

MONDAY, JANUARY 28, 2019

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 Carey presiding.

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

Present--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, 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; Melissa E. Quinones, Director of Administration-Assistant to the Mayor; Duane Trautman, Fire Commissioner; 14 persons in the audience; and 1 member of the news media.

The minutes of the December 17, 2018, and January 2, 2019, City Council meeting were presented by the City Clerk. There being no corrections, deletions or additions, the minutes were approved as presented.

Chairperson Carey announced that Council received a budget report for the period January 1 through December 31, 2018. Mayor Capello reported that although 100 percent of the fiscal year is complete, the year-end accruals still need to be reflected in the budget. Preliminarily, the city performed better than budget for both revenues and expenditures with revenues at 111.89 percent and expenditures at 96.87 percent.

Chairperson Carey announced that Council received a communication from Mayor Sherry L. Capello, informing Council of the reappointment of Robert Hoffman to the City of Lebanon Authority for a five-year term, effective January 1, 2019.

Mr. Wertz introduced Resolution No. 19, as follows:

A RESOLUTION ADOPTING THE LEBANON COUNTY 2018 HAZARD MITIGATION PLAN AS THE OFFICIAL HAZARD MITIGATION PLAN OF THE CITY OF LEBANON.

WHEREAS, the City of Lebanon, Lebanon County, Pennsylvania, is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety; and

WHEREAS, Section 322 of the disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities; and

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WHEREAS, the City of Lebanon acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds; and

WHEREAS, the Lebanon County 2018 Hazard Mitigation Plan has been developed by the Lebanon County Commissioners and the Lebanon County Emergency Management Agency in cooperation with other county departments, and officials and citizens of the City of Lebanon; and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Lebanon County 2018 Hazard Mitigation Plan; and

WHEREAS, the Lebanon County 2018 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and human-made hazards that face the County and its municipal governments.

NOW, THEREFORE, Be It Resolved by Council of the City of Lebanon, Pennsylvania, and it is hereby resolved by the authority of the same, That:

SECTION 1. The Lebanon County 2018 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the City of Lebanon.

SECTION 2. The respective officials and agencies identified in the implementation strategy of the Lebanon County 2018 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

Councilmember Morales reported that this is a five-year plan and it helps with mitigation of manmade and natural risks that may arise. To date, 13 municipalities have signed onto the County's plan. To be eligible for grant monies before or after a disaster, a municipality must be signed onto the plan.

Resolution No. 19 was passed finally on motion of Mr. Wertz, seconded by Mr. Morales. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Mr. Wilson introduced Resolution No. 20, as follows:

A RESOLUTION AUTHORIZING THE DISPOSITION OF VARIOUS DOCUMENTS IN THE DEPARTMENT OF ADMINISTRATION.

WHEREAS, by virtue of Resolution No. 36, Sessions 2008-2009, passed finally by City Council on April 27, 2009, the City of Lebanon declared its intent to follow the procedures for the disposition of records as set forth in the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued on December 16, 2008; and

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WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality.

NOW, THEREFORE, 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 disposition of the following administrative files in the City of Lebanon Department of Administration is hereby approved:

a. Administrative Files:

- (1) Accident Reports – WC (2001 and prior)
- (2) AFSCME – Dispatcher Unit Certification – 1998
- (3) AFSCME Fair Share Fee (2001 and prior)
- (4) AFSCME – Labor Management (2002 and prior)
- (5) AFSCME – Labor Relations (1990 and prior)
- (6) Assessed Value (2005 and prior)
- (7) Bankruptcy (2010 and prior)
- (8) Bids - Tab Sheets (2010 and prior)
- (9) Certificates of Insurance (2015 and prior)
- (10) Commonwealth of PA-Auditor General (2005 and prior)
- (11) Commonwealth of PA – Community and Economic Development (2011 and prior)
- (12) Commonwealth of PA – Community and Economic Development Reports (including Elected and Appointed Officials, Survey of Financial Condition and Tax Information – 2010 and prior)
- (13) Daily Balancing Reports (2015 and prior)
- (14) Dumpsters
- (15) EMA (2004 and prior)
- (16) Engineering Civil Service Commission
- (17) Ethics Forms (2013 and prior)
- (18) Grievances (2002 and prior)
- (19) Hold Harmless Agreements (2016 and prior)
- (20) Lebanon Daily News (2008 and prior)
- (21) Motor Vehicles (2012 and prior)
- (22) Negotiation/Arbitration Files (1999 and prior)
- (23) Open Records (2016 and prior)
- (24) Press Releases (2012 and prior)
- (25) Public Utility Commission Reports (2010 and prior)
- (26) Sales Tax Exemption Certificates (2015 and prior)

SECTION 2. The disposition of the following insurance-related records in the City of Lebanon Department of Administration is hereby approved:

- a. Insurance Policies (2012 and prior)
- b. Insurance Claims (2012 and prior)
- c. Insurance Renewal paperwork (2012 and prior)

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- d. Insurance – Health Benefit (misc. correspondence) (2000 and prior)

SECTION 3. The disposition of the following permits and licenses (including applications, transmittal letters, etc.) in the City of Lebanon Department of Administration is hereby approved:

- a. Going Out of Business (2015 and prior)
- b. Mechanical Device (2015 and prior)
- c. Peddlers Permit (2015 and prior)
- d. Special Event (2015 and prior)

SECTION 4. The disposition of the following lawsuit files:

- a. Doster v. Pacheo v. City of Lebanon
- b. Erb v. City of Lebanon
- c. Estrada v. City of Lebanon
- d. Faber v. City of Lebanon
- e. Fancovic v. City of Lebanon
- f. Feeman v. City of Lebanon
- g. Frymyer v. City of Lebanon
- h. Garcia V. City of Lebanon
- i. Geist v. City of Lebanon
- j. Gould v. City of Lebanon
- k. Jarboe v. City of Lebanon
- l. Henderson v. City of Lebanon
- m. Kennedy v. City of Lebanon
- n. Krall v. City of Lebanon
- o. Kunkle v. City of Lebanon
- p. Lehman v. City of Lebanon
- q. Martinez v. City of Lebanon
- r. Mutope v. City of Lebanon
- s. Myers v. City of Lebanon
- t. Ortiz v. City of Lebanon
- u. Parkview Associates v. City of Lebanon
- v. Rhoads v. City of Lebanon
- w. Rivera v. City of Lebanon
- x. Rodriguez v. City of Lebanon
- y. Robinson v. City of Lebanon
- z. Schaeffer v. City of Lebanon
- aa. Scholvin v. City of Lebanon
- bb. Schuylkill County Commissioners v. City of Lebanon Authority
- cc. Scibelli v. City of Lebanon
- dd. Schauer v. City of Lebanon
- ee. Seiger v. City of Lebanon
- ff. Sierra v. City of Lebanon
- gg. Singh v. City of Lebanon

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- hh. Smith v. City of Lebanon
- ii. Stokman v. City of Lebanon
- jj. Vitez v. City of Lebanon
- kk. Wenrich v. City of Lebanon
- ll. Williams v. City of Lebanon

Resolution No. 20 was passed finally on motion of Mr. Wilson, seconded by Mr. Wertz. Yeas--Mr. Morales, Mr. Parker, Mr. Wertz, Mr. Wilson, and Mr. Carey, Chairperson--5; nays--none.

Councilmember Parker asked the status of the synchronization of the traffic lights in the downtown. Mayor Capello replied that the signals are not holding their synchronization, but were just reset on Cumberland Street. She further explained that all the controllers must be updated before the software can be updated, which would correct the issue with synchronization. The City of Lebanon has applied for a \$500,000 grant to assist with the purchase of new traffic controllers. In the meantime, the controllers must be manually reset individually when they are knocked out of sync.

Laura LeBeau, WLBR Radio, asked who is the decision maker for the completion of the projects being completed using funds from the storm water management fees. Director of Public Works Robin Getz explained that there is representation on the Storm Water Consortium from each of the six participating municipalities. The Consortium has worked with an Engineer who has gone through each municipality and prioritized the projects. Mayor Capello added that to date, most of the monies expended from the storm water fee have been spent completing the required paperwork and getting things in order. Mayor Capello stated that the public should begin to see movement on the designated projects later this year.

Council Chairperson Carey reminded the public that snow must be cleared from the sidewalk within 24 hours after the cessation of the storm.

Councilmember Wilson asked if there is any update on the pool. Mayor Capello replied that representatives from the city met with officials from the Lebanon Valley YMCA. The YMCA is in a fact finding mode and is currently getting estimates on different proposals.

Regarding the issue with ownership of Pauline Street, Councilmember Wilson asked if the property owners have been notified of the status. City Solicitor Donna Long Brightbill replied that they have not been notified to date. Mayor Capello stated that the City of Lebanon will reach out to the property owners to explain the situation.

Regarding the status of taping the Council meetings, Mayor Capello stated that the City became aware that when taping meetings we are required to provide sign language. We have explored different applications that will assist in meeting that requirement, but we are not ready to make a recommendation.

Councilmember Wilson thanked the community for coming together in the recent police incident at 12<sup>th</sup> and Church Streets where people were in need of assistance. MDJ Tom Capello

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commended the Lebanon Police Department for the excellent job they did in responding to this call and in apprehending the suspects.

Max Wilhelm, a member of Troop 415 of Cornwall, asked if the recent accident on Route 422 involving a motor vehicle striking a home have any impact on the surveillance on roads. Mayor Capello replied that the accident occurred in North Cornwall Township. She explained that PennDot usually has surveillance in more urbanized areas or on interstates, but typically not on a lower volume road.

The meeting was adjourned at 7:01 p.m.

CHERYL J. GIBSON, Clerk