

WEST LEBANON TOWNSHIP
January 6, 2020

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:

Comm. Richard Pflueger	Treasurer: Julie Clouse
Comm. John Brenner	Secretary: Antoinette Issis
Comm. Michelle Testerman	Maint.: John Brenner
Comm. Harry Fox	Twp. Engineer: Mr. Joshua Weaber
Comm. Phylis Dryden	Solicitor: Mr. Andrew J. Race

John Brenner made a motion, seconded by Michelle Testerman and agreed by the Board to adjourn the meeting at 7:01 p.m. for re-organization of the Board.

The secretary called the meeting of the re-organization of the West Lebanon Township Board of Commissioners. The secretary opened the nomination for President of the Board. Richard Pflueger nominated himself for president, seconded by Phylis Dryden. All in favor for Richard Pflueger as President of the Board. Nominations for president were closed.

The secretary opened the nomination for Vice President of the board. John Brenner nominated Harry Fox, seconded by Michelle Testerman. All in favor for Harry Fox as Vice President of the Board. Nominations for vice president were closed.

John Brenner made a motion, seconded by Harry Fox and agreed by the Board to reappoint Reilly Wolfson Attorneys at Law as township solicitor.

John Brenner made a motion, seconded by Phylis Dryden to appoint Josh Weaber, Chrisland Engineering, as township engineer.

Andrew Race suggested to have a president pro tempore in the case that the president and vice president are not present and we still have a meeting.

Harry Fox nominated Michelle Testerman as president pro tempore.

Harry Fox made a motion, seconded by Richard Pflueger and agreed by the board for Michelle Testerman to act as president pro tempore.

The secretary cast the ballot as follows: President, Richard Pflueger, Vice President, Harry Fox, Twp. Solicitor, Bametzreider, and Twp. Engineer, Mr. Joshua Weaber for the Board of Commissioners of West Lebanon Twp.

Harry Fox made a motion, seconded by Phylis Dryden and agreed by the Board to reopen the meeting at 7:05 p.m.

The secretary turned the meeting over to President Richard Pflueger.

Harry Fox made a motion, seconded by Michelle Testerman and agreed by the Board to approve the minutes as written December 2, 2019.

VISITORS' ADDRESS: There were 7 visitors in attendance.

Michael Nye, 2016 Lehman Street, was wondering why the chief of police isn't here?

John Brenner stated he's out on medical leave.

Michael Nye asked if there is anyone representing North Lebanon Township Police.

John Brenner responded with no.

Michael stated his first complaint is when police set up speed traps, which he doesn't have a problem with since they are catching speeders. If I were to do 50 mph on Lehman Street they would pull my license. If you are double the speed limit you lose your license automatically. They are chasing speeders down Lehman Street doing 60 or 70 mph. They shouldn't be allowed to do that. They should come up with another way to catch the speeders since they are causing as much of a hazard as the speeders. You hear the 4 barrels kick in and you know they are coming. There is no reason for it. I wish the chief was here to confirm that if you are double the speed limit you lose your license automatically. There is no way they should be allowed to do 60 to 70 mph in a 25 mph speed zone.

Michael Nye stated his second concern, I live across from where truck drivers from Brentwood and Heavy Equipment come out of their driveway. When some of them come out, they turn on top of my driveway and sidewalk. For years, when did the sewer go through Lehman Street?

John Brenner responded with 1983.

Michael Nye responded with, I meant when did the water go through Lehman Street?

John Brenner responded with 2012.

Michael stated he had a conversation with John Brenner in 2012 about my sidewalk being shifted, heaved, and broken. It wasn't broken at that time, however now it's broken and now it's heaved even more. Michael stated he had to put a video camera outside his house in order to catch the guy driving on my sidewalk. It needs to stop, someone needs to do something.

Michael stated that John proposed placing signs next to my driveway. Placing signs isn't going to fix the trip hazard they caused from driving on my sidewalk. I don't feel I should have to pay \$1000.00 to fix my sidewalk, after these truck drivers don't know how to drive.

Andrew Race stated, that is a private property issue between yourself and Heavy Equipment.

Michael Nye stated that Heavy Equipment didn't feel the need to give him the truck driver's information.

Andrew Race suggested that Michael go to private counseling in order for them to contact Heavy Equipment on his behalf to have your driveway repaired at their expense.

John Brenner stated that the issue is from multiple trucks, not just one.

Andrew stated it's still Heavy Equipment's expense.

John stated it's also from Brentwood. I have video of a truck driver coming out from Brentwood and doing the same thing. It's an ongoing issue. I am checking with the state if I could put a No Parking between sign. This may cause them to turn faster and they can't go on the curb without hitting a sign. Is that going to stop a tractor trailer, not really. John stated he isn't sure what the correct answer is.

Michael stated he has video of them blateny driving on the sidewalk. Now my sidewalk is broken and is a trip hazard. If John wants to come down to spray orange paint on my sidewalk and tell me I have to get it replaced, then I have to fix my sidewalk. I don't think its right for me or my wife to absorb the cost of the sidewalk.

John stated the curb and entrance to his pavement is pushed down. It's not going to be a cheap fix.

Andrew suggested sending a notice to all the commercial buildings in Brentwood putting them on notice for damaging your property.

John Brenner stated that the drivers are not from the warehouse. They are third party trucking companies.

Andrew stated it's still the responsibility of the receiving warehouse for any damage caused by the drivers.

Michelle Testerman asked is it possible if they came out 22nd Street from behind Brentwood, they have all that room to turn.

Michael stated my driveway has been made wider. Its twice as wide as it was 10 to 15 years ago, so there is no reason for the drivers to turn on my driveway or sidewalk or close to it.

Richard Pflueger asked if Andrew could write a letter on the township's behalf.

Michael stated someone should absorb the cost of repairing my sidewalk and driveway.

Harry Fox stated it shouldn't be the township either.

Michael stated he agrees, and John and he established that it shouldn't be the township paying for this damage.

John stated a letter should go out to the business stating that the neighbor has damage and he has video of the drivers going on the sidewalk as well as the township having video. That's just two that we are aware of from the past week. Something needs done since it's an ongoing issue. Parking a vehicle there is another option but you don't want it to get smashed.

Michael stated he was going to do that with his dodge pickup, but I don't want that getting side smashed.

John stated you don't want to make an insurance claim that someone side smashed your vehicle, and that will be another charge towards your deductible.

Andrew stated that in his notice he will include charging the businesses to fix the sidewalk. There isn't a whole lot going into the notice.

Harry Fox asked, are either one of the businesses aware of the issue?

Michael stated they are both aware of it. John and I had a conversation about it years ago.

John stated, the one, you have video for, the dispatcher is out on vacation. He comes back on Wednesday, and I'm supposed to meet with him to try to get who the trucking firm is. From my understanding, the piece of equipment they dropped off is still there and they will be back to pick it up.

Andrew stated if that's the case you can make an insurance claim with that individual trucking company to get the sidewalk fixed.

John asked if his property insurance got involved, could they go after them for that?

Andrew stated that your homeowner's insurance wouldn't cover that because that's beyond the building.

John stated your own personal homeowners wouldn't?

Andrew stated, that's not going to cover your sidewalk.

Michelle asked, so how it would cover your sidewalk if someone trips over it?
Andrew stated that's a liability, that's different.
Michael stated now the liability is out of my pocket due to their negligence.
Andrew suggested you may still want to consider private counsel to obtain your money.
Michael stated so your telling me to chase good money after bad.
Andrew stated I am giving you, your options, I'm not telling you what to do or what not to do.
Someone damaged your property, so that goes without saying.

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 December 31, 2019 are \$1,945,142.13.

Harry Fox made a motion, seconded by Phylis Dryden and agreed by the Board to accept the Treasurer's Report.

POLICE: John Brenner gave the report for the month of December 2019 as follows:

Total Calls for the month	35
Traffic Arrests	8
Criminal Arrests	11
Parking Tickets	0
Faulty Equipment Cards	0
Non-Reportable Incidents	13
Reportable Incidents	31
UCR Crimes	10

John Brenner gave the report for the Year 2019 as follows:

Total Calls for the year	397
Traffic Arrests	173
Criminal Arrests	68
Parking Tickets	130
Faulty Equipment Cards	15
Non-Reportable Incidents	88
Reportable Incidents	255
UCR Crimes	75

SPEEDWELL FIRE CO.:

Robert Commins gave the following report for December 2019 as follows:

Eleven (11) calls for the month, with forty-seven (47) people responding for sixteen (16) hours and fifty-six (56) minutes.

Fire Police were on four (4) calls for three (3) hours and seven (7) minutes.

The end of the year report for 2019 as follows:

Speedwell Fire Co responded to ninety-two (92) calls for the year of 2019 with a total of four hundred fifty-one (451) personnel for a total forty-seven (47) hours and fifty-six (56) minutes.

Robert Commins stated we will be doing a pump test this spring/summer. Michelle Testerman stated that call volume has been down the last three years.

HIGHWAY: Phylis Dryden stated nothing to report.

WATER: Harry Fox stated the daily average for the month was 31,290 gallons per day (GPD). The water tank is $\frac{3}{4}$ full. The total City of Lebanon Authority (COLA) water was zero (0).

SEWER: Harry Fox stated no rags were found in the sewer since last meeting.

John Brenner stated he condemned a house and the toilet was not connected to the sewer. I think that was where it was coming from. That was in the range of houses where the issue was coming from. I'm waiting to hear back from the bank but I think that's where the problem was from.

STORM SEWER/MS-4: Josh Weaber stated the Marcell Grant was submitted to the county commissioners. This was for the Recreation Park to plant trees, put benches etc. That was what the resolution was for last month. He plans to meet with DCNR to see if there are additional grants that can be obtained for additional recreation facilities.

John Brenner asked the status of Henry Molded Storm water?

Josh Weaber stated nothing yet, he will have to find out. They were working on finishing up.

John Brenner stated he didn't issue a COO, unless he issues a temp COO. There is nothing about them putting the signs going back in or planting signs. They put the modified soils back in and they stopped. A couple times when it rained, all that stuff went back down and turned into mud.

Josh stated he will talk to them to see what their schedule is.

John Brenner stated that they are going to try to place a temporary connection to Rutter's. UGI will be out this week. Frontier had to move Telecommunication lines in order to move the poles out.

TOWNSHIP BUILDINGS: Michelle Testerman stated nothing to report.

RECREATION: Michelle Testerman stated nothing to report.

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

GREEN WASTE/RECYCLING: John Brenner stated the township received \$46,423.00 recycling grant for equipment, containers, and educational information.

Zoning:

Purchase Certificates issued as follows:

No. 26-2019 to Homesale Settlement Service for the property at 307 North 22nd Street, Lebanon, PA. Seller's Name: Michael J. & Michael R. Webster. Purchaser's Name: David M. Cruz & Yanilsa Polanco de Cruz.

No. 27-2019 to White Rose Settlement Services for the property at 2422 Mifflin Street Lebanon, PA. Seller's Name: Cory L & Heather Whitman. Purchaser's Name: Olivia L. Gerber.

Zoning Permits issued as follows:

Z-13-2019 to Mark Sutcliffe for 304 N. 21st Street to change heat source.

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

OLD BUSINESS

The secretary stated no old business.

NEW BUSINESS

Harry Fox made a motion seconded by John Brenner to appoint Phylis Dryden to be on the finance board.

CORRESPONDENCE

Received checks as follows:

Mark Sutcliffe- \$21.88 for zoning permit #Z-13-2019 to change heat source at 304 N. 21st Street.

Commonwealth of Pennsylvania- \$198.15 for state police fines.

Lebanon Title Company- \$421.48 for reimbursement into general fund for a settlement from the Playground Building.

Homesale Settlement Services- \$50.00 for Purchase Certificate #26-2019, 307 N. 22nd Street.

White Row Settlement Services-\$50.00 for Purchase Certificate #27-2019, 2422 Mifflin Street.

Lebanon County Recorder of Deeds- \$320.70 for local realty transfer tax distribution for the period from November 1, 2019 to November 30, 2019.

Alarm Permit- 3 at \$20.00 totaling \$60.00.

Bosco's- \$100.00 for alarm fine.

Alarm Permits- 3 at \$20.00 each totaling \$60.00.

North Lebanon Township- \$528.25 for North Lebanon Township Public Safety.

CHR Corp, Rutter's Farm Stores- \$252.00 for professional services, engineering fees (Invoice 545 10/20/19 and Invoice 580 11/12/19).

Lebanon County Probation Department- \$91.51 for Vehicle, Crimes Code, and Miscellaneous Income.

Longhorn Steakhouse- \$2553.23 for composite sampling.

Alarm Permits- 3 at \$20.00 each totaling \$60.00.

Maguire's Nissan- \$50.00 for alarm fine.

DJ-52-3-03: \$647.66 for December 2019. Local Ordinance (\$553.70), Title 18- Payable to Municipality (\$93.96).

Received letters as follows:

Erie Insurance- Certificate of Insurance for insured Lebanon Valley Homes Inc.

Greater Lebanon Refuse Authority- received their December minutes.

JBT- Standby letter of Credit.

Lebanon County Bureau of Elections and Voter Registration- informing of 2020 election dates.

Lebanon County Conservation District- Spotted Lanternfly Control Program Assistance Request Guidelines.

Erie Insurance- Certificate of Insurance for insured E H Fitting Concrete.

Acord- Certificate of Liability Insurance for producer Marsh USA Inc. for insured Comcast Cablevision of the South INC.

The next meeting of the West Lebanon Township Board of Commissioners is February 3, 2020 7:00 p.m. at the West Lebanon Twp. Bldg., 322 North 22nd Street.

Michelle Testerman Made a motion, seconded by Harry Fox and agreed by the Board to adjourn the meeting at 7:22 p.m.

Respectfully submitted,

Antoinette Issis, Secretary