

MONDAY, MAY 23, 2022

The regular monthly meeting of the Council of the City of Lebanon, Pa., was held in Council Chamber of the Municipal Building, Lebanon, Pa., this evening, Chairperson Morales presiding.

The meeting was called to order at 6:30 p.m.

Present--Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson.  
Absent—none.

Also present were Mayor Sherry L. Capello; Chief of Police Todd Breiner; Donna Long Brightbill, City Solicitor; Robin L. Getz, Director of Public Works; Janelle Mendoff, Community and Economic Development Administrator; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Duane Trautman, Fire Commissioner; ten persons in the audience; and two members of the news media.

The minutes of the April 25, 2022, City Council meeting were presented by the City Clerk. There being no corrections, deletions or additions, the minutes were approved as presented.

Chairperson Morales announced that Council received a budget report for the period January 1 through March 31, 2022. Mayor Capello reported that 33 percent of the fiscal year is completed; revenues are at 52 percent; and expenditures are at 25 percent. Mayor Capello reported that we are performing better than budget in both categories.

Mayor Capello gave an update on the American Rescue Act Funding. Mayor Capello reported that the City allocated \$1 million of the funding to provide grants for non-profit organizations. The City received 46 applications requesting a total of \$4.4 million. Of the 46 applications received, 6 applications did not meet qualifications (not located in the city, ineligible project, or incomplete application); 5 applications were for city-owned facilities; and 1 application was withdrawn. Mayor Capello reported that the projects for city-owned facilities were removed and will be considered separately. The Review Committee considered 34 applications. The Review Committee consisted of former Councilmember Wayne Carey who has been a businessman for 50+ years and was also involved in a community non-profit organization; Judy Williams Henry, business owner of a dance studio and involved in the education system and arts; and Jose Torres, a retired nurse with experience in the health field. Mayor Capello stressed that the Review Committee did not make these decisions lightly. The Review Committee reviewed each application in detail and even asked for more information in order to make informed decisions. Some of the factors considered in approving projects included projects that impacted individuals addressing mental health and physical health needs; projects that impacted youth; projects that impacted veterans; projects that impacted homeless folks. The Review Committee looked at the overall number of people that would be positively impacted and projects that make a physical impact on the city. The Review Committee also looked at the organization itself and whether or not it had the capacity to run the program and how it would be sustained in future years. Mayor Capello stated that funding may be considered

for some of the projects that are relying on other sources of funding after confirmation that the other funding has been secured. Mayor Capello announced the grant awards to non-profit organizations totaling \$1 million. A copy of the American Rescue Plan Act (ARPA) Non-profit Grant Awards is attached to and made part of the minutes.

Councilmember Miller asked when the funds would be released to the successful applicants. Chairperson Morales replied that the organizations receive an award letter and will be required to sign a contract before the funds are distributed.

Mr. Wertz introduced Resolution No. 19, as follows: “A RESOLUTION RATIFYING AN AGREEMENT BETWEEN THE CITY OF LEBANON AND THE LEBANON POLICE BARGAINING ASSOCIATION, AN AGENT OF THE FRATERNAL ORDER OF POLICE, LODGE NO. 42, FOR THE YEARS 2022 THROUGH 2024.

Be It Resolved by the Council of the City of Lebanon, Pa., and it is hereby resolved by the authority of the same, That:

SECTION 1. The agreement between the City of Lebanon and the Lebanon Police Bargaining Association, an agent of the Fraternal Order of Police, Lodge No. 42, effective January 1, 2022, through December 31, 2024, be and the same is hereby ratified.

SECTION 2. A copy of said agreement is attached to and hereby made part of this resolution.

Mayor Capello presented a summary of the changes to the employment contract which include the following:

- a. The term of the contract is three years.
- b. A three percent increase in salary for officers in the 4<sup>th</sup> year of employment and beyond. The steps for new officers have also been increased.
- c. An additional \$.50 per hour for any officer whom the City determines is fluent in a language which meets the operational needs of the City.
- d. Sick leave allotment decreased from 30 days per year to 20 days per year.
- e. Health Insurance – deductibles were increased by \$50 for single coverage and \$100 for family coverage per year.
- f. Employee premium share increased \$5.00 per pay for single coverage and \$10 per pay for all others. The increase is effective each year of the contract.
- g. Spousal penalty increased by \$5.00 per pay per year.
- h. Prescription co-pays increased each year of the contract.
- i. Urgent Care co-pays increased from \$25 to \$50
- j. An opt-out payment for officers who remove themselves or their dependents for an entire year. The payment is based on 25 percent of the monthly premium cost measured by the CBRA rate in which they were last enrolled.
- k. Implementation of a 12-hour shift – A 12-hour shift work schedule will be implemented on a trial basis for a period of up to one year beginning when the Parties agree to implement.

Resolution No. 19 was passed finally on motion of Mr. Wertz, seconded by Mr. Miller. Yeas—Mrs. Haitos, Mr. Martin, Mr. Miller, Mr. Wertz, and Mr. Morales, Chairperson--5; nays--none.

Mrs. Sandra Dissinger, 1252 Quentin Road, Lebanon, explained that this is her family home where she grew up. Although it is not her permanent residence, she maintains the property and is there several times a week. She explained that the house was built in 1951 and there is an access point to York Street. She reported that a neighbor is diverting water runoff onto her property. The spouting is against her fence and the water runoff from the roof goes into her fence. She added that the weight of the water has damaged her fence. Mrs. Dissinger told Council that she had to install a new fence and posts last Fall due to the water damage. She told Council it is her understanding that it is not legal to divert water onto someone else's property and she cannot afford to continue replacing the fence. Mayor Capello stated that when reviewing the photographs presented tonight of the downspout coming down from the house, it does not appear that they are new. Mayor Capello stated that she is aware that Mrs. Dissinger contacted the Department of Public Works regarding this issue and the photos confirm that the property owner shortened the spouting. Mayor Capello told Council that when the Director of Public Works contacted the property owner they complied with the request to shorten the spouting and Mrs. Getz believed the problem was resolved.

In response to questions by Councilmembers Martin and Miller, Mrs. Dissinger reported that the fence came down in 2020 because the ground was washed away from the posts. The fence was originally installed in 2007. In Fall 2021, she had a new fence installed and the ground is washing away from the posts.

Mayor Capello explained that in accordance with the Stormwater Act, stormwater runoff cannot be altered in a way that would change the velocity or increase the amount and cause harm to a neighbor's property. Based on the photos presented, the downspouts and elbows appear to not have been changed. Mayor Capello stated that she agrees the extension appears to be newer. However, when the Department of Public Works contacted the property owner, the extension was shortened. Mayor Capello explained that stormwater runoff is a civil matter between the two parties. Based in the information provided, the Department of Public Works may not be able to do more than what has already been done.

Regarding green waste collection, Mrs. Dissinger reported that for the past ten years, two of her neighbors placed yard waste in front of her driveway and it would be there for 2-3 weeks. She stated that she contacted the Lebanon Police Department. She added that the last time the Lebanon Police Department responded to her call, the neighbor promised to move the green waste; however, it was still blocking her driveway two weeks later.

Mayor Capello reported that she is aware that Mrs. Dissinger contacted the City in Fall 2021. At that time, Mayor Capello told the Director of Public Works that as a taxpayer, Mrs. Dissinger deserves pickup. Mrs. Dissinger was asked to contact the Department of Public Works to schedule a pickup.

Councilmember Miller noted that looking at the photos presented tonight, it is difficult to determine that there is a driveway there. He recommended that Mrs. Dissinger post a sign that states “Private Driveway”. Mayor Capello agreed that it is difficult to determine that there is a driveway. Mayor Capello agreed that the city could paint the curb yellow and she suggested Mrs. Dissinger post a sign. If the neighbors continue to place yard waste in front of the driveway, Mrs. Dissinger should contact the Department of Public Works.

Mrs. Dissinger told Council that last Fall, she placed yard waste on the street for pickup. It was placed on a Sunday night and there was yard waste in front of other properties. After two weeks, she contacted the Department of Public Works and was told it was not picked up because it was more than 3” in diameter. She complained because they told her the notice was placed on the front door; however, she never uses the front door to the house.

In summarizing, Mayor Capello stated that moving forward she believes there is a reasonable solution. The City of Lebanon will paint the curb yellow, Mrs. Dissinger will post a “Private Driveway” sign, and she will contact the Department of Public Works when she has yard waste for pickup.

Norman Tobias, 424 Weidman Street, Lebanon, told Council that he lived in the city for 40 years. He noted that it was reported that 300 tons of trash is collected by the street sweeper per year. He asked if it would be feasible to approach the Lebanon School District to start a program educating the elementary students about trash and recycling. Mayor Capello replied that former Superintendent Dr. Marianne Bartley developed a program to work with kids about recycling. She is not sure that program has continued, but she meets with the current Superintendent in the near future and will discuss this issue. In addition, Mayor Capello reported that the Recycling Coordinator is developing a program to approach the school district to educate the youth.

Mayor Capello further reported that she is aware that the Lebanon County Advocate Program was working with kids to make them aware of what happens when trash is thrown in the street. Both the Lebanon School District and Youth Advocate, as well as non-profit organizations, volunteer to pickup trash along the street.

Mr. Tobias stated that in 1998, the traveling Vietnam War Wall was brought into Lebanon. He suggested that the City consider bringing that to Lebanon again.

Councilmember Martin asked what the requirements are for replacing curbs. Mayor Capello stated that if there is a conflict about the results of an inspection and what needs to be replaced and/or repaired, the property owner should contact the Department of Public Works. If necessary, the City Engineer will contact the property owner or contractor with more detailed information.

The meeting was adjourned at 7:32 p.m.

CHERYL J. GIBSON, Clerk