

MONDAY, JUNE 24, 2024

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

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

Present--Mrs. Haitos, Mr. Maguire, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson. Absent--none.

Also present were Mayor Sherry L. Capello; Chief of Police Bret Fisher; Morgan Madden, City Solicitor; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Fire Chief A.J. Sweitzer; Chad Yeagley, Director of Public Works; four persons in the audience; and three members of the news media.

The minutes of the May 28, 2024, 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 May 31, 2024. Mayor Capello reported that 42 percent of the fiscal year is completed; revenues are at 62 percent; and expenditures are at 31 percent. She reported that we are performing better than budget in both categories.

Chairperson Morales announced that Council received the following communications:

- a. Mayor Sherry Capello, informing Council of the appointment of Christopher Fenstermaker to the City of Lebanon Planning Commission, effective June 18, 2024. Said term expires July 22, 2026. Mayor Capello stated that Mr. Fenstermaker is a building designer and will serve as a member at large. Mr. Fenstermaker is filling a vacant position on the Planning Commission due to the resignation of Joseph Klein.
- b. Mayor Sherry Capello, informing Council of the appointment of Gregory Lee to the City of Lebanon Police Pension Fund Board, effective June 18, 2024. Said term expires January 5, 2026. Mayor Capello reported that Mr. Lee is a city resident and has worked in various capacities at his employment with the Lebanon Federal Credit Union for more than 20 years.

Mr. Morales introduced Resolution No. 10, as follows:

A RESOLUTION GRANTING AN EXEMPTION TO THE PARK RULES AND REGULATIONS TO ALLOW THE BOARD OF DIRECTORS OF THE LEBANON COMMUNITY THEATER TO ALLOW THE POSSESSION OF AND SALE OF ALCOHOLIC BEVERAGES AT PERFORMANCES AT THE LEBANON COMMUNITY THEATER FOR AN INITIAL PERIOD OF ONE YEAR; AND AUTHORIZING THE MAYOR OF THE CITY OF LEBANON TO NEGOTIATE AND

EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF DIRECTORS OF THE LEBANON COMMUNITY THEATER.

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. An exemption to Subsection 943.01, “Park Rules and Regulations Established”, of the Codified Ordinances of the City of Lebanon, Pennsylvania, is hereby granted to the Board of Directors of the Lebanon Community Theater to allow the possession of and sale of alcoholic beverages at performances at the Lebanon Community Theater located in Stoever’s Dam Park for an initial period of one year, effective July 1, 2024.

SECTION 2. The Mayor of the City of Lebanon is hereby authorized to negotiate and execute a Memorandum of Understanding with the Board of Directors of the Lebanon Community Theater setting forth the conditions for the possession of and sale of alcoholic beverages during performances at the Lebanon Community Theater.

SECTION 3. A copy of the executed Memorandum of Understanding shall be attached to and hereby made part of this resolution.

Mayor Capello reported that the Lebanon Community Theater is located in the barn at Stoever’s Dam Park. Pursuant to the 50-year lease agreement , the Board of Directors is responsible for maintenance and improvements to the barn. The Lebanon Community Theater is interested in obtaining a performing arts license from the Pennsylvania Liquor Control Board to sell alcohol at performances. Mayor Capello explained that the license is similar to a restaurant license but does not follow the same requirements.

Resolution No. 10 was passed finally on motion of Mr. Morales, seconded by Mrs. Haitos. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson--5; nays--none.

Mr. Martin introduced Bill No. 3, as follows:

AN ORDINANCE AMENDING ARTICLE 930, “RECYCLING”, OF THE CODIFIED ORDINANCES OF THE CITY OF LEBANON, PENNSYLVANIA, TO AMEND SECTIONS REGARDING DEFINITIONS, SEPARATION OF RECYCLABLES, AND PREPARATION OF STORAGE AND RECYCLABLES.

Be It Ordained by the Council of the City of Lebanon, Pennsylvania, and it is hereby ordained by the authority of the same, That:

SECTION 1. Subsection 930.02, “Definitions”, Article 930, “Recycling”, of the Codified Ordinances of the City of Lebanon, Pennsylvania, is hereby amended for the purpose of amending the definitions of “High Grade Paper” and “Newspaper”, as follows:

- (a) HIGH GRADE OFFICE PAPER. Bond, copier, letterhead or mimeograph paper typically sold as “white ledger” paper, and computer paper.
- (b) NEWSPAPER. Paper of the type commonly referred to as “newsprint” and distributed at fixed or stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. The term “newspaper” expressly excludes glossy advertising inserts, magazines, glossy or other chemically coated paper, high grade office paper and any other paper products or any nature.

SECTION 2. Subsection 930.04, “Separation of Recyclables”, of Article 930, “Recycling”, of the Codified Ordinances of the City of Lebanon, Pennsylvania, is hereby repealed, rescinded and deleted in its entirety and shall be replaced by the following new subsection:

§ 930.04. Separation of Recyclables.

- (a) Recyclables and leaf waste shall be kept separate from municipal waste, for the purpose of recycling and composting respectively, to the extent required by the following provisions:
 - (1) Owners and occupants of all residential properties shall keep separate the following recyclables for the purpose of curbside recycling: clear glass containers, brown glass containers, green glass containers, aluminum cans, steel/bimetallic cans, plastic jugs or bottles with openings smaller than the base, dry newspapers with no glossy inserts, flattened corrugated cardboard and leaf waste.
 - (2) Owners and occupants of all commercial, municipal and institutional establishments and properties and sponsors or organizers of community activities shall keep separate the following recyclables: plastic jugs or bottles with openings small than the base, clear glass containers, high grade office paper, brown glass containers, green glass containers, aluminum cans, steel/bi-metallic cans, flattened corrugated cardboard, and dry newspapers with no glossy inserts. Leaf waste shall also be kept separate for the purpose of composting. Owners and occupants of commercial, municipal and institutional establishments may seek an exemption to the requirements of the section [as specified under Act 101, Section(c)(1)(iii)] if the owners and occupants have otherwise provided for recycling of the materials they are required by this article to recycle. To be eligible for an exemption, a commercial, municipal or institutional solid waste generator must submit an annual report showing materials that were recycled and the total number of tons recycled to the Recycling Coordinator no later than February 15 of each year.
- (b) Recyclables shall be prepared and stored in accordance with the provisions set forth in Section 930.12 of this article.

SECTION 3. Subsection 930.10, “Separation of Recyclables”, of Article 930, “Recycling”, of the Codified Ordinances of the City of Lebanon, Pennsylvania, is hereby repealed, rescinded and deleted in its entirety and shall be replaced by the following new subsection:

§ 930.10. Preparation and storage of recyclables.

- (a) Any person accumulating or storing municipal waste or recyclables on private or public property within the City, including recyclables assembled within a development, for any purpose whatsoever shall place the same, or cause the same to be placed, in a closed or covered sanitary container.
- (b) All recyclables shall be placed in the above-mentioned containers and prior to such placement, all recyclable materials shall be rinsed clean of all liquid and debris. This is also applicable to placement of recyclable materials being placed in containers at the City Drop Off Center.
- (c) No person shall place or cause to be placed municipal waste in a recycling container, and no person shall place or cause to be placed recycling material in a refuse container as defined by Section 929.03 of the Codified Ordinances of the City of Lebanon.
- (d) Corrugated, card board, newspaper, and high grade office paper, shall be placed in easy-to-manage bundles kept dry and placed in proper recycling containers. Glass containers, steel/bimetallic cans, plastics and aluminum cans shall be emptied and cleaned. Aluminum cans, steel/bimetallic cans and glass containers may be mixed together and placed in the same container.
- (e) Recyclables may be set out for collection in a manner different from the requirements in subsection (d) (above) if an alternative manner is designated by the authorized collector and that the manner is approved by the City of Lebanon. If said approval is granted by the City, notification of the approved collection manner shall be sent to both the hauler and the owner of the subject property.

SECTION 4. Any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed so far as the same affects this ordinance.

Mayor Capello reported that the purpose of Bill No. 3 is to correct an oversight in the ordinance from its original adoption in 2006. She explained that the amendment defines high grade office which is currently required to be recycled. This amendment will correct the oversight and clear up this the language in the ordinance.

Bill No. 3 was introduced and will be considered on final reading at the Council meeting of July 22, 2024, on motion of Mr. Martin, seconded by Mr. Morales. Yeas--Mrs. Haitos, Mr. Maguire, Mr. Martin, Mr. Potash, and Mr. Morales, Chairperson--5; nays--none.

Mayor Capello announced that the annual fireworks at Coleman Memorial Park will be held on July 4 beginning at approximately 9:00 p.m. The Lebanon Community Concert Band will be in concert from 8:00 p.m. until the start of the fireworks. The rain date for the fireworks is July 5.

The meeting was adjourned at 6:39 p.m.

CHERYL J. GIBSON, Clerk