

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
September 5, 2017**

The September Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:30 PM on September 5, 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; John McNamara, East Main 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 August 7, 2017 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

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

Listing of Vehicles for Auction with Muncibid: At the recommendation of the Public Works Supervisor, **MOTION** by Mr. Lively, second by Mr. Scott to authorize listing the 1991 Ford F-350 utility truck and the 1994 Chevrolet K3500 dump truck on the Muncibid auction site. Motion carried unanimously.

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

Authorization of Handicapped Parking Spaces on North Manheim Street and West Queen Street: Noting requests for handicapped parking spaces were received from two residents, **MOTION** by Mr. Scott, second by Mr. Lively to (1) authorize the painting of and installation of appropriate signage for a handicapped parking space on North Manheim Street near its intersection with East Main Street as well as the relocation of a handicapped parking space on the 400 block of West Queen Street near its intersection with South Mill Street upon review by the Public Works Department and (2) instruct the Township Administrator to memorialize this action in the next omnibus ordinance. Motion carried unanimously.

Trick-or-Treat: Police Chief Dugan reported on the date and times the Lebanon County Chiefs of Police set for countywide trick-or-treating, as well as a rain date, and he recommended Annville Township do the same. **MOTION** by Ms. Zimmerman, second by Mr. Embich to authorize trick-or-treating in Annville Township on October 31, 2017 from 6:00 PM to 8:00 PM with a rain date of November 1, 2017 from 6:00 PM to 8:00 PM. Motion carried unanimously.

Property: The following items were addressed:

Town Hall Basement Door Replacement: Ms. Zimmerman reported the doors and frame for the new door are painted and ready to be installed as soon as the panic device is received by the contractor, so completion of this project is anticipated sometime in the next few weeks.

Town Hall Roof Replacement: Ms. Zimmerman reported the project manager has been in contact with the contractor, Gable & Son Construction, Inc., and the latter is in the process of obtaining the necessary bonds and insurance.

Town Hall Dusk-to-Dawn Lights: Ms. Zimmerman reported dusk-to-dawn lights have been installed on the exterior wall of Town Hall that faces the parking lot to improve nighttime visibility.

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

Pumpkin Walk: **MOTION** by Mr. Scott, second by Mr. Embich to (1) approve the use of Quittie Creek Nature Park on Friday, October 27, 2017 as the site of the Pumpkin Walk from 12 Noon to 9:00 PM and (2) authorize Public Works staff to deliver stored Pumpkin Walk materials (luminaries and some Pumpkin Gate elements) to the Swingholm Bridge parking area by 12 Noon on Friday, October 27, 2017 and retrieve and store the same on the following day. Motion carried unanimously.

Mosquitoes at Quarry Pond: Mr. Embich noted the heavy rains of the past few months have led to standing water in the quarry pond and an increase in mosquitoes. Mr. Scott also discussed the high grass and weeds in the pond with Mr. Embich.

Use of Quittie Creek Nature Park by Cross-County Team: **MOTION** by Mr. Scott, second by Mr. Embich to ratify the action of the Township Administrator authorizing the use of Quittie Creek Nature Park by the Annville-Cleona cross-country team as part of its course for meets on August 24, 2017 and September 12, 2017. Motion carried unanimously.

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

Permits: The Permits Report for August 2017 was reviewed, a copy of which is attached hereto and made a part of these minutes. Mr. Embich inquired about utility markings he recently observed in the vicinity of St. Paul the Apostle Catholic Church and Mr. Yingst indicated he did not believe a permit was necessary as it appeared the work would not result in the street being cut.

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

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

REPORTS OF SPECIAL COMMITTEES:

Executive Sessions: Mr. Yingst reported that no Executive Sessions were held since the adjournment of the August Regular Meeting. Mr. Embich noted that he and Commissioners Moore and Scott were in attendance at the annual Lebanon Valley College kickoff breakfast on August 23, 2017, although no official Township actions were taken or discussed. An Executive Session was requested to be held following the adjournment of the evening's meeting to discuss real estate and personnel matters and potential litigation.

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

Economic Development: It was noted the draft minutes from the August 11, 2017 meeting of the Economic Development Authority (EDA) had been distributed to the Board of Commissioners. The following items were then addressed:

Annville Center Parking Lot: Referring to the draft minutes from the EDA meeting, Mr. Embich inquired about the Authority's consideration of selling the Annville Center parking lot. President Moore reflected the EDA had conversations in past years about metering the lot and, as the reaction to that suggestion was generally unfavorable, the Authority was now having a preliminary discussion concerning whether selling the lot would be something worth considering. It was noted the EDA had authorized an appraisal for the lot, which is legally required before a sale could occur and would also determine if such a sale made financial sense. President Moore noted the proceeds from a sale might help to pay down the outstanding debt owed by the Township on the lot. Several Commissioners expressed their concerns about selling the lot, noting its potential impact upon downtown businesses, and especially those adjacent to the lot. President Moore noted the lot could be purchased by one or more of those entities, although some Commissioners expressed doubts about the likelihood of that happening. It was reiterated the conversation was in a very preliminary stage and should the appraisal of the lot be for a sufficient amount it would be incumbent upon the EDA to have a conversation about the lot's future with appropriate local stakeholders.

Painting of Yellow "No Parking" Curbs: Ms. Zimmerman reported the painting of all yellow "no parking" curbs in the Township, per the agreement to satisfy the deficiency from the November 30, 2016 public auction, was completed the prior month by Edward Hoover and Gavin Witmeyer, and she and Mr. Scott expressed their satisfaction with the work. Several Commissioners also noted there were other curbs that had historically not been painted but which they believed should be painted, and Mr. Yingst agreed to pass along these locations to the Public Works Department.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for August 2017, a copy of which is attached hereto and made a part of these minutes, and he noted the tentatively scheduled HARB meeting for September 11, 2017 had been cancelled due to a lack of business to conduct. The following items were then addressed:

Restoration and Reconstruction of South-Facing and East-Facing Facade for Storefront and Temporary Restoration and Reconstruction of West-Facing Facade at 25-33 and 35 Rear East Main Street and Door and Window Replacement and Fence Installation at 430 West Main Street: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Mr. Lively to issue Certificates of Appropriateness for (1) the restoration and reconstruction of the south-facing and east-facing façade for the storefront at the eastside of the property at 25-33 and 35 Rear East Main Street as presented, (2) the temporary restoration and reconstruction of the west-facing façade of the property at 25-33 and 35 Rear East Main Street as presented, and (3) the door and window replacement and fence installation for the property at 430 West Main Street as presented. Motion carried unanimously.

Appointment of Melissa Barlow and John Hinshaw to HARB: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Mr. Scott to appoint Melissa Barlow and John Hinshaw as alternate members to HARB. Motion carried unanimously.

Wage & Salary: Nothing to report this month.

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

Website Migration: Mr. Scott reported that three proposals had been received for the migration of the Township website to a WordPress platform and he was anticipating a proposal from a fourth company associated with bluehost, who currently hosts the Township website. He asked the Commissioners what they envisioned for the future website, noting it could be a portal to any number of things related to Annville but not specific to its governmental workings, or simply a website specific to municipal government and its services. President Moore inquired if advertising could be placed on the website to offset its operating costs and Mr. Lamoureux indicated he believed it could be, although he suggested the parameters governing this be clearly established via a resolution or similar document. Mr. Scott noted he could not locate any municipal websites with advertisements and expressed some hesitation with the idea. Mr. Embich provided an example of a local non-profit organization of which he is a part concerning how its website allows for advertising, although he noted the advertising is for the business of another member of that organization, which helps to limit uncertainty and abuse of where the advertising link directs the user. He expressed his concern about managing such advertising links on the Township website and noted his discomfort with its uncertainty. Mr. Scott also was not sure advertisers would be willing to pay for a link on the website, but President Moore believed a number of businesses might be interested. Returning to the proposals for the website migration, Ms. Zimmerman asked if the services quoted in the proposals were similar to each other, and Mr. Scott indicated he did not believe so based upon the different prices. He also responded to Mr. Lively's question about how businesses were previously featured on the website prior to its crash several years earlier. The Commissioners then discussed what the advertisements might look like—be it a simple website link by a company's name or an actual picture advertisement that could be linked to a company's website—and there was some uncertainty about the preference of the Board. Noting the desire to have the website migration completed by the end of 2017, Mr. Embich suggested the firms who had submitted proposals could be contacted for an alternate quote for facilitating advertising

possibilities through the website at a future date if the Township wished to pursue this, which could then be appended to the current proposals and thus not delaying the migration, and the other Commissioners indicated their support for this suggestion.

Crimewatch Web Presence: At the recommendation of the Chief of Police, **MOTION** by President Moore, second by Ms. Zimmerman to authorize the Police Department to adopt the crimewatch app as the Township's web presence for public safety-related messaging. Motion carried unanimously.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for August 2017, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Notice to Proceed for Utility Relocation: Noting the Reimbursement Agreement and Occupancy Permit had been fully executed and issued for the utility relocation associated with the Spruce Street Bridge replacement project, **MOTION** by Mr. Embich, second by Mr. Lively to ratify the issuance of the Notice to Proceed to First Energy Company for the aforementioned utility relocation. Motion carried unanimously.

Stormwater Management: Mr. Embich reviewed the Stormwater Management Report for August 2017, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Advertisement of Pollutant Reduction Plan (PRP): Mr. Embich noted that, due to an error in which the public notice for the PRP was not advertised timely, the public hearing for the PRP had been rescheduled to September 18, 2017 at 10:00 AM at 1220 Mifflin Street, Lebanon, PA 17046 and the public comment period for same was from August 25, 2017 through September 25, 2017. He also noted this revised public notice had been posted at Town Hall and on the Township website.

Municipal Separate Storm Sewer System (MS4) Advertising Costs: **MOTION** by Mr. Embich, second by Mr. Lively to authorize budgeting \$300 in 2018 for MS4-related advertising, banner development, and brochure publication costs. Motion carried unanimously.

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

Fire Department: Nothing to report this month.

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

OLD BUSINESS:

Ordinance No. 658 – 2017 Omnibus: Mr. Yingst presented proposed Ordinance No. 658, amending Section 2-400 (Chickens), Section 15-411 (Handicapped Parking), Section 18-125(C) (Sewage and Industrial Waste Surcharges), Section 21-401 (Prohibition of Placing or Displaying

Any Banners, Signs or like items Across any Street Within Annville Township), and Section 21-403 (Exception) of the Township Code of Ordinances. It was noted the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Ms. Zimmerman, second by Mr. Lively to adopt Ordinance No. 658, the 2017 omnibus ordinance, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Proposed Ordinance Regulating Dropping or Depositing Materials on Streets: Mr. Yingst presented a draft of a proposed ordinance regulating dropping or depositing materials on streets to the Board for its review and comment, noting it had been drafted based upon several other similar municipal ordinances. Mr. Embich expressed his concern with the broadness of some of the draft ordinance's language, suggesting a negligible amount of grass clippings being transported to the greenwaste facility and blowing out of a vehicle would technically be in violation of it. Ms. Zimmerman thought that common sense enforcement would be applied to distinguish between negligible amounts of dropped materials and excessive or abusive amounts of same and the Commissioners discussed what practical enforcement under such an ordinance would look like. Mr. Lamoureux suggested the word "unreasonably" be inserted into Sections 21-701 and 21-702 to address Mr. Embich's concern and the Commissioners concurred with this recommendation. Mr. Scott asked if this would make it difficult for contractors going to and from a construction site, and Mr. Yingst recounted that several residents had raised concerns about materials dropped on streets from construction vehicles when the Lebanon Valley Advanced Care Center was being built and they had suggested an ordinance to address this. Ms. Zimmerman reflected that a similar ordinance prohibiting this was in place when she resided in Jackson Township and Mr. Embich noted the Pennsylvania Motor Vehicle Code prohibited this on state highways. With no further discussion noted, **MOTION** by Mr. Lively, second by Mr. Embich to authorize the advertisement of the proposed ordinance regulating dropping or depositing materials on streets as revised for possible adoption at a future Regular Meeting. Motion carried unanimously.

NEW BUSINESS:

Proposed Change of Meeting Date and Time for 2018 Board of Commissioners' Meetings: President Moore suggested the meeting date for the Board of Commissioners' meetings be moved from the first Monday of each month to the first Tuesday of each month beginning in 2018. He noted this would allow Commissioners to attend meetings of other nearby municipalities without any scheduling conflicts. He also asked if there was interest in moving the meeting time from 7:30 PM to 7:00 PM for 2018. The Commissioners indicated their support for both suggestions, while it was noted alternate dates should be chosen for the Tuesdays on which Community Night Out and the General Election occurred, as well as the legal requirement the first meeting of an even-numbered year occur on the first Monday of that year. Mr. Embich also noted Tuesday meetings for the Board would conflict with some of the monthly meetings of the GLRA and another Township representative—possibly from the Public Works Department—may need to be considered for this role in future years.

2018 Minimum Municipal Obligation (MMO) Certifications for Pension Plans: The Board reviewed the MMO calculations and certifications for the two Township pension plans for 2018 in accordance with Act 205 requirements. **MOTION** by Mr. Lively, second by Ms. Zimmerman

to approve the MMO certifications for the police pension plan and the non-uniformed employees' pension plan as presented. Motion carried unanimously and copies of the MMO certifications are attached hereto and made a part of these minutes.

2018 Residential Rental License Fee: Based on the Township Office's review of the costs associated with administering residential rental licenses, Mr. Yingst recommended the residential rental license fee remain at \$15 per unit for 2018. **MOTION** by Mr. Scott, second by Mr. Lively to set the residential rental license fee at \$15 per rental unit for 2018. Motion carried unanimously.

Renewal of Law Enforcement Errors and Omissions Liability Insurance: Mr. Yingst presented the renewal proposal for the Township's law enforcement errors and omissions liability insurance at an annual cost of \$11,982.40. **MOTION** by Mr. Embich, second by Mr. Lively to approve the renewal of the Township's law enforcement errors and omissions liability insurance with Cincinnati Specialty Underwriters Insurance Company for September 15, 2017 through September 15, 2018 as presented. Motion carried unanimously.

CORRESPONDENCE: The Board was informed of the following item of correspondence received since its August Regular Meeting:

Lebanon County Agricultural Land Preservation Board (LCALPB) Appeal for 2018: Mr. Yingst reported that an appeal letter was received from the LCALPB for 2018. **MOTION** by President Moore, second by Mr. Scott to pledge \$100 to the LCALPB in 2018 and to direct the Township Office to return the pledge card to the LCALPB notifying them of this. Motion carried unanimously.

PAY BILLS: **MOTION** by President Moore, second by Mr. Lively 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. Scott, second by Mr. Lively to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:40 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary