance crew continued to paint curbs weather and time permitting. Phylis Dryden stated street signs were missing from 25th and Lehman, Mifflin, 24th & Mifflin. Mifflin Street signs were replaced and waiting on new sign for 25th Street.

John Brenner stated that the signs at 25th and Lehman still must get finished.

WATER: Justin Snyder stated the daily average for the month was 35,333 gallons per day (GPD). The water tank is full. The total City of Lebanon Authority (COLA) water was zero (0).

SEWER: Justin Snyder stated nothing to report.

STORM SEWER/MS-4: Justin Snyder asked John Brenner for a storm sewer update.

John Brenner stated the storm sewer project on development lot has been completed. John stated hopefully next year the township can work on to get a storm sewer box at 19th and Scull Street.

TOWNSHIP BUILDINGS: Michelle Testerman stated air conditioner upstairs was completed.

RECREATION: Michelle Testerman stated prices are coming in much higher than the original estimates for the project occurring at the township's recreation area. The township is going to have to remove basketball court until 2025. GAGA pit and pickle ball court with poles, fencing, coating, and net estimate came in over \$54,000.00. Some of the price increase is due to adding walkway from parking to area for ADA and all items would be supplied from Costars Suppliers. The township does not have final price for the project and last month's resolution was to get estimates and fill out grant.

PUBLIC SAFETY/CODE ENFORCEMENT/SANITATION: John Gurganus stated more than 23 complaints were received for public safety in September and several were issued citations.

John Gurganus stated don't forget county wide Trick or Treat is on October 31, 2023 between 6:00 pm to 8:00 pm

GREEN WASTE/RECYCLING: John Gurganus stated Green Waste Site Card Entry System is working again. Cards are needed to gain entry.

Zoning:

Zoning Permits issued as follows:

Z-25-2023 issued to Pat Rhen, 2003 Church Street, for fence.

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

OLD BUSINESS

The secretary stated no old business.

NEW BUSINESS

Paul stated the commissioners need a motion to amend the agenda for the board to discuss proposed ordinance No. 536.

Phylis Dryden made a motion, seconded by Justin Snyder, and agreed by the board to amend the October 2, 2023, agenda for the board to discuss proposed Ordinance 536. All in favor

Paul stated an amended agenda will have to get posted on the website for October 3, 2023.

Antoinette stated that will be done for October 3, 2023.

Paul stated he presented the board of commissioners proposed ordinance 536. Ordinance 536 amends Ordinance 535 which was adopted in June 2023 which applies a separate penalty.

Otherwise, the ordinance stays the same. There are 2 possible penalties that can be imposed. The first -23penalty is under the first-class township code which is currently in the ordinance that was adopted in June. The other penalty is under the Motor vehicle code. Chief Knight and Magisterial District Judge Wolfe has reviewed the ordinance and specifically requested the penalty under the motor vehicle code, which is essentially a ticket of \$50.00, be added in so the police department has that option when ticketing someone for a parking violation. The township could potentially file under the civil penalties, which are \$100 minimum and \$1,000 maximum. The enforcement of that is much more involved compared to the police handing them a ticket.

That is why the police want that option to give them a ticket.

Gary Redinger asked what happens with the money from the parking tickets?

Paul stated parking tickets are different than motor vehicle fines and does not remember if they come to the township.

John Brenner stated parking tickets go to the local municipality. Speeding tickets and other tickets get split up between the state, local municipality, and county.

Chief Knight stated that this makes it easier for the township to issue the fines. The township or municipality will get half the fine.

Paul stated the board needs to decide whether they want to authorize Paul to advertise the ordinance for adoption for the November meeting.

Michelle Testerman made a motion, seconded by Justin Snyder and agreed by the board to authorize Paul to advertise Ordinance 536 Amending Ordinance No. 535 adopted June 6, 2023, amending subsection F, by deleting subsection F related to penalties and by replacing that section with a new subsection F for adoption for the November 6, 2023, meeting.

CORRESPONDENCE

Received checks as follows:

North Lebanon Township Police Department (9/7/23)- \$25.00 for parking tickets.

North Lebanon Township Police Department (9/7/23)- \$75.00 for parking tickets

Nathan Kerr- \$190.00 for Peddler Permit #2021-01 and administration fee (\$75.00), Criminal Background Check (\$15.00), and 1 week time period (\$100.00).

Pat Rhen- \$63.50 for zoning permit Z-25-2023 (\$33.50) and administration fee (\$30.00).

Carrot Top Industries- \$1,153.46 for refund for overpayment.

Salah Jabiri- \$30.00 for green waste keycard.

Rental License (9/14/23)- 2 at \$50.00 each totaling \$100.00.

Lebanon County Probation Services- \$4.30 for Vehicle, Crimes Code and miscellaneous Income.

North Lebanon Township- \$1,065.97 for August District Judge (\$833.17) and August Public Safety (\$232.80).

Patrick Rhen- \$30.00 for Greenwaste keycard.

Commonwealth of PA- \$5,117.75 for 2023 Fire Relief.

Huntilar Corp- \$3123.30 for Recreation fees 415 N. 18th, 1890 Alamo Way, and 1892 Alamo Way.

Huntilar Corp- \$3000.00 for EDU's fees 415 N. 18th, 1890 Alamo Way, and 1892 Alamo Way.

Huntilar Corp- \$15,387.00 for pit fees 415 N. 18th, 1890 Alamo Way, and 1892 Alamo Way.

Stone Hedge Holdings LLC- \$100.00 for rental licenses for 312 N. 23rd Street and 332 N. 23rd Street.

Anthony Fitzgibbons- \$50.00 for purchase certificate 15-2023 for 2406 Guilford Street.

DJ-52-3-03: \$1,174.55 for September 2023. Local Ordinance (\$943.21), Title 18- Payable to Municipality (\$231.34).

Received letters as follows:

Lebanon County Agricultural Land Preservation Board- list of current board members and information for contributing from township officials to continue supporting Agriculture.

Pennsylvania Department of Transportation- estimated liquid fuels allocation for 2024 is \$26,244.08.

Barley Snyder- invitation to open house celebrating Barley Snyder and Reilly Wolfson joining law firms.

Pennsylvania Department of Community and Economic Development- Regional Police Study for North Cornwall Township and North Lebanon Township (including West Lebanon Township).

Accord- Certificate of Liability insurance for producer EHD (Engle-Hambright & Davies Inc.) for insured Blatt Construction Inc., Blatt's Industrial Services Inc., Blatt Welding & Fabrication, INC.

Lebanon County Controller- copy of the report for an audit performed by the Lebanon County Controller's Office for January 1, 2022, through December 31, 2022.

The next meeting of the West Lebanon Township Board of Commissioners is Monday November 6, 2023, at 7:00 p.m. at the West Lebanon Township Building, 322 North 22nd Street.

Michelle Testerman made a motion, seconded by Justin Snyder, and agreed by the Board to adjourn the meeting at 7:38p.m.

Respectfully submitted,

Antoinette Issis, Secretary