

MONDAY, JUNE 27, 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; A. J. Sweitzer, Assistant Fire Chief; Duane Trautman, Fire Commissioner; nine persons in the audience; and one member of the news media.

The minutes of the June 27, 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 May 31, 2022. Mayor Capello reported that subsequent to the Pre-Council meeting, she met with the Finance Officer to discuss the bond proceeds. The bond proceeds were booked in a bond fund last year and then transferred into the construction fund and dispersed. The proceeds from the sale of the city's portion of the Municipal Building will be handled in a similar fashion because the monies will be used to pay for construction payments. The Finance Officer made this adjustment and a revised "Budget to Actual" report was provided to Council. Mayor Capello reported that 42 percent of the fiscal year is completed; revenues are at 61 percent; and expenditures are at 31 percent. Mayor Capello reported that we are performing better than budget in both categories.

Director of Administration-Assistant to the Mayor Melissa Quinones gave a department update, as follows:

- Employment contracts were settled for the police and non-uniformed employees. Arbitration has been scheduled for the contract covering fire department employees.
- Currently, there are two job openings in the Department of Public Works.
- The Safety Committee updated the Safety Manual.
- Demolition of the swimming pool at Coleman Memorial Park is completed and the area has been surveyed. The City of Lebanon is exploring possibilities for the future use of the site.
- The City of Lebanon is sponsoring Nature Camp on June 27-29. Nature Camp is held from 9:00 a.m. – 12:00 noon each day at Stoever's Dam Park. Nature Camp is at full capacity.

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- The Annual Fireworks will be held at Coleman Memorial Park on July 4 at 9:00 p.m.; a concert by the Lebanon Community Concert Band will begin at 8:00 p.m. No dogs, no sparklers and no bicycles are permitted in the park.
- The Community of Lebanon Association is holding a Food Truck Palooza on July 13, 2022, at the Ninth and Cumberland Streets parking lot from 5:00 p.m. – 8:00 p.m.

Jerry Kalinoski, 412 Weidman Street, Lebanon, told Council he had a correction to the minutes of the April 25, 2022, meeting. On page 37, regarding his remarks about a vehicle in his neighborhood not being moved for street sweeping for the past several weeks and not being ticketed, he said it is different vehicles and not the same vehicle every week. Council had no objection to the correction.

Mr. Kalinoski reported that regarding Mayor Capello's remark on page 36 of the April 25, 2022, minutes, that the City of Lebanon only received one or two complaints about the new street lights, there may have been one or two complaints received; however, people are inhibited and do not want to speak at a public meeting. He suggested that the City of Lebanon prepare a survey to be included in the water and sewer bills or have a discussion on the Laura LeBeau Radio Talk Show. He asked if there has been any feedback from Met-Ed regarding this issue. Director of Public Works Robin Getz replied that Met-Ed is referring complaints to the Department of Public Works to field on their behalf. She further reported that the lights being installed are the lowest wattage for LED lights. She explained that the difference is that these are brighter whites, not the brightest, but they are not the low glow everyone was accustomed to with the sodium vapor lights. Additionally, there is no way to shield the new heads. She added that Met-Ed bids out the lights and does the installations.

Mr. Kalinoski asked if someone could provide the model number of the heads to which Mrs. Getz replied that she believes that information was provided to Mr. Kalinoski via email.

Mr. Kalinoski asked if there has been an exploration for solar panels for City Hall. Mayor Capello replied that it was her understanding that Mr. Kalinoski was going to provide the name and contact information for someone who may be able to assist city officials with exploring the possibility of the installation of solar panels.

Councilmember Miller asked how the City of Lebanon is able to obtain Victorian street lights for the downtown if we have no control of what model is used. Mayor Capello replied that the Victorian street lights were installed circa 1960. She further explained that in new developments, Met-Ed provides 2-3 options that are available. The developer selects a style and also has a choice of wattage. In a city, street lights were in place and they are a public utility. The bulbs in the street lights will eventually be switched out to LED bulbs. She reported that representatives of the City of Lebanon conveyed to Met-Ed in advance that the lowest wattage LED bulbs were requested. She noted that increased wattage was requested in a few commercial areas where it was very dark. In addition, Calvary Church requested increased lighting in the vicinity of the church for safety and the wattage was increased. Mayor Capello explained that the City of Lebanon owns the lights along Cumberland Street in the downtown area, so there is the possibility that we may have more input for those street lights.

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Councilmember Miller asked if there were any conversations with other municipalities that are having the same concerns about the street lights. Mr. Miller added that Met-Ed cannot do whatever it wants. Mrs. Getz replied that other municipalities do not have as many street lights as the city and the street lights are mostly in rural areas. She is not aware that any complaints have been fielded in the higher density areas in other municipalities.

Craig Gates, 47 Berwyn Park, Lebanon, told Council that there are options. One example is the street lights at the new Northwest Elementary School. He explained that the lights have a more yellow tinge and are not a glaring white. Mayor Capello responded that she will look at those lights. She added that she is not sure the city has a say other than the wattage.

Councilmember Morales asked if there is any possibility that Met-Ed is installing a higher wattage than requested. Mayor Capello responded that city representatives can spot check a few of the lights to confirm that isn't the case. In addition, Mayor Capello agreed to contact the Met-Ed rep to discuss the concerns. Mrs. Getz reported that the lights at the new Northwest Elementary School are a different type of head.

Councilmember Haitos asked if the city can choose from different options for the style of head on the street light. Mayor Capello replied that Met-Ed is a public utility and the street light belongs to Met-Ed; the City of Lebanon is responsible for paying for the electricity. She added that the only option to choose from is the wattage. She further explained that when the decision to switch to LED lights was made, city officials requested that Met-Ed keep it the same as the current lights. Mayor Capello told Council that Mrs. Getz will contact Met-Ed to ask if there is an option for warm or cool light.

Scott Koons, 505 North Eighth Street, Lebanon, asked if Met-Ed included the color temperature on the spreadsheet provided to which Mrs. Getz replied no. Mr. Koons stated that the color temp could be a factor in this issue. He added that a low wattage bulb with high color temperature could be a big factor.

Chairperson Morales announced that Council received a communication from Pennsylvania Auditor General Timothy DeFoor, transmitting the compliance audit of the Volunteer Firefighters' Relief Association (VFRA) of the City of Lebanon for the period January 1, 2019 to December 31, 2021. Mayor Capello explained that the VFRA is a non-profit organization formed by the nine volunteer fire companies in the City of Lebanon. The VFRA is responsible for operating in accordance with state laws, bylaws of the organization, contracts, etc. The City of Lebanon receives the allocation from the state which is from a distribution from tax on gross premiums paid by foreign (out of state) insurance companies. The allocation is based on 50 percent of the population and 50 percent of market value of real estate in the city. Within 60 days of receiving the allocation, the City of Lebanon must pass the payment on to the VFRA. She explained that the current audit had one finding which was the result of an error in the calculation of a loan payment. The Fire Company was immediately notified of the error and paid the difference to the VFRA. The Auditor General's Office accepted the action taken to comply with the finding.

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Mayor Capello stated that the color temperature for yellow is 3,000 and for aqua blue it is 4,000. Councilmember Miller asked if the city can advise Met-Ed that our request is for 3,000. Mayor Capello agreed to review the spreadsheet and verify what was in place. Mr. Gates stated that the street lights at Northwest Elementary School are different than those that are being installed in other areas of the city.

Mr. Kalinoski stated that he has an email from the Director of Public Works stating that all lights are bright white. He asked if Met-Ed offered a choice to which Mayor Capello responded the only choice was the wattage. There was not choice if the lights would be replaced with LED bulbs. Mr. Kalinoski asked if the City of Lebanon got an old generation style head. He stated the smaller the number, the warmer the light. He asked if a different model street lamp could be requested.

Mayor Capello told Council that she will request a meeting with Met-Ed representatives to discuss the concerns and questions raised at tonight's meeting.

Councilmember Haitos stated that if Met-Ed is a public utility, they must answer to someone. She asked if there are procedures for a municipality to follow if it is not happy with the service being received.

Councilmember Miller recognized that the move to the new City Hall was a big item on the City's plate for the past 6-12 months. He asked what the Administration's priorities will be for the next 6-12 months. Mayor Capello responded that the move did take up a lot of everyone's time. She added that settling the employment contracts and preparing for arbitration were also time consuming. She told Council that she has priorities and she will report back at the next meeting with the priorities for the upcoming months.

Councilmember Wertz asked the status of recruitment of new police officers. Chief Breiner reported that the Civil Service Commission has been using a PoliceApp which is an online process. In addition, the agility and written tests are now conducted on the same day in an effort to shorten the process. He added that the settlement of the employment contract has helped with recruitment which is an issue across the nation. The Civil Service Commission recently accepted applications and this was the highest number of applicants received in a long time.

Patrice Royer, 521 Canal Street, Lebanon, stated that she is a former employee of the City of Lebanon for a number of years and she always fought for fairness for the employees. During her tenure, she was appointed to the first Employee Relations Committee for the city. She stated that in April of this year, during a response to a domestic call, two police officers were injured and the Honorable Lt. William Lebo sustained a fatal injury. She reported that this was not the first line of duty injury in the department. She told Council that Mayor Capello was quoted in *LebTown* reporting that the City of Lebanon budgeted for 41 officers and there are 35 officers on the force. Ms. Royer reported that she believes the full complement is 47. She reviewed the summary of changes in the new employment contract that was provided at the last Council meeting. She told Council that while waiting for the contract to be negotiated, Mayor Capello was planning for the appointment of a new a Maintenance Superintendent for City Hall.

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She told Council that the salary is rumored to be \$63,000-\$75,000 annually. Ms. Royer acknowledged that she does not know the responsibilities of the position; however, she knows the duties of a police officer, the risk officers face every day, and the starting salary for a police officer. She asked Council that if they approved a line item for this salary for a Maintenance Superintendent, where do they stand on a fair salary for police officer. She asked how Council can justify paying this salary for this position when it is higher than the starting rate for a police officer. Ms. Royer thanked the police officers for the job they are doing and stated that it is her hope that Council considers changing the police salaries or paying for their health insurance. She concluded that this was a terrible decision by Mayor Capello and she would have fought against it as a Councilmember. In her opinion, this is nepotism.

Mayor Capello responded that the hiring of a Facilities Manager for City Hall was included in the 2022 budget. The lease agreement between the City and HACC requires that HACC pay for 40 percent of the salary. Mayor Capello stated that the salary of the Facilities Manager is not higher than the starting salary for a police officer. City Solicitor Donna Brightbill explained that in accordance with the agreement with HACC, the City of Lebanon is obligated to provide security and to provide oversight of the building. Regarding the benefits for police officers, Mayor Capello explained that the changes were negotiated with the bargaining unit representing the police. The increase for the health insurance is just a few dollars more than the officers were currently paying. She told Council that the benefit for health insurance offered by the City of Lebanon is extremely fair and is probably better than the benefit most employees in this region receive.

Chairperson Morales asked if this position was open to anyone. Director of Administration-Assistant to the Mayor Melissa Quinones replied that it was an in-house posting and the candidates were interviewed by herself and Director of Public Works Robin Getz.

Chairperson Morales asked if Ms. Royer was satisfied with the answers. He added that he is not sure the salary can be released. Mayor Capello responded that the salary is probably public record, but she would like to confirm before releasing the information. Mayor Capello confirmed that the salary is not higher than the starting salary for a police officer; however, she noted that there are other positions in the city that pay higher than the starting salary of a police officer.

The meeting was adjourned at 7:25 p.m.

CHERYL J. GIBSON, Clerk

