

WEST LEBANON TOWNSHIP  
May 6, 2024

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

The following were in attendance:

Commissioner Joseph Templin	Treasurer: Julie Clouse (absent)
Commissioner John Gurganus	Secretary: Antoinette Issis
Commissioner Michelle Testerman	Maintenance: John Brenner (absent)
Commissioner Justin Snyder	Township Engineer: Mr. Jackson Weaver
Commissioner Phylis Dryden	Solicitor: Mr. Paul C. Bametzreider

Joe Templin made a motion, seconded by Michelle Testerman, and agreed by the Board to approve the minutes as written April 1, 2024. All in favor.

**VISITORS' ADDRESS:** There were 9 visitors in attendance.  
No visitors addressed the Board of Commissioners.

**COMMITTEE REPORTS:**

**Treasurer's report:**

Lebanon County Treasurer Real Estate Delinquent Taxes collected are \$15,081.45 from 3/17/24 to 3/31/2024 Municipal (\$13,750.30), Street Light Taxes (\$1,331.15).

Lebanon County Treasurer Real Estate Delinquent Taxes collected are \$654.41 from 3/17/24 to 3/31/2024 Municipal (\$654.41), Street Light Taxes (\$0.00).

Lebanon County Treasurer Real Estate Delinquent Taxes collected are \$54,776.18 from 4/1/24 to 4/13/2024 Municipal (\$52,789.48), Street Light Taxes (\$1,986.70).

Lebanon County Treasurer Real Estate Delinquent Taxes collected are \$888.69 from 3/1/24 to 3/31/2024 Municipal (\$52,789.48), Street Light Taxes (\$1,986.70).

Lebanon County Treasurer Real Estate Taxes collected are \$72,288.42 from 4/14/24 to 4/20/2024 Municipal (\$70,824.83), Street Light Taxes (\$1,463.59).

Lebanon County Treasurer Real Estate Taxes collected are \$120,767.43 from 4/21/24 to 4/27/2024 Municipal (\$114,148.40), Street Light Taxes (\$6,619.03).

Total monies in all West Lebanon Township accounts as of April 30, 2024, are \$1,811,387.30.

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

**POLICE:** Chief Knight was not in attendance. Antoinette Issis gave the report for the month of April 2024 as follows:

<b>Total Calls for the month</b>	<b>42</b>
<b>Traffic Arrests</b>	<b>16</b>
<b>Criminal Arrests</b>	<b>05</b>
<b>Parking Tickets</b>	<b>21</b>
<b>Faulty Equipment Cards</b>	<b>07</b>
<b>Non-Reportable Incidents</b>	<b>13</b>
<b>Reportable Incidents</b>	<b>25</b>
<b>UCR Crimes</b>	<b>13</b>

Michelle Testerman stated the 21 parking tickets could be from street sweeping and reminded residents not to park on street during the street sweeping.

**SPEEDWELL FIRE COMPANY:**

Skyler Ford gave the following report for April 2024 as follows:

4 calls for the month with 19 members responding to 4.31-man hours.

48 man-hours for training for the month.

Skyler stated on May 1<sup>st</sup>, both engines had pump test completed and both passed. ISO review is to be completed in June.

**HIGHWAY:** Phylis Dryden stated Liquid Fuels Money for 2024 was received.

**WATER:** Michelle Testerman stated the daily average for the month was 34,833 gallons per day (GPD). The water tank is empty. The township is on City of Lebanon water as of April 25, 2024, due to tank maintenance being performed.

It was asked if the water pressure will remain the same when the township returns to the township water.

Antoinette stated no, the water pressure will return to what it was previously when the township switches from city water back to the township water system.

**SEWER:** Michelle Testerman stated a section of sewer main on Lehman Street was believed to be clogged when jetting. The 6-inch main was videoed, and no findings were found.

**STORM SEWER/MS-4:** Michelle Testerman stated the stormwater connection from the Land Development on 25<sup>th</sup> Street was extended, connected, and inspected behind the right of way along 25<sup>th</sup> Street.

**TOWNSHIP BUILDINGS:** Joe Templin stated repairs to pump station #2 building was repaired and paid for by insured party. Joe asked Antoinette to add if the township paid first? Antoinette stated the township paid for repairs and the insurance company reimbursed the township for the repairs.

**RECREATION:** Joe Templin stated grass and weeds are being maintained. Joe Templin stated the flags were all changed at the monument.

**PUBLIC SAFETY/CODE ENFORCEMENT/SANITATION:** Justin Snyder stated several NOV were sent out for violations regarding sanitation, high weeds and grass this month.

**GREEN WASTE/RECYCLING:** Justin Snyder stated Nothing to report.

**Zoning:**

**Purchase Certificates issued as follows:**

No. 2024-05 issued to Lebanon Land Transfer for 1929 W. Cumberland Street Lebanon PA 17046. Seller's Name: Michael Petry. Purchaser's Name: William Bering and Debra Bering.

**Zoning Permits issued as follows:**

Z-02-2024 issued to Jose Santiago, 2020 Church Street, for chain link fence.

Z-07-2024 issued to Homes for Life LLC, N. 25<sup>th</sup> Street, for Freestanding Sign, Land Development, and Utility Cuts.

Z-08-2024 issued to Tony Berewager, 2102 Lehman Street, to add stones for driveway.

Z-10-2024 issued to Gary Redinger, 2019 Church Street, for installing a wooden fence.

Z-11-2024 issued to Jermiah Gruber, 420 N. 23<sup>rd</sup> Street, for change of use of furnace from oil to gas.

**Building Permits issued as follows:**

B-06-2024 issued to Jermiah Gruber, 420 N. 23<sup>rd</sup> Street, for change of use of furnace from oil to gas.

**Excavation Permits issued as follows:**

E-020-2024 issued to Homes for Life LLC for excavation between N. 25<sup>th</sup> Street between Tunnel and Hanford Drive.

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

**OLD BUSINESS**

The secretary stated no old business.

**NEW BUSINESS**

Michelle Testerman made a motion, seconded by Phylis Dryden to adopt Resolution 2024-07 adopting the 1-year agreement with TNT Sanitation for trash and recycling services July 1, 2024, through June 30, 2025. All in favor.

Michelle asked was the contract put out for bid this year. The township had a contract with TNT for a long time, but TNT Sanitation wanted to sign the contract yearly because of gas prices. Is this part of that or was it rebid?

Antoinette stated it was not put out for rebid this year and the contract is up for renewal with TNT Sanitation for another year.

Michelle stated she had a lot of residents concerned that their trash is not picked up or trash cans being thrown all over the place. Michelle asked when the current contract with TNT Sanitation expires?

Antoinette stated June 30, 2024, because the township only has a 1-year contract with TNT Sanitation.

Michelle stated if the contract gets rebid on June 30, the last pickup would be June 30 and that would not be feasible.

Antoinette stated if the commissioners do not approve the contract at the May meeting and want to put it out for rebid it would have to get signed at the June meeting to continue getting service.

Paul stated at this point the township would have to scramble to get the contract rebid before it expires. The current contract expires June 30, 2024, and the new contract would start July 1, 2024. It is a good idea to bid on it.

Michelle stated it will not be feasible to rebid this year and we will not have enough time to rebid.

Phylis stated she brought it up in the past and someone in the audience stated that all the prices were high.

Michelle stated that prices are reasonable with TNT Sanitation, but the quality of service is not as good compared to a year ago.

Paul thinks it would be a good idea to look at a new contract due to a new board being elected. At a minimum, Paul thinks it should be put on the calendar to be rebid prior to the contract expiring in 2025.

John Gurganus stated the drivers for West Lebanon have had a high turnover.

Justin Snyder made a motion, seconded by Joe Templin to adopt Resolution 2024-8 adopting Speedwell Boxcards #39-01 and #39-02 as submitted to commissioners and Lebanon County Department of Emergency Services. Michelle Testerman abstains.

Skyler Ford stated no additional questions were asked, and questions were answered during previous meetings. In the future, adjustments to boxcards could happen due to expanding needs and he will notify the township if that occurs. Skyler stated with accepting the new boxcards, he is requesting they get submitted this month in the chances they get put in service in May.

Antoinette stated she and John Brenner will work on getting them submitted this week.

Michelle stated it will have to go through John due to him being the township EMA Coordinator. If the Resolution is accepted, that will acknowledge all the commissioners accepting.

Michelle Testerman stated since it was brought up why she was a commissioner and not voting for fire department matters. On September 7, 2021, by the township solicitor, it was greatly encouraged that she does not vote on things involving the fire company due to being on the board and being a conflict of interest. Previous presidents, Mr. Fox and Mr. Pflueger felt it was the best decision at that time. She is on the board because she was elected by township residents.

Antoinette asked if the commissioner wanted to discuss rules for orderly meetings.

Phylis stated the commissioners and solicitor have a copy of her proposal for rules for orderly meetings, and there is some stuff in the minutes if anyone is interested. There have been a couple of times in the past year when it has been questioned about whether or not the president commissioner has the right to vote. At times it has been suggested the president does not have a right to vote. One time he voted in order to create a quorum. Another time he voted it created a tie vote, causing the motion to not pass. It was brought up by two people that the president should not vote. Phylis thinks the board of commissioners should agree on this issue.

Michelle asked could this be included in the township's bylaws.

Paul stated it could be included in the bylaws. The board has the right to set rules of order for the conduct of its meetings, it is clearly stated in the First-Class Township Code. Paul would question depriving a member of the board of the right to vote. The First-Class Township Code gives each commissioner the right to vote. Paul observed West Lebanon Township has operated under a kind of rule of order that the Chairman abstains from voting but if there is tie, the chairman is part of the quorum. Under the First-Class Township Code, the Chairman does have the right to vote. Paul heard references to Robert's Rule of Order over the year. The township could adopt Robert's Rule of Order as a means of conduct for the board meetings. It has to be adopted in a written Resolution but without that Robert's Rules of Order do not automatically apply to the township meetings. Paul has not read what Phylis put together, but each commissioner has the right to vote under the First-Class Township Code and that is why they were elected. The chairman can choose to abstain from voting unless absolutely necessary.

Michelle asked if Mr. Gurganus decides to vote, then Michelle would be the tie breaker. If going down the line of seating.

Phylis asked if Michelle means alphabetically.

Michelle stated no because when a roll call vote is taken, it normally starts at the other end of the line, meaning Justin, Phylis, John, Joe, Michelle.

Paul stated if the board wants to look at imposing rules of order, they have the right to do that to avoid any disputes in the future.

Michelle asked if the board goes that far to impose rules of order, to update the bylaws she saw on the township website.

Phylis stated she has not seen bylaws on the township website.

Michelle stated she will look and make copies or have information on how to get to them for the June meeting.

Phylis would like everyone to read what she put together and if Michelle finds the bylaws to look over that and discuss at the June meeting.

Dennis Horn asked why the board has the president commissioner be the last to vote so if a tie occurs, the president would be the tie breaker.

Paul stated that could be done. Another option would be the chairman withholds voting unless it is necessary to break a tie, however the chairman has the right to vote. If the board wants to impose an order that the chairman only votes to break a tie, that is doable.

Michelle asked if the board wants to look over the bylaws and table discussion until the June meeting.

Michelle Testerman made a motion, seconded by Phylis Dryden, and agreed by the board to look over the bylaws and table discussion until the June meeting. All in Favor.

Joe Templin stated that he does not think the board can deviate from the First-Class Township Code. Joe stated Paul read what the First-Class Township code reads.

Paul stated the board cannot deviate from the First-Class Township Code, but they can impose rules of order within that context.

Phylis pointed out to Joe, that bullet point #2 states at all times, the First-Class Township Code, supersedes any other stated rule.

Michelle stated the board can make it simple and include in the rules that the chairman be the last to vote and that would be a simple change.

Skyler Ford just wanted to clarify the boxcards will be submitted to Lebanon County DES this month.

Antoinette stated she and John Brenner will work on submitting it to the county by the end of the week.

John Gurganus asked does the county need the copy Skyler submitted to the Board during the April meeting.

Skyler stated he has a digital copy that he will forward to Mr. Brenner to be taken over to the county with a letter.

## **CORRESPONDENCE**

### **Received checks as follows:**

Harry Fox- \$30.00 for Damage to township property.

Huntlar Corporation- \$1,041.10 for pit fee for 412 North 18<sup>th</sup> Street.

Huntlar Corporation- \$1,000.00 for rec fee for 412 North 18th Street.

Huntlar Corporation- \$5,129.00 for water/sewer EDU for 412 North 18th Street.

Jose Santiago- \$50.00 for Zoning Permit Z-02-2024 for chain link fence.

Rental Licenses- 9 at \$50.00 each totaling \$400.00.  
Lebanon County Recorder of Deeds- \$617.40 for local realty transfer tax distribution for the period from March 1, 2024, to March 31, 2024.  
Lebanon County Probation- \$2.89 for restitution.  
North Lebanon Township Police Department (4/11/24)- \$198.00 for parking tickets.  
Homes for Life- \$550.00 for Excavation Permit #02-2024 for N.25<sup>th</sup> Street between Tunnel and Hanford Drive.  
County of Lebanon- \$888.69 for March 2024 Municipal Taxes.  
Huntlar Corporation- \$1,041.10 for pit fee for 414 North 18<sup>th</sup> Street for invoice 2024-023.  
Huntlar Corporation- \$1,000.00 for rec fee for 414 North 18th Street for invoice 2024-023.  
Huntlar Corporation- \$5,129.00 for water/sewer EDU for 414 North 18th Street for invoice 2024-023.  
Skylar Ford- \$30.00 for greenwaste card renewal.  
Flippers and Keepers- \$650.00 for 13 rental licenses.  
Paylocity Corporation- \$1,230.00 for Henry Molded Products INC 2024 1<sup>st</sup> Quarter LST.  
Paylocity Corporation- \$16.00 for Maguires Ford INC 2024 1<sup>st</sup> Quarter LST.  
Paylocity Corporation- \$39.00 for Seal-Tite LLC 2024 1<sup>st</sup> Quarter LST.  
North Lebanon Township (4/18/24)- \$300.00 for parking tickets.  
Frontier- \$12.96 for credit on water account after closing accounts.  
One Source Virtual HR, INC.- \$12.00 for 1<sup>st</sup> Quarter 2024 LST.  
Employer Solutions Staffing Group II, LLC- \$75.00 for 2024 1<sup>st</sup> Quarter LST.  
Randy Leedy- \$50.00 for zoning permit Z-0902024 for replacing fence.  
Rental License (4/18/2024)- 21 at \$50.00 each totaling \$1050.00.  
USAA- \$2,050.00 for claim #027124932-802 for damage at pump station from accident on 3/18/2024.  
Tony Berewager- \$50.00 for Zoning Permit Z-08-2024 to add stones to driveway.  
Penn Abstract- \$50.00 for Purchase Certificate for 1929 W. Cumberland Street.  
Homes for Life- \$2930.00 for Zoning Permit Z-07-2024 for sign and development.  
North Lebanon Township- \$768.57 for public safety (\$262.57) and March district judge (\$506.06).  
Paytime Enterprises LLC- \$48.00 for 1<sup>st</sup> Quarter 2024 LST.  
Jennifer L Drahovsky- \$30.00 for greenwaste keycard.  
Gary Redinger- \$53.42 for Zoning permit Z-10-2024 for installing a wooden fence.  
Paychex- \$22.00 for Lebanon Chicken 1<sup>st</sup> Quarter 2024 LST.  
QTC Management- \$1.14 for 1<sup>st</sup> Quarter 2024 LST.  
Heartland Payroll Solutions- \$115.00 for 1<sup>st</sup> Quarter 2024 LST.  
North Lebanon Township Police Department (4/30/2024)- \$50.00 for parking tickets.  
GMRI Inc- \$76.00 for 1<sup>st</sup> Quarter 2024 LST.  
ADP- \$52.00 for MF Companies LLC 1st Quarter 2024 LST.  
ADP- \$300.00 for Moyer Nissan of Lebanon 1st Quarter 2024 LST.  
ADP- \$85.07 for Family Dollar Stores of Pennsylvania LLC 1st Quarter 2024 LST.  
ADP- \$2.00 for Bath & Body Works LLC 1st Quarter 2024 LST.  
ADP- \$204.00 for Eternity Sales Corp 1st Quarter 2024 LST.  
ADP- \$90.00 for Mavis Tire Supply 1st Quarter 2024 LST.  
ADP- \$76.00 for Speedway LLC 1st Quarter 2024 LST.  
ADP- \$1,587.00 for Boscov's Department Store LLC 1st Quarter 2024 LST.  
ADP- \$220.00 for Heavy Equipment Loaders & Parts INC. 1st Quarter 2024 LST.  
ADP- \$26.00 for TravelCenter INC 1st Quarter 2024 LST.

ADP- \$750.00 for Brentwood Industries INC 1st Quarter 2024 LST.  
ADP- \$8.00 for Wellspan Health 1st Quarter 2024 LST.  
ADP- \$8.00 for Market Track LLC 1st Quarter 2024 LST.  
ADP- \$78.12 for MF Companies LLC 1st Quarter 2024 LST.  
Jermiah Gruber- \$97.50 for Building Permit B-06-2024 (\$38.50), Zoning Permit Z-11-2024 (\$29.00), and administrative fee (\$30.00) for 420 N. 23<sup>rd</sup> Street for change of use of furnace from Oil to Gas.  
EMC Insurance- \$1,352.09 for 2022 Dividend Distribution.  
Public Partnerships LLC- \$14.00 for 1<sup>st</sup> Quarter 2024 LST.  
Tax Production- \$174.00 for Lebanon Donuts 1<sup>st</sup> Quarter 2024 LST.  
Tax Production- \$32.00 for JW Safety Management & Training 1<sup>st</sup> Quarter 2024 LST.  
Tax Production- \$142.00 for Bridge Distribution 1<sup>st</sup> Quarter 2024 LST.  
Fox's Transport Inc.- \$349.00 for 1<sup>st</sup> Quarter 2024 LST.  
Harry Fox (5/6/2024)- \$30.00 for Damage to township property.  
Lebanon County Probation Services- \$2.89 for vehicle, crimes code, and miscellaneous report.  
Lebanon Land Transfer- \$50.00 for purchase certificate for 1929 W. Cumberland Street.  
**DJ-52-3-03: \$573.24 for April 2024.** Local Ordinance (\$480.86), Title 18- Payable to Municipality (\$92.38).

**Received letters as follows:**

Accord- Certificate of Liability Insurance for Myers, Benner Corporation (producer) for Dingman's Towing & Recovery LLC (insured).  
Gannett Pennsylvania LocaliQ- informing of address change for invoice payments.  
Erie Insurance- Certificate of Insurance for Lebanon Valley Homes INC.  
Accord- Certificate of Liability Insurance for CCAB Insurance & Benefits, INC (Producer) for Groff's Heating Air Conditioning & Plumbing INC (Insured).  
LebTown- informing of placing legal ads and publications on LebTown.  
Erie Insurance- Certificate of Insurance for JK Carpentry & Concrete.

The next meeting of the West Lebanon Township Board of Commissioners is Monday June 3, 2024, at 7:00 p.m. at the West Lebanon Township Building, 322 North 22<sup>nd</sup> Street.

Michelle Testerman made a motion, seconded by Phylis Dryden, and agreed by the Board to adjourn the meeting at 7:32 p.m. All in favor.

Respectfully submitted,

Antoinette Issis, Secretary