

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
October 2, 2017**

The October Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:30 PM on October 2, 2017 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Rex A. Moore, President; James W. Scott, Vice President; Thomas R. Embich, Treasurer; Henri B. Lively; and Joann F. Zimmerman. Also in attendance were Nicholas T. Yingst, Township Administrator and Secretary to the Board of Commissioners; Bernard Dugan, Chief of Police; Corey Lamoureux, Esq., Township Solicitor; Anthony Deaven, Church Street; Conrad "Mike" Liles, North Railroad Street; and Dean Wolfe, West Main Street.

President Moore called the meeting to order and led those present in the Pledge of Allegiance to the flag of the United States of America.

RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:

President Moore provided an opportunity for public comment and no comments were noted.

APPROVAL OF MINUTES: MOTION by Mr. Scott, second by Mr. Lively to approve the minutes of the Regular Meeting held September 5, 2017 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

Public Works: The Public Works Report for September 2017 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Permit Update for Grind Hog Replacement: At the recommendation of the Township Authority, MOTION by Mr. Lively, second by Ms. Zimmerman to authorize Gannett Fleming to prepare and submit the necessary documentation to the Department of Environmental Protection to update the wastewater treatment plant's Part Two permit to allow for the replacement of the grind hog with a bar screen at a cost not to exceed \$3,000. The motion was then opened for discussion and, following some conversation comparing the specifics of bar screens to grind hogs, the motion was voted upon and carried unanimously.

Public Safety: The Police Statistical Report for September 2017 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Weekend Foot Patrols: Chief Dugan reported he has stepped up the frequency of foot patrols the last few weekends. He indicated his department has issued approximately 30 citations thus far as a result of these patrols, and although the intent is to make it clear the Police Department is enforcing violations such as public drunkenness, underage drinking, open containers, and the like, it seems as if there has been no let up to this unlawful activity.

Skateboarding: Mr. Embich inquired if skateboarding is allowed on public streets. Chief Dugan indicated he believed skateboarding was not permitted on public sidewalks but was allowed on streets. Mr. Scott concurred with the Police Chief's belief. Ms. Zimmerman noted an increased prevalence of skateboarding in her neighborhood and further noted an increase in helmet use.

Property: The following items were addressed:

Town Hall Basement Door Replacement: Ms. Zimmerman reported the basement exterior door replacement project had been completed the prior week.

Town Hall Roof Replacement: Ms. Zimmerman reported the issuance of the Notice of Award to the contractor for the roof replacement, Gable & Son Construction, Inc., was only issued on September 21, 2017 due to delays stemming from the contractor not submitting insurance documents meeting the project specifications. As this is now resolved, the project manager, Gannett Fleming, was anticipating the contractor would be starting the work the following week.

Parks & Recreation and Hazard Mitigation Grant Program (HMGP) Project: Mr. Scott reviewed the Parks & Recreation and HMGP Report for September 2017, a copy of which is attached hereto and made a part of these minutes.

Finance: Mr. Embich reviewed the Financial Report for September, highlighting the total income and expenses for the ninth month of 2017. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for September 2017 was reviewed, a copy of which is attached hereto and made a part of these minutes. Mr. Embich asked if there was any update from Christ United Church of Christ regarding a remedy for the deterioration of the curb and sidewalk adjacent to the church's property. Mr. Yingst reported he had not heard anything since discussing this matter with one of the church's trustees several months prior, recollecting the church was seeking out advice from the Pennsylvania Department of Transportation regarding any suggestions the latter might have for maximizing the life of a replaced curb or sidewalk as tractor trailers often jump the curb at that curve in the street. Mr. Yingst shared the church's belief the situation worsened upon the removal of a utility pole at that curve, which previously had served as an impediment to such curb jumping, and Mr. Scott recollected seeing a round patch in that area where a utility pole likely stood previously. Ms. Zimmerman asked if the curb and sidewalk was a liability issue and Mr. Yingst indicated it certainly could be for the church.

Annville Activities: Mr. Scott reviewed the Annville Activities Report for September 2017, a copy of which is attached hereto and made a part of these minutes.

MOTION by Mr. Scott, second by Mr. Embich to approve the reports of the Standing Committees as presented. Motion carried unanimously.

REPORTS OF SPECIAL COMMITTEES:

Executive Sessions: Mr. Yingst reported an Executive Session was held prior to the start of the evening's meeting to discuss personnel matters and potential litigation.

Planning Commission: Mr. Yingst reported the Planning Commission did not meet in September and was not expected to meet in October.

Economic Development: Nothing to report this month.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for September 2017, a copy of which is attached hereto and made a part of these minutes.

Wage & Salary: Nothing to report this month.

Information Technology: Mr. Scott reviewed the Information Technology Report for September 2017, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Township Website Migration: Mr. Scott reported proposals for the migration of the Township website had been received from four firms. Sharing his belief the proposal submitted by Virtual October made sense for the Township for a variety of reasons, and further noting it was the lowest price of the four, he suggested the Township accept same. **MOTION** by Mr. Scott, second by Mr. Lively to accept the proposal received from Virtual October for the migration of the Township website to a Wordpress-based platform at a cost of \$1,973 and to authorize the annual website security, maintenance, and training by Virtual October at a cost of \$588 per year. Motion carried unanimously.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for September 2017, a copy of which is attached hereto and made a part of these minutes.

Stormwater Management: Mr. Embich reviewed the Stormwater Management Report for September 2017, a copy of which is attached hereto and made a part of these minutes. He noted that some amendments to the intergovernmental cooperation agreement between the members of the Lebanon County Stormwater Consortium were being considered by the consortium and he anticipated there may be a request for authorization of these amendments when the Board of Commissioners meets in November.

Greater Lebanon Refuse Authority (GLRA): Mr. Embich reviewed the GLRA Report for September 2017, a copy of which is attached hereto and made a part of these minutes.

Fire Department: The Board noted the receipt of the September 2017 Monthly Statistical Report for the Union Hose Company. Mr. Lively reported that Luke Leininger has been the Acting Chief of the Fire Department since August and Aaron Hanley has since been serving as Administrative Chief. The following item was then addressed:

Memorandum of Understanding (MOU) Outlining a Procedure, Process, and Goals for the Regionalization Efforts for the Union Hose Company and the Cleona Fire Company: Mr. Lively presented an MOU outlining a procedure, process, and goals for regionalization efforts for the Union Hose Company and the Cleona Fire Company. Noting this was a necessary step forward toward achieving administrative cooperation of the two departments that had long been cooperating on operations and training and noting Cleona Borough Council had indicated its support for the MOU by approving it the prior month, **MOTION** by President Moore, second by Mr. Scott to approve the aforementioned MOU as presented, to authorize its execution by the appropriate Township

officials, and to encourage the Union Hose Company and the Cleona Fire Company to do the same. Motion carried unanimously.

MOTION by Mr. Scott, second by Mr. Embich to approve the reports of the Special Committees as presented. Motion carried unanimously.

OLD BUSINESS:

Ordinance No. 659 – Regulating Dropping or Depositing Materials on Streets: *Mr. Yingst* presented proposed Ordinance No. 659, adding Part 7, “Dropping or Depositing Materials on Streets”, to Chapter 21, “Streets and Sidewalks”, of the Township Code of Ordinances. It was noted the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Scott, second by Mr. Lively to adopt Ordinance No. 659, adding Part 7, “Dropping or Depositing Materials on Streets”, to Chapter 21, “Streets and Sidewalks”, of the Township Code of Ordinances, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

NEW BUSINESS:

Proposal for 2017 Audit Services: Mr. Yingst presented the Board with a proposal from Garcia Garman & Shea, PC for providing audit and financial statement services for 2017. He noted this cost would be shared by the General Fund, the Sewer Fund, and the Economic Development Authority Fund. **MOTION** by Mr. Embich, second by Ms. Zimmerman to (1) accept the proposal from Garcia Garman & Shea, PC to provide audit and financial statement services for the year ending December 31, 2017 at a cost not to exceed \$10,500 and (2) authorize the execution of the engagement letter for same by the appropriate Township officials. Motion carried unanimously.

Authorize Budget Meeting: **MOTION** by Mr. Scott, second by Mr. Lively to ratify the advertisement of a Special Meeting on October 18, 2017 at 6 PM to prepare the 2018 budget and to consider any other business that might come before the Board. Motion carried unanimously.

Easement Documents Pertaining to Storm Sewer Extension on West Queen Street: Noting that easements documents were necessary for the construction and ongoing maintenance of the storm sewer extension from West Queen Street onto the McGeary Grain, Inc. property, and further noting these documents had been prepared and reviewed by the Township Administrator and Township Solicitor, both of whom found them to be satisfactory, **MOTION** by Mr. Embich, second by Mr. Scott to (1) approve both the Right of Entry and Temporary Construction Easement and the Easement Agreement for the aforementioned property and (2) authorize their execution by the appropriate Township officials. Motion carried unanimously.

Resolution No. 20171002-1 – Amplified Noise Enforcement: Mr. Yingst reported the Township’s exemption from the section of the Pennsylvania Liquor Code providing enforcement by the Pennsylvania State Police Bureau of Liquor Control Enforcement (LCE) agents of amplified noise issues at establishments holding a liquor license is due to expire in November. It was noted this exemption was first granted to the Township in 2013 for one year and subsequently renewed in 2014 for three years, and it provided for enforcement of the municipal noise regulations by the

Township Police Department in place of enforcement by LCE agents. A proposed resolution was presented that authorized the filing of a petition to the Liquor Control Board for this exemption to continue. **MOTION** by Mr. Scott, second by Mr. Embich to adopt Resolution No. 20171002-1 as presented. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

Request for Widening of East Cumberland Street: Mr. Embich reported a conversation he had with a representative of the Annville Free Library where the latter requested the Township consider widening East Cumberland Street in the vicinity of the library to allow for more onstreet parking. He noted that while he saw some potential issues with doing so—as widening the street to the south would likely necessitate significant engineering due to the drop-off there and expanding the roadway would require building that area up and possibly a retaining wall to hold it in place—he suggested the library submit a letter to the Township specifying its request. President Moore expressed his concern that widening only a portion of the roadway would result in confusion for motorists. Mr. Scott noted the relatively high volume of traffic on East Cumberland Street due to its use as a means for motorists to avoid Main Street and also noted the removal of a Met-Ed pole to the south of the roadway across from the library would be helpful in such a widening. Mr. Yingst reported his office has made several calls to Met-Ed asking for direction on how the pole might be removed and has yet to receive a response. He also shared his concern the expense for widening that portion of East Cumberland Street would be cost prohibitive, especially in light of paving needs elsewhere throughout the Township.

Request for Footbridge over the Quittapahilla Creek: Mr. Embich reported a conversation he had with someone who suggested a footbridge be installed across the Quittapahilla Creek from South Annville Township to the Annville Township-owned property at the south end of South Lancaster Street. Mr. Embich shared he suggested the requestor submit a letter to the Township specifying his request, while noting some potential difficulties at that location due to a water main easement. There was also concern expressed that the cliff on the southside of the creek would make such a bridge impractical.

Annville Center Parking Lot: Mr. Wolfe asked the reason why there were discussions about potentially selling the downtown parking lot. President Moore indicated the debt associated with the lot was significant—approximately \$67,000 per year for the next 15 years—and the proceeds from selling the lot could pay down that debt. Mr. Scott then briefly summarized some arguments in favor of and opposed to selling a public parking lot. Mr. Wolfe asked why the annual debt service impact was not considered when the redevelopment project was being planned and Mr. Scott noted the project ended up being more expensive than initially thought. Mr. Wolfe expressed his disapproval for the Township's management of this project and reflected on the loss incurred by the Township on the sale of the former Fink Bakery property adjacent to the downtown parking lot and lack of effort to improve the Fink Bakery by the Township. Mr. Scott noted the Township always intended to sell that property and had it consistently listed for sale throughout the ten years it owned it so it could eventually be developed by a private entity. Mr. Yingst opined about the challenges of public development of properties as opposed to private development and suggested Township officials may be wiser from some lessons learned from these experiences. Mr. Scott noted his confidence the property was sold to a quality developer who he believed would improve

it. Mr. Embich expressed some reservation of selling a public parking lot and there was then discussion about college students and faculty parking in the lot and taking up spaces.

CORRESPONDENCE: Nothing to report.

PAY BILLS: MOTION by Mr. Scott, second by Mr. Embich to ratify the actions of the Township Administrator regarding payment of debts shown on the Finance Report (Cash Disbursement Journals of the various funds). Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Lively, second by Mr. Scott to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:13 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary