

WEST LEBANON TOWNSHIP  
November 6, 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:

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

Michelle Testerman made a motion, seconded by Justin Snyder, and agreed by the Board to approve the minutes as written October 2, 2023.

**VISITORS' ADDRESS:** There were 10 visitors in attendance.

Jon Litz, 2202 Guilford Street, has a copy of one of the township ordinances which was copied from the township website. Last month Jon asked about the trailer park going in and if the weeds were in compliance with the ordinance and John said they were. According to the ordinance, Jon believes there is a misunderstanding about the ordinance and believes the ordinance is not being enforced. The only exception according to the ordinance is if the property is largely agriculture however there is no agriculture on the property. Based on the ordinance, Jon believes that the township needs to deal with it.

Richard asked if he is referring to the trailer park.

Phylis asked if Jon was referring to section I in the ordinance.

Jon stated yes, the section he circled in the ordinance.

Phylis asked if Jon's concern is the height of the weeds.

Jon said yes. The property is not being maintained as per the township's ordinance.

Richard asked John Brenner if they were doing construction on the property.

John Brenner wants to clarify the part that is not being maintained. Is the part on the inside of the property.

Jon Litz stated the entire property is not being maintained.

John Brenner stated the property is being maintained and asked if Jon was at the other end of the property.

Jon stated the weeds are over 12 inches. Jon is not talking about the other end of the property and is referring to the entire property.

John asked Jon if he is referring to the part of the property where the erosion and controlment was put in that is under construction.

Jon stated he is referring to the portion of the part at 25<sup>th</sup> Street and up through.

John Brenner stated that is the portion under construction.

Michelle Testerman stated there is wood mulch under there and some high grass around it.

Michelle asked if that is the portion, he is referring to too.

Jon said yes with the sumac and everything else.

John Brenner asked the board will this be done for all construction sites.

Jon Litz stated there is no exception for construction sites.

Michelle asked are all construction sites not maintained. Michelle is not sure what the Alamo Way construction site looks like that.

Jon asked the board if they have the choice to not enforce the ordinance.

Richard Pflueger stated the board already made that choice.

Jon asked does the board have the right to make that choice.

Paul stated the board appoints the code enforcement officer and the code enforcement officer has the authority to enforce the ordinance. The code enforcement officer reviews the property in relation to the ordinance and decides whether there is a violation of the ordinance.

Michelle stated to answer the question is yes, the code enforcement can choose to not to do anything.

Jon asked who the township's code enforcement officer is.

Michelle stated John Brenner is the code enforcement officer, which is why the question was referred to him.

John Brenner stated if the board wants to put something in an ordinance.

Richard stated the owner is going to be building over there.

John stated the board must watch what they are doing because the township did not issue permits over there and the soil conservation district issued the permits. They will not do anything about cactus and stuff growing over there. If anything, get ahold of Nate or the soil conservation district since they issued the permits. The township did not issue any permits for the site yet.

John Gurganus stated the ground is not level in the mulch and it would be difficult to go through with a bush hog.

John Brenner stated it would be difficult to do.

Michelle asked if anyone knew when they were going to break ground over there, since they already took all the trees down from over there.

John Brenner stated he does not know until the township issues permits.

Michelle stated going into winter a lot of those weeds are going to die and to start the process now would be counterproductive.

Jon Litz stated when he started the questions it was a while back.

Michelle stated the board should reevaluate in the spring 2024 when everything is growing again.

Jon asked, going back to the condition of the property having holes, valleys. Should it be fenced, and should it have "no trespassing", or "danger" signs posted on it.

Michelle stated its private property so no one should be trespassing on it anyway.

Jon stated that a person can walk on someone's property until they ask you to leave.

Michelle asked if someone steps on her property, does that mean that she is required to have "danger" or "no trespassing" signs on her property because it is private property.

Paul stated that residents or landowners have liability to invitees or licensees. Invitees are invited to the property to conduct business and licensees are people who have been given permission to come on to the property by the landowner. Landowners have liability to those people. If someone just wanders across a property and gets hurt, they are taking the risk upon themselves if they have no right to be there. Residents would have to be careful with attractive nuisances then they might have some liability. Generally, for someone who wanders on to a property without any right to be there or conduct any business they are going on the property at their own risk.

Richard Pflueger asked Jon Litz if he is satisfied with the responses he got.

Jon Litz stated he would like to see the township do something but that is obviously not going to happen.

Tyler Testerman, 422 N. 23<sup>rd</sup> Street, just wanted to bring to the board's attention that his next-door neighbors at 420 N. 23<sup>rd</sup> Street, have been a nuisance since they moved in. The police have been called numerous times. Tyler wants to know if anything has been done or has been said to the board.

Richard Pflueger stated that he is not aware of.

Michelle stated Tyler cannot know personally when something is done to another resident.

Perhaps what Tyler can ask is what can you do.

Phylis asked if Tyler called the police and complained.

Tyler stated he has called the police numerous times and they have come out and have done their jobs perfectly. During the summer the lady has come out indecent exposure multiple times. The police were called out about a month ago and she was arguing with the police over her kids hitting someone's vehicle. Tyler and his brother were putting up his shed and she came out swearing to the police. She is blasting music at all hours of the night and has no respect for anybody. Tyler's neighbor Rose has been kind enough to let her know when her dog gets out and she has been completely rude.

Richard asked if the police had been called for all these incidents?

Tyler stated yes except for her dog being out.

Michelle stated the property is a rental unit and it is the same house Gale Steckback brought up a few months ago and she was having problems with.

Tyler stated the main problem he has is being attached to them and having to listen to them and deal with it every day. Tyler cannot let his dog out to use the bathroom because she leaves her dog out for hours and she carries on like an idiot. Tyler wants to know if there is anything he can do.

Richard asked if Tyler tried talking to this neighbor.

Tyler stated yes, he tried but she is not responsive or a nice lady. She is very opinionated about the way she wants to do things.

Paul stated this sounds like a crimes code matter and the police need to investigate however they need evidence to be able to charge someone.

Tyler stated he has some evidence from when they first moved in but not a lot. Tyler stated she smashed a TV and left all the glass in the alley, and he has pictures of that. They left the TV by the tree separating their house.

Richard stated that is a littering offense.

Tyler stated the TV got moved and is in their yard now, so he does not think it is a littering offense.

Michelle stated that the code enforcement officer is aware because Gale Steckback was in a few months ago about the same issue. Michelle started to keep track of it and keep calling the police.

Tyler stated he doesn't want to keep wasting the police department's time.

Michelle asked Sargent Koons in this case should he keep calling.

Sargent Koons stated every time this occurs for littering out back, their dog is out at large, or loud music to contact the police department. The police department will address the issue at hand at that time.

Tyler asked if Sargent Koons wants the evidence Tyler has.

Sargent Koons stated if it is something the police department already dealt with than his answer would be no.

Tyler stated the TV the police have not been called out for yet.

Sargent Koons stated it would be like Tyler said that they were doing it in the alley but then they corrected the matter and moved it back into their yard. It goes back to are they violating the ordinance for having trash laying around. It sounds to Sargent Koons that if it is occurring time, and time, and time again, it might be something to bring up to the landlord.

Tyler stated he contacted the landlord and the landlord said there is nothing he can do about it. The only thing he can do is talk to them about it. Tyler does not know if the landlord calls them or if anything gets said. It seems like it goes in one ear and out the other.

Sargent Koons stated most of the landlords that they have dealt with in West Lebanon are great to deal with and do not want those problems because they do not want the police at the property. If it is needed when the police are addressing the problems when they are called out, they can contact the landlord.

Richard asked Sargent Koons if his advice is to keep calling the police.

Sargent Koons stated absolutely because that is their job, and they will go out.

Phylis stated that all the years she has been a commissioner some people come in to complain about their neighbors and eventually the people they have been complaining about move away.

Tyler asked if it is possible for the township website to have some way to pay water bills. Tyler stated he works 7 days a week and does not have the time to come into the township. It is rare when he has the time to come in and that is why he was late this past time.

Paul Matters stated the bills can get stuck in the door slot and he has done it for 40 years. They always get it.

Michelle stated he pays with cash but either way it is something that the township should look at. So many people do pay online now.

Tyler stated it would not bother him if he had to pay the extra fee to use the service.

Michelle stated she does not know but it is something the township can investigate.

### **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 \$357.56 from 9/17/23 to 9/30/23 Municipal (\$357.56), Street Light Taxes (\$0.00).

Lebanon County Treasurer Real Estate Taxes collected are \$853.01 from 9/3/23 to 9/16/23 Municipal (\$853.01), Street Light Taxes (\$0.00).

Lebanon County Treasurer Real Estate Taxes collected are \$453.98 from 10/1/23 to 10/14/23 Municipal (\$436.21), Street Light Taxes (\$17.77).

Total monies in all West Lebanon Township accounts as of October 31, 2023, are \$1,767,415.81.

Michelle Testerman made a motion, seconded by Phylis Dryden, and agreed by the Board to accept the Treasurer's report.

**POLICE:** Sargent Koons was in attendance and gave the report for the month of October 2023 as follows:

<b>Total Calls for the month</b>	<b>28</b>
<b>Traffic Arrests</b>	<b>08</b>
<b>Criminal Arrests</b>	<b>01</b>
<b>Parking Tickets</b>	<b>35</b>
<b>Faulty Equipment Cards</b>	<b>04</b>

<b>Non-Reportable Incidents</b>	<b>10</b>
<b>Reportable Incidents</b>	<b>19</b>
<b>UCR Crimes</b>	<b>04</b>

Sargent Koons gave Kudos to John Brenner who helped the police with one of the motor bikes and cornered the guy until the police got there and that is one less bike on the road now. For North Lebanon and West Lebanon Townships, the police responded to 557 calls. So far for the year the police department has responded to 6,100 calls.

**SPEEDWELL FIRE COMPANY:**

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

4 calls for the month with 10 personnel for 7.5 manhours.

Skylar stated trick or treat was successful and thanked residents for showing up.

**HIGHWAY:** Phylis Dryden stated the following for highway:

1. Township personnel will continue to paint curbs as weather and time permits.
2. The sign at the tunnel was replaced for the second time within 3 weeks.
3. A meeting was held with MPO personnel for long term projects effecting the township. Projects include 22<sup>nd</sup> Street & Lehman, truck turning radius, tunnel, 16<sup>th</sup> & Lehman Street Red Light.
4. A part of Lincoln Street was overlaid to prevent water laying in alley.
5. Township personnel will continue to pick up leaves.

**WATER:** Justin Snyder stated the daily average for the month was 33,451 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 except the continuance of the rags.

**STORM SEWER/MS-4:** Justin Snyder stated nothing to report.

**TOWNSHIP BUILDINGS:** Michelle Testerman stated nothing to report.

**RECREATION:** Michelle Testerman stated nothing to report.

**PUBLIC SAFETY/CODE ENFORCEMENT/SANITATION:** John Gurganus stated nothing to report.

**GREEN WASTE/RECYCLING:** John Gurganus stated the township is continuing to work on damages from the lighting strike from June.

**Zoning:**

**Purchase Certificates issued as follows:**

**Change of Ownership issued as follows:**

Change of Ownership issued for 2406 Guilford Street Lebanon, PA 17046. Previous Owner: Rhoda Lauver. New Owner: Jack Snyder.

**Zoning Permits Issued as Follows:**

Z-26-2023 issued to Randy & Collete Stroh, 1923 Church Street, for Solar Panels.

Z-27-2023 issued to Rossi Signs & Crane Inc.

**Building Permits Issued as Follows:**

B-24-2023 issued to Randy & Collete Stroh, 1923 Church Street, for Solar Panels.

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

**OLD BUSINESS**

No old business.

**NEW BUSINESS**

Phylis Dryden made a motion, seconded by John Gurganus, and agreed by the board to adopt Ordinance No. 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. All in favor.

Phylis Dryden made a motion, seconded by Michelle Testerman, and agreed by the board to pass the first reading of the Proposed Ordinance No. 537, the 2024 balanced Budget of \$1,417,510.00 with a 1mill increase in taxes; and to publish one (1) time in the Lebanon Daily News. All in favor.

Justin Snyder made a motion, seconded by Michelle Testerman, and agreed by the board to reappoint Luann Horn for the municipal representative for the Greater Lebanon Refuse Authority (GLRA) Board. All in favor.

**CORRESPONDENCE**

**Received checks as follows:**

Harry Fox- \$30.00 for water meter payment.

Judith Howard- \$30.00 for Greenwaste Keycard.

Lebanon County Recorder of Deeds- \$2,830.73 for local realty transfer tax distribution for the period from September 1 to September 30, 2023.

PURTA- \$28,679,978.28 for PURTA Distribution (PA Refund) payment for the tax year 2022.

Lebanon County Probation Services- \$2.76 for vehicle, crimes code and miscellaneous income.

North Lebanon Township Police Department (10/11/23)- \$100.00 for parking tickets.

North Lebanon Township Police Department (10/11/23)- \$150.00 for parking tickets.

Trinity Solar- \$208.27 for Zoning Permit Z-26-2023 (\$112.04), Building Permit B-24-2023 (\$66.23), and administrative fee (\$30.00).

Rossi Signs & Crane INC.- \$60.50 for zoning permit Z-27-2023.

Mini Villas LLC- \$50.00 for rental License (203-308) 1888 Alamo Way.

Paylocity- \$1,218.00 for Henry Molded 3<sup>rd</sup> Quarter LST.

Paylocity- \$16.00 for Maguire's Ford 3<sup>rd</sup> Quarter LST.

Paylocity- \$39.00 for Seal-Title LLC 3<sup>rd</sup> Quarter LST.  
North Lebanon Township- \$750.74 for September District Judge.  
Lebanon County Probation- \$361.00 for District Judge Restitution.  
North Lebanon Township Police Department- \$475.00 for parking tickets.  
Brad Menzel- \$441.11 for water payment plan.  
GMRI- \$731.00 for 3<sup>rd</sup> Quarter 2023 LST.  
Rescue Hose Co. No 4- \$22.00 for 3<sup>rd</sup> Quarter 2023 LST.  
Onesource- \$12.00 for LBT Acquisition INC 3<sup>rd</sup> Quarter 2023 LST.  
Longhorn Steakhouse- \$175.00 for food license #5505.  
Paytime Harrisburg- \$36.00 for Maytay Enterprises LLC for 2023 3<sup>rd</sup> Quarter LST.  
North Lebanon Township Police Department (10/26/23)- \$65.00 for parking tickets.  
Allegis- \$16.00 for Aerotek INC. for 2023 3<sup>rd</sup> Quarter LST.  
Public Partnerships- \$14.00 for Virginia Heise 2023 3<sup>rd</sup> Quarter LST.  
Infinisource INC- \$192.00 for Lebanon Donuts 2023 3<sup>rd</sup> Quarter LST.  
Infinisource INC- \$32.00 for J W Safety Management & Training 2023 3<sup>rd</sup> Quarter LST.  
Infinisource INC- \$152.00 for Bridge Distribution Services LLC 2023 3<sup>rd</sup> Quarter LST.  
Kronos SaaS INC.- \$1.14 for QTC Management Inc 2023 3<sup>rd</sup> Quarter LST.  
Heartland Payroll Solutions, Inc- \$105.00 for 2023 3<sup>rd</sup> Quarter LST.  
Paychex- \$48.00 for Kelly Machine Works LLC 3<sup>rd</sup> Quarter LST.  
Paychex- \$14.00 for Lebanon Chicken LLC 3<sup>rd</sup> Quarter LST.  
ADP- \$266.00 for Moyer Nissan 3<sup>rd</sup> Quarter LST.  
ADP- \$228.00 for Eternity Sales Corp 3<sup>rd</sup> Quarter LST.  
ADP- \$266.00 for Mavis Tire Supply 3<sup>rd</sup> Quarter LST.  
ADP- \$84.37 for Speedway LLC 3<sup>rd</sup> Quarter LST.  
ADP- \$1,478.00 for Boscov's Department Store LLC 3<sup>rd</sup> Quarter LST.  
ADP- \$230.00 for Heavy Equipment Loaders & Parts 3<sup>rd</sup> Quarter LST.  
ADP- \$26.00 for Travel Center INC 3<sup>rd</sup> Quarter LST.  
ADP- \$704.00 for Brentwood Industries 3<sup>rd</sup> Quarter LST.  
ADP- \$75.95 for Daniel F Young INC 3<sup>rd</sup> Quarter LST.  
ADP- \$12.00 for Market Track LLC 3<sup>rd</sup> Quarter LST.  
North Lebanon Township Police Department (10/30/23)- \$25.00 for parking tickets.  
Huntlar Corporation- \$5,129.00 for Water/Sewer taping fee (EDU's).  
Huntlar Corporation- \$1,000.00 for 417 N. 18<sup>th</sup> Street for rec fee.  
Huntlar Corporation- \$1,041.10 for 417 N. 18<sup>th</sup> Street Pit fee.  
Mini Villas LLC- \$50.00 for rental application (2023-310) for 1886 Alamo Way.  
Janet Houser- \$35.00 for Handicap Parking Space.  
**DJ-52-3-03: \$318.18 for October 2023.** Local Ordinance (\$211.49), Title 18- Payable to Municipality (\$106.69).

**Received letters as follows:**

Accord- Certificate of Liability Insurance for Lechner & Stauffer, INC (Producer) for North Star Construction Management INC (Insured).  
Accord- Certificate of Liability Insurance for IMA, INC.-Colorado (Producer) for HomeX Services Group LLC.  
Lebanon County Municipal Officials- Preparing for the Lebanon County Comprehensive Plan.

Court of Common Pleas- appointment of James Drahovsky as constable for West Lebanon Township as of October 3, 2023, until December 31, 2027.  
Barley Snyder- copy of advertisement for Ordinance # 536.

The next meeting of the West Lebanon Township Board of Commissioners is Monday December 4, 2023, at 7:00 p.m. at the West Lebanon Township Building, 322 North 22<sup>nd</sup> Street.

Phylis Dryden made a motion, seconded by Michelle Testerman, and agreed by the Board to adjourn the meeting at 7:30 p.m.

Respectfully submitted,

Antoinette Issis, Secretary