

ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
APRIL 3, 2018
REGULAR MONTHLY MEETING – 7:00 PM

Announced Visitor(s): None announced

- I. Call to Order – 7:00 PM
- II. Pledge of Allegiance
- III. Recognition of Visitors and Opportunity for Public Comment
- IV. Approval of Minutes
 - A. March 6, 2018 Regular Meeting
 - B. March 20, 2018 Public Meeting on the MS4 Program and Fee
- V. Reports of Standing Committees
 - A. Public Works
 - B. Public Safety
 - C. Property
 - D. Parks & Recreation and Hazard Mitigation Grant Program (HMGP) Project
 - E. Finance
 - F. Permits
 - G. Annaville Activities
- VI. Reports of Special Committees
 - A. Executive Sessions
 - B. Planning Commission
 - C. Economic Development
 - D. Historic Architectural Review Board (HARB)
 - E. Wage & Salary
 - F. Spruce Street Bridge
 - G. Municipal Separate Storm Sewer System (MS4)
 - H. Greater Lebanon Refuse Authority (GLRA)
 - I. Fire Department
- VII. Old Business
 - A. Proposed Ordinance No. 662 – 2018 Omnibus
 - B. Proposed Ordinance No. 663 – Authorizing Execution of an Amendment to the Intermunicipal Agreement for the Implementation of the Lebanon Area Regional Pollutant Reduction Plan
 - C. Condition of Sharrows and Turning Arrows
 - D. Deteriorating Curb and Sidewalk at Christ Church
 - E. Burned Out Bus
- VIII. New Business
 - A. Township Website
 - B. Update to Refuse Regulations
 - C. Residential Refuse and Recycling Collection Contract
- IX. Correspondence
- X. Pay Bills
- XI. Adjournment

**MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
April 3, 2018**

The April Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on April 3, 2018 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Rex A. Moore, President; Henri B. Lively, Vice President; Thomas R. Embich, Treasurer; Joann F. Zimmerman; and Nevin R. Hoover. 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; Luke Leininger, Chief of the Union Hose Company; Conrad "Mike" Liles, North Railroad Street; Dean Wolfe, West Main Street; and Frank Hullihen, student at Lebanon Valley College (LVC).

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: After noting that no visitors were formally noted on the agenda, President Moore provided an opportunity for public comment and Mr. Wolfe inquired if there would be a packet issued to rate payers for the Municipal Separate Storm Sewer System (MS4) fee. Mr. Yingst indicated there would not be, in part due to the cost of doing so, and further indicated that was the purpose of the informational meeting on the MS4 program and fee that was held on March 20, 2018. Mr. Wolfe asked if it was fair to use the underlying zoning districts for assessing the fee and Mr. Yingst indicated the Township believed it was and provided for a more accurate assessment. Mr. Embich noted that general information on the MS4 program was readily available from a variety of sources and noted in particular that information on the Lebanon County Stormwater Consortium, of which the Township was a member, was available online at the website for the Redevelopment Authority of the County of Lebanon, including minutes of the Consortium meetings. Per a question from Mr. Wolfe, Mr. Yingst and Mr. Lamoureux explained why the Township used a different engineer than the other members of the Consortium, noting that proposals were sought by the Township Authority from various engineering firms for the purpose of calculating the Township's MS4 fee.

APPROVAL OF MINUTES:

March 6, 2018 Regular Meeting: MOTION by Mr. Lively, second by Mr. Hoover to approve the minutes of the Regular Meeting held March 6, 2018 as presented. Motion carried unanimously.

March 20, 2018 Public Meeting on the MS4 Program and Fee: MOTION by Mr. Hoover, second by Ms. Zimmerman to approve the minutes of the Public Meeting on the MS4 program and fee held March 20, 2018 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

Public Works: The Public Works Report for March 2018 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Septage Hauler Cards: At the recommendation of the Township Authority, MOTION by Mr. Lively, second by Ms. Zimmerman to authorize charging \$10 to septage haulers for the issuance

ANNVILLE TOWNSHIP PUBLIC WORKS DEPT.

WORK DONE FOR MARCH 2018

- (1) **DOWNTOWN LIGHTS** Called in two streetlights this month.
- (2) **SWEEPING** Spent 8.5 hours in Annville sweeping.
- (3) **STORM DRAINS** The system has been gone through and there are 50 basins that need cleaned, ten that need some small repairs, 15 that need stickers, and 12 that need the numbers gone over again. We will work on getting them cleaned ASAP and will work on the rest of the problems over the summer.
- (4) **DUMPSTERS** The dumpsters will be open beginning April 4.
- (5) **POTHoles** We will be fixing potholes as soon as plant opens.
- (6) **BLACKTOPPING** I will have something for the May meeting for blacktopping West Queen Street and North Mill Street.
- (7) **SNOW** Spent 52 hrs. plowing snow, nine hrs. salting.

of a replacement hauler card if a previously issued card is lost or damaged. Motion carried unanimously.

Filter Feed Pump Motors: At the recommendation of the Township Authority, **MOTION** by Ms. Zimmerman, second by Mr. Hoover to authorize the purchase of a reactor and rewinding the motors for the filter feed pumps at an estimated cost of \$5,000. The motion was then opened for discussion. Mr. Embich asked if there were warranty options to be considered and Mr. Yingst indicated there were not, further noting the Public Works Supervisor indicated he believed the motors were operating appropriately for their age. With no further discussion the motion was voted upon and carried unanimously.

Public Safety: The Police Statistical Report for March 2018 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Closure of East Sheridan Avenue and Special Waiver of the Noise Ordinance for Harrisburg Symphony Orchestra (HSO) Concert: Noting a request was received for same from LVC, **MOTION** by Ms. Zimmerman, second by Mr. Lively to (1) authorize the closure of East Sheridan Avenue from North White Oak Street Extension to North College Avenue from 5:00 PM to 11:00 PM on July 2, 2018 for the annual HSO Independence Day Concert on the LVC academic quad and (2) grant a special waiver to the Township Noise Ordinance specific to this event from 10:00 PM to 11:00 PM. Motion carried unanimously.

Authorization of Handicapped Parking Space on Maple Street: Noting a request was received for same, **MOTION** by President Moore, second by Mr. Lively to (1) authorize the painting of and installation of appropriate signage for a handicapped parking space at 333 Maple Street and (2) instruct the Township Administrator to memorialize this action in an upcoming omnibus ordinance. Motion carried unanimously.

No Parking for Booth Number Painting for Historic Old Annville Day (HOAD): It was reported a request was received from Friends of Old Annville (FOOA) for posting portions of West Main Street for "No Parking" that will be affected by the painting of booth numbers on curbs in preparation for HOAD. **MOTION** by Mr. Lively, second by Mr. Hoover to approve the posting of "No Parking" for the onstreet parking spaces on both sides of West Main Street from Cherry Street to White Oak Street on April 21, 2018 from 7 AM to 9 AM and to request that members of FOOA assist with the posting of these signs. Motion carried unanimously.

Snowman Rebuilding: Referencing a story from the prior week in *The Lebanon Daily News*, Mr. Lively expressed his appreciation for Officer Jason Cleck's efforts to rebuild a young resident's snowman that had been knocked over.

Property: Nothing to report this month.

Parks & Recreation and Hazard Mitigation Grant Program Project: Nothing to report this month.

Annville Township Police Department

MONTHLY REPORT MARCH 2018

Total Calls by Call Type From: 2/27/2018 - 4/01/2018

<u>Call Type</u>	<u>Total Calls</u>
TRAFFIC ENFORCEMENT - WARNING	37
ASSIST OTHER POLICE	22
TRAFFIC ENFORCEMENT - CITATION	22
PARKING ENFORCEMENT	20
BACKGROUND INVESTIGATION	10
ALARMS	8
AMBULANCE CALL	7
DOMESTIC DISPUTE	7
LOST & FOUND	7
ACCIDENT, NON-REPORTABLE	6
PARKING COMPLAINT	6
ADMINISTRATIVE FINGERPRINTING	4
DRIVING COMPLAINT	4
PHONE SCAM	4
ACCIDENT, HIT & RUN	3
JUVENILE COMPLAINT	3
NOISE COMPLAINT	3
RECON. ACCIDENT TEAM ASSISTANCE	3
SUSPICIOUS ACTIVITY	3
SUSPICIOUS PERSON	3
TRAFFIC HAZARD	3
ABANDONED VEHICLE	2
ACCIDENT, REPORTABLE	2
COMMUNITY RELATIONS	2
CRIMINAL MISCHIEF	2
DOG COMPLAINT	2
FIGHTING	2
POLICE INFORMATION	2
TRAFFIC COMPLAINT	2
VEHICLE COMPLAINT	2
ACCIDENT, NO INVESTIGATION	1
AIR RIFLE OFFENSES	1
ASSEMBLY/DEMONSTRATION	1
ASSIST MOTORIST	1
ASSIST OTHER AGENCY	1
CHILD ABUSE	1
CIVIL MATTER	1
DOG - MISSING / LOST	1
DRUG BOX - PRESCRIPTION	1
DRUG INFORMATION	1
DRUG VIOLATION	1

1

Total Calls 233



ANNVILLE TOWNSHIP POLICE
MONTHLY REPORT
MARCH 2018



• CALL FOR SERVICE	233
• ORDINANCE VIOLATIONS	
1. PARKING	6
2. DOG	2
3. NOISE	3
4. NUSIANCE ORDIANCE	1
5. ORDIANCE – OTHER	1
6. AIR RIFLES	1
• CRIMINAL ARRESTS	3
○ ADULT	3
○ JUVENILE	0
• ASSMEBLY DEMOSTRATION	1

• TOTAL TRAFFIC CITATIONS	22
• TOTAL TRAFFIC WARNINGS	37
• TOTAL NON-TRAFFIC CITATIONS	2
• TOTAL VEHICLE ACCIDENTS	12
○ REPORTABLE	2
○ NON-REPORTABLE	7
○ HIT & RUN	3
• PARKING TICKETS ISSUED	20

ACCIDENT LOCATIONS

- 100 Block East Main
- 100 Block North College
- 100 Block West Main (2)
- 123 West Queen Street
- 1st Block South White
- 215 East Main Street
- 44 North Saylor Street
- 665 East Main Street
- 9 East Main Street
- Main Street/Concord Street
- South King/West Queen Street

Finance: Mr. Embich reviewed the Financial Report for March, highlighting the total income and expenses for the third month of 2018. A copy of the report is attached hereto and made a part of these minutes. In particular, there was discussion about the monthly electric bill for the wastewater treatment plant and the temporary impact to Sewer Fund revenues due to a routine 2017 year-end adjusting journal entry that would be roughly offset by another adjusting journal entry at the end of 2018.

Permits: The Permits Report for March 2018 was reviewed, a copy of which is attached hereto and made a part of these minutes.

Annville Activities: The following item was addressed:

Resolution No. 20180403-1 – Designating Intent to Erect a Banner Across U.S. Route 422 for 2018 Memorial Day Parade: Noting an application was received from the Annville Community Activities Committee to erect a banner across U.S. Route 422 from May 1 through May 27, 2018 advertising the Memorial Day Parade, Mr. Yingst presented a resolution for same that required approval by the Board as well as submission to and approval by the Pennsylvania Department of Transportation (PennDOT) before the banner could be erected. **MOTION** by Mr. Embich, second by Ms. Zimmerman to adopt Resolution No. 20180403-1 as presented and to authorize its submission to PennDOT. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

MOTION by Mr. Lively, second by President Moore 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 March Regular Meeting. An Executive Session was requested to be held prior to the adjournment of the evening's meeting to discuss potential litigation.

Planning Commission: Ms. Zimmerman reported the Planning Commission did not meet in March and was not expected to meet in April. She also reported the Graham land subdivision plan was recorded in March; settlement on the property was being scheduled and was anticipated before the end of the month.

Economic Development: Nothing to report this month.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for March 2018, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Roof Replacement at 30 West Main Street and Demolition of Structure, Roof Replacement, and Removal of Attached Carport at 44 East Main Street: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Ms. Zimmerman to issue Certificates of Appropriateness for (1) roof replacement for the property at 30 West Main Street and (2) demolition of the existing concrete

Permits Report

Month of March 2018

Plumbing Permits issued	_____	\$ _____
Plumbing Licenses issued	<u>1</u>	\$ 25.00
Excavator Licenses issued	_____	\$ _____
Total Curb/Sidewalk Permit Fees Collected		\$ _____
Total Street Cut Permit Fees Collected		\$ 400.00
Total Tapping Fees Collected		\$ _____

Tapping Fees

Building Permits

#3-18	John Hinshaw	Erect a new structure
#4-18	Duvall & Duvall, LLC	Erect / Replace a sign

Curb/Sidewalk Permits

Street-Cut Permits

#18-6	24 W. Sheridan Avenue	UGI Utilities, Inc.	Renew gas service
#18-7	20 W. Sheridan Avenue	UGI Utilities, Inc.	Renew gas service

Burn Permit

RESOLUTION NO. 20180403-1

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
ANNVILLE TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA,
DESIGNATING ITS INTENT TO ERECT A BANNER ACROSS U.S. ROUTE 422**

WHEREAS, one banner will be suspended on cables across U.S. Route 422 approximately 190 feet west of the intersection with Weaber Street at a height no lower than 17 feet, 6 inches above the highway and these cables are connected to poles flanking the highway; and

WHEREAS, Annville Township assumes full responsibility for erecting, maintaining and removing the banner and all liability for damages occurring to any persons or property arising from any act of omission associated with the banner; and

WHEREAS, banners with more than 20% of the message relating to naming or advertising a commercial product, enterprise, business, or company and events that are not related to a national, state, regional, or local function or a charitable affair will not be permitted; and

WHEREAS, traffic control will be performed in accordance with the most current Publication 213.

NOW, THEREFORE, BE IT RESOLVED by the Annville Township Board of Commissioners that Resolution No. 20180403-1 designating the Township's intent to erect a banner across U.S. Route 422 specifying conditions set by the Pennsylvania Department of Transportation, and permitting the organization listed below to suspend a banner under the following conditions is hereby approved:

Organization: Annville Community Activities Committee

Banner Size: 24 feet by 2 feet

Message and Event: Annual Memorial Day Parade (see attached for banner message)

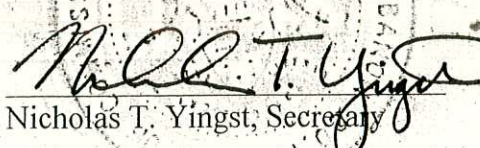
Suspension Dates: May 1-27, 2018

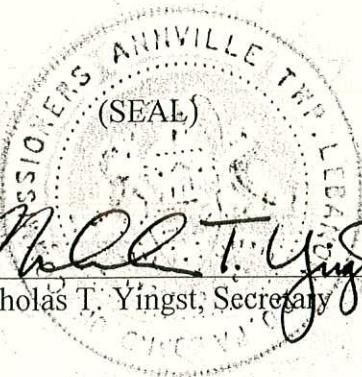
ADOPTED this 3rd day of April, 2018.



Rex A. Moore, President

Attest:


Nicholas T. Yingst, Secretary



☆☆☆☆☆ **SO WE NEVER FORGET!** ☆☆☆☆☆

ANNUAL ANNVILLE MEMORIAL DAY PARADE ☆ Saturday of Memorial Day Weekend ☆ 9am Start
MEMORIAL SERVICE immediately following the parade at Long & Maple Streets.

T. Embich reports: 04-03-2018 BOC
Thomas Embich
Agenda Items: VI – D, F, G, & H
Date: March 28, 2018 for April 03, 2018 Meeting

Item VI - D HISTORIC ARCHITECTURAL REVIEW BOARD

1. The February meeting reviewed two applications: (a) 30 West Main Street; Ebersole's Real Estate Office for a roof replacement. Style consistent with architectural shingles as currently on the building. HARB recommended for approval as submitted.
(b) 44 East Main Street; proposed Smedley Psychology Office. The application covered 4 primary points of the request: (1) Demolish garage to its base flooring. (2) Replace west-side building, shingled roof with either properly applied asphalt shingles or a rubber membrane roof. (3) Remove carport extension from the rear of the main house. (4) Repair masonry chimneys to stable condition to preclude moisture entry to main house structure. HARB recommended items 1 – 3 on vote of 4:0; item 4 was tied at 2:2, for initially removing the chimneys and repairing the roof voids versus repairing the chimneys. After the meeting, the owners agreed to repair and stabilize the chimneys, and HARB chairman Connor recommended approval of first three listed items, and withdrawal of the item 4 part of the application.
2. The April meeting is scheduled for the 12th. One application is in process for the former "Salsa Restaurant" soon to be "Sam's Diner".

ACTION: Recommend "certificates of appropriateness" be issued according to the report of the HARB for March 12.

Item VI - F SPRUCE STREET BRIDGE

1. All the easement agreements for right-of-ways and utility relocations have been completed.
2. Wilson Consulting Group submitted an update report on March 20 that lists a probable "Let date" of August 23, 2018; Project Advertisement date of July 19, and anticipated Municipal Notice to Proceed date for Nov. 19, 2018. In addition a listing of various study completion dates, permit review schedules and progress on the final plans process.

ACTION: None required.

Item VI - G MS4 & Stormwater management

1. The Lebanon County Stormwater Consortium (MS4 Consortium) meeting occurred March 20th, and that evening Annville Township and Authority held a hearing to present the fee proposal and answer questions and hear

complaints from the public.

2. The primary activity of the March 20th Consortium meeting was meeting the lawyers to work for the Consortium from Mette, Evans & Woodside. Messrs. Randall Hurst and Paul Bruder, Jr. briefed us on their expertise and the Consortium answered some questions raised by the lawyers regarding scope of work and attendance at meetings. During the course of business the Consortium approved Mr. Bruder to work with SESI on the development of our comments to PA DEP regarding the change in storm water shed approach during the PRP review.

3. Next meeting of the MS4 Consortium is April 17, 2018 at 10:00 AM at 1220 Mifflin Street, Lebanon.

4. The meeting held on March 20, 2018 at 6:30 PM at the Annville-Cleona Secondary School Cafeteria is reported in the minutes of that meeting [included in this meeting's packet], for which approval is requested of the Commissioners, having already been accepted by the Annville Township Authority on March 27. Included in the Authority's action is a recommendation to issue the ordinance authorizing the fee for Stormwater renovation guided by the Consortium PRP submitted to the PA DEP.

ACTION: Approve the minutes of the March 20th Public Meeting and approve development and issuance of the ordinance implementing the MS4 (Clean-water) Fee.

ITEM VI - H GLRA (GREATER LEBANON REFUSE AUTHORITY)

1. All minutes and reports are available at <http://www.goglra.org/DocumentCenter/Home/View/>.
Mr. Viozzi did not note any outstanding issues from the March 6 meeting beyond the establishment of a cap for bidding on the purchase, at auction, of the Peter's Farm (circa 18 acres plus farmhouse) on Russell Road adjacent to the GLRA property. Since that meeting the auction was held and the GLRA was the successful bidder at \$300,000 (approximately the assessed value for the property) and within the cap approved by the GLRA Board.
2. Since the next GLRA meeting falls on a Commissioner's meeting day, Mr. Viozzi should be in substitute attendance for the April 3 meeting.
3. The 2018 meeting schedule is Jan 3, Feb 6, March 6, April 3, May 2, June 5, July 10, Aug 8, Sept 11, Oct 2, Nov 7, and Dec 4, 2018 at 7:00 PM, except Sept 11, which is at 6:00 PM.

ACTION: None required.

block structure, replacement of the existing one-story west roof, and removal of an attached carport for the property at 44 East Main Street. Motion carried unanimously.

Wage & Salary: Nothing to report this month.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for March 2018, a copy of which is attached hereto and made a part of these minutes.

MS4: Mr. Embich reviewed the MS4 Report for March 2018, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

MS4 Fee: Mr. Liles asked about the timing and the cost of the MS4 fee. It was noted the fee would be part of the quarterly sewer and trash bill and it was further noted it was expected to cost residents somewhere between \$10 and \$13 and properties with non-residential uses would be charged a number of Equivalent Residential Units (ERUs) based upon their actual amount of impervious surface. Mr. Embich reported the Township was targeting July for the billing cycle in which the MS4 fee would first appear on the sewer and trash bills.

MS4 Fee Ordinance: At the recommendation of the Township Authority, **MOTION** by Mr. Embich, second by Mr. Hoover to authorize the drafting of an ordinance establishing an MS4 fee. Motion carried unanimously.

Greater Lebanon Refuse Authority (GLRA): Mr. Embich reviewed the GLRA Report for March 2018, a copy of which is attached hereto and made a part of these minutes.

Fire Department: The Board noted the receipt of the March 2018 Monthly Statistical Report for the Union Hose Company. The following items were then addressed:

Joinder Committee: Mr. Lively reported the Fire Department Joinder Committee held its second meeting on March 14, 2018 and it was well attended by members of the Fire Departments and municipalities. He noted the consultant working on the joinder feasibility study was also present at that meeting to discuss this study, which is seen as a necessary step to determine if a formal joinder is in the best interest of the Fire Departments and what such a joinder might look like. Mr. Lively noted the dialogue among Joinder Committee members has been candid at these meetings and the process seems to have good momentum. He further reported that the feasibility study would be presented to the Fire Departments at the end of May. Chief Leininger spoke positively of the process thus far, noting the feasibility consultant's experience with other successful joinders. He also spoke of posting the minutes from these meetings for greater transparency.

Fire Incidents: Chief Leininger reported on two significant fire incidents the Fire Department responded to over the past month, and in particular expressed his appreciation to the Police Department for its assistance with traffic control pertaining to the house fire on East Main Street.

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

OLD BUSINESS:

Ordinance No. 662 – 2018 Omnibus: Mr. Yingst presented proposed Ordinance No. 662, amending Section 15-213(1) (Stop Intersections Established), Section 15-402 (Parking Prohibited at All Times in Certain Locations), Section 15-411 (Handicapped Parking), and Section 15-1103 (Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted) of the Township Code of Ordinances. It was noted the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Lively, second by Mr. Embich to adopt Ordinance No. 662, the 2018 omnibus ordinance, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Ordinance No. 663 – Authorizing Execution of an Amendment to the Intermunicipal Agreement for the Implementation of the Lebanon Area Regional Pollutant Reduction Plan (LARPRP): Mr. Yingst presented proposed Ordinance No. 663, authorizing execution of an amendment to the intermunicipal agreement for the implementation of the LARPRP. It was noted the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Ms. Zimmerman, second by Mr. Embich to (1) adopt Ordinance No. 663 as presented and (2) approve the amendments to the intermunicipal agreement authorized by the ordinance. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Condition of Sharrows and Turning Arrows: Mr. Yingst asked to discuss this matter in Executive Session.

Deteriorating Curb and Sidewalk at Christ Church: Mr. Yingst reported he spoke to Jerry Wolfe of Christ Church the prior month expressing the Commissioners' concerns about the deteriorating curb and sidewalk adjacent to that property. Mr. Wolfe asked if white fog lines could be painted to direct vehicles away from the bend in South White Oak Street where vehicles run over the curb and Mr. Yingst suggested he speak to PennDOT about this, noting the street was a State roadway and further noting a concern that narrowing the traffic lane could lead to accidents in the center of the roadway. Mr. Wolfe indicated he would inform the Township of PennDOT's response.

Burned Out Bus: Chief Dugan provided an update on the status of the burned out bus located toward the rear of a property on West Main Street. In particular, he reported the owners of the property on which the bus was located indicated the vehicle would be removed in approximately one week. He also described the salver process required by PennDOT to dispose of a vehicle without a title such as this one. Chief Dugan noted the Township Code of Ordinances allowed the Police Department to cite the property owner on which the abandoned vehicle was located on a daily basis in accordance with a sliding fine scale. He further noted the Code of Ordinances would have to be amended if the Township wished to have the ability to remove the vehicle on its own, while noting the inherent physical difficulties of removing this specific vehicle even if those amendments were currently in place. In response to these difficulties, as well as the challenges specific to this circumstance due to the vehicle's title apparently having been destroyed in the fire, it was noted the vehicle had not moved from this site since September 2017. Ms. Zimmerman described it as an attractive nuisance and expressed her concern it was an issue of public safety

ORDINANCE NO. 662

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, AMENDING § 15-213(1) ("STOP INTERSECTIONS ESTABLISHED") OF PART 2, TRAFFIC REGULATIONS; § 15-402 ("PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS") AND § 15-411 ("HANDICAPPED PARKING") OF PART 4, GENERAL PARKING REGULATIONS; AND § 15-1103 ("LOCATIONS WHERE PEDESTRIAN CROSSING IN UNMARKED CROSSWALKS RESTRICTED") OF PART 11, PEDESTRIAN REGULATIONS, OF CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES OF ANNVILLE TOWNSHIP.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION 1. The provisions of Chapter 15, Motor Vehicles and Traffic, of the Code of Ordinances of Annville Township, are amended as follows:

- (a) Section 15-213(1) ("Stop Intersections Established") is amended to include the following:

<u>Stop Street:</u>	<u>Intersecting or Through Street:</u>	<u>Direction of Travel:</u>
Maple Street	North Ulrich Street	Eastbound and Westbound

- (b) Section 15-402 ("Parking Prohibited at All Times in Certain Locations") is amended to include the following:

<u>Street:</u>	<u>Side:</u>	<u>Between:</u>
North Cherry Street	East	West Sheridan Avenue to West Lebanon Street

(c) Section 15-411 ("Handicapped Parking") is amended to include the following:

<u>Street:</u>	<u>Number of Parking Spaces:</u>
North Manheim Street, east side of the street from a point 55 feet south of East Lebanon Street to a point 77 feet south of East Lebanon Street	One
West Queen Street, south side of the street from a point 95 feet east of South Mill Street to a point 117 feet east of South Mill Street	One
West Sheridan Avenue at 229 West Sheridan Avenue	One

(d) Section 15-411 ("Handicapped Parking") is amended to delete the following:

<u>Street:</u>	<u>Number of Parking Spaces:</u>
West Queen Street, south side of the street from a point 40 feet east of South Mill Street to a point 60 feet East of South Mill Street	One

(e) Section 15-1103 ("Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted") is amended to include the following:

<u>Street:</u>	<u>Intersection:</u>	<u>Direction of Travel:</u>
North White Oak Street	Sheridan Avenue (North side of intersection only)	Eastbound and Westbound

SECTION 2. All other provisions of Sections 15-213(1), 15-402, 15-411, and 15-1103 of Chapter 15, Motor Vehicles and Traffic, of the Code of Ordinances of Annville Township, remain in full force and effect.

SECTION 3. SEVERABILITY. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Annville Township Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

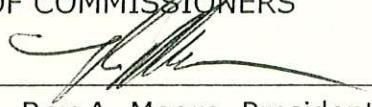
SECTION 4. REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective April 3, 2018.

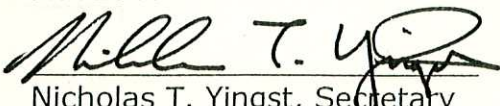
ORDAINED AND ENACTED this 3~~rd~~ day of April,

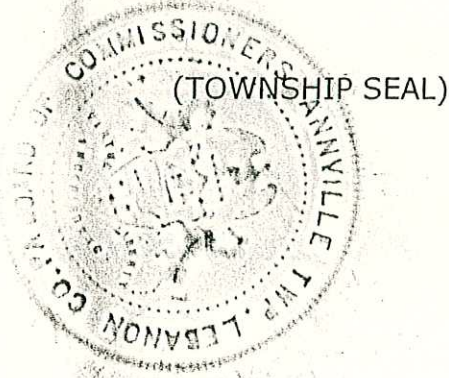
2018.

BY ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS

By: 
Rex A. Moore, President

ATTEST:


Nicholas T. Yingst, Secretary



**ANNVILLE TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA
ORDINANCE NUMBER 663**

AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO AN INTERMUNICIPAL AGREEMENT PREVIOUSLY ENTERED INTO BY AND BETWEEN ANNVILLE TOWNSHIP, CITY OF LEBANON, NORTH CORNWALL TOWNSHIP, NORTH LEBANON TOWNSHIP, SOUTH LEBANON TOWNSHIP, (MUNICIPALITIES), AND CLEONA BOROUGH AUTHORITY, (AUTHORITY) WITHIN LEBANON COUNTY, PENNSYLVANIA WHICH AGREEMENT PROVIDED FOR AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE IMPLEMENTATION OF LEBANON AREA REGIONAL POLLUTANT REDUCTION PLAN.

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa.C.S. §2301 et. seq. permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, the municipalities/authority previously entered into an Intergovernmental Agreement of Cooperation (the "Agreement"), relating to Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollutant Reduction Plan; and

WHEREAS, the municipalities/authority desire to enter into an amendment to the Intergovernmental Agreement of Cooperation, relating to the previously executed Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollutant Reduction Plan; and

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed enforced as to any municipality/authority when the same has been adopted by Ordinance/Resolution by all cooperating municipalities; and

WHEREAS, the municipalities/authority desire to enact such an Ordinance approving the Amended Intermunicipal Agreement.

BE IT ORDAINED AND ENACTED, by the Annville Township Board of Commissioners, Lebanon County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION ONE: The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference as if fully set forth.

SECTION TWO: ADOPTION OF AMENDED INTERMUNICIPAL AGREEMENT. The Amended Intermunicipal Agreement between the various municipalities/authority is attached hereto and made a part hereof and marked Exhibit "A" is hereby adopted.

SECTION THREE: AUTHORIZATION TO EXECUTE.

A. The appropriate Township officials and representatives of this Municipality are hereby authorized to execute the Amended Intermunicipal Agreement in the form attached hereto as Exhibit "A" or with such non-substantive changes as may be approved by the Solicitor. Any actions already taken by this Municipality in accordance with the terms of the Amended Intermunicipal Agreement and this Ordinance are hereby ratified.

B. The appropriate officers and representatives of this Municipality are hereby authorized to take such other action as may be necessary to carry out the purposes of this Ordinance in connection with the implementation of the Amended Intermunicipal Agreement.

SECTION FOUR: FINDINGS REQUIRED BY INTERGOVERNMENTAL COOPERATION ACT. As required by the Intergovernmental Cooperation Act requirements, the following determinations have been made:

A. The conditions of the Amended Agreement shall be substantially as those set forth within the herein referenced Amended Intermunicipal Agreement;

B. The Amended Intermunicipal Agreement shall be effective upon execution by all of the entities identified with a commencement date as set forth in the Amended Agreement and shall be perpetual;

C. The purposes and objectives of the Amended Municipal Agreement are to provide for the implementation of the Lebanon Area Regional Pollutant Reduction Plan between the municipalities/authority identified herein;

D. No new entity is proposed to be formed;

E. No real property is proposed to be acquired in the Amended Intermunicipal Agreement;

F. The Amended Intermunicipal Agreement does not anticipate the hiring of employees or the need for employee insurance or other employee benefits.

SECTION FIVE: RATIFICATION. All other Intergovernmental Agreements between this municipality and the other parties presently existing are hereby ratified and confirmed to the extent such Agreements are not inconsistent with the Agreement authorized herein;

SECTION SIX. SEVERABILITY. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of this Municipality that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof had not been included therein.

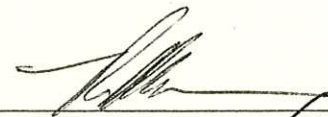
SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

ORDAINED AND ENACTED this 3rd day of April, 2018.


ATTEST:

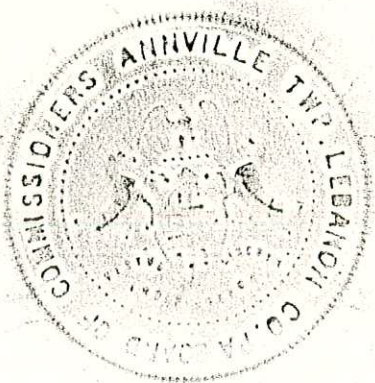
ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS


Township Secretary


Chairman (SEAL)


Vice-Chairman (SEAL)


Member (SEAL)



I DO HEREBY CERTIFY that the above Ordinance is a true and correct copy
of Annville Township Ordinance Number 663 adopted on April 3, 2018.

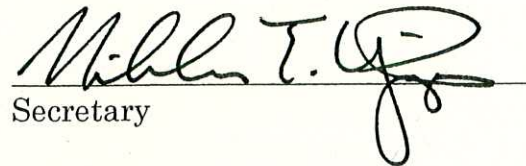

Secretary

EXHIBIT "A"

AMENDMENT AGREEMENT TO THE INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE IMPLEMENTATION OF THE LEBANON AREA REGIONAL POLLUTION REDUCTION PLAN

THIS AMENDMENT AGREEMENT is made for the convenience of the Parties this 1st day of January, 2018, by and among all of the municipalities and stormwater authority which previously executed an Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollution Reduction Plan (Agreement) (collectively, the "Participants" or the "Lebanon County Stormwater Consortium" or the "Consortium") each participant shall individually be referred to as a "Party" and shall collectively be referred to as the "Parties".

This Amended Intergovernmental Cooperation Amendment Agreement (the "Amended Agreement") is authorized and required pursuant to applicable law, including, but not limited to, 53 Pa.C.S. §2303.

BACKGROUND

- A. The Participants hereto previously entered into an Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollution Reduction Plan; and
- B. The Participants have a mutual interest in amending the aforesaid Agreement; and
- C. All Participants shall adopt an Ordinance, or, in the case of Cleona Borough Authority, a Resolution approving this Amendment Agreement to effectuate their participation.

INTENDING TO BE LEGALLY BOUND, THE PARTIES AGREE TO
AMEND THE AGREEMENT AS FOLLOWS:

SECTION ONE. Page 4, paragraph 3.c. is amended by adding a new third sentence as follows:

"The Offices shall be held by the Participants as represented at the Governing Body meetings by their designated primary or alternate representative."

SECTION TWO: Page 10, paragraph 4.b.xii. is amended by adding the following language after the first sentence:

"In the event of a tie vote, the Governing Body will break for private conversation before conducting a second roll-call vote with each voting member providing justification for his or her vote. If the vote is still tied, the motion will be tabled until the next Governing Body meeting, providing the members the opportunity to discuss the matter with their respective elected officials in the meantime. At the next Governing Body meeting, the motion will be brought to a vote and if tied, a coin toss will decide the outcome."

SECTION THREE: On Page 10, paragraph 4.c.i. is amended to add the following language after the second sentence:

"In the event of a tie vote, the Governing Body will break for private conversation before conducting a second roll-call vote with each voting member providing justification for his or her vote. If the vote is still tied, the motion will be tabled until the next Governing Body meeting, providing the members the opportunity to discuss the matter with their respective elected officials in the meantime. At the next Governing Body meeting, the motion will be brought to a vote and if tied, a coin toss will decide the outcome."

SECTION FOUR: Page 13, paragraph 6.h. is amended to add a second sentence as follows:

"In the event of a tie vote, the Governing Body will break for private conversation before conducting a second roll-call vote with each voting member providing justification for his or her vote. If the vote is still tied, the motion will be tabled until the next Governing Body meeting, providing the members the opportunity to discuss the matter with their respective elected officials in the meantime. At the next Governing Body

meeting, the motion will be brought to a vote and if tied, a coin toss will decide the outcome.”

SECTION FIVE: Page 13, paragraph 7.c. is amended to read as follows:

“Compliance Issues: If any compliance or enforcement action (including the pursuit of a civil penalty, issuance of a Notice of Violation (“NOV”), Order, or any other compliance notice or action) issued against the Consortium or any individual Participant but only as it relates to implementation of BMP(s) as recommended in this RPR is initiated by either the Commonwealth or the Federal Government in any way related to the Regional Plan, the Annual Action Plan or implementation actions and activities undertaken pursuant to this Agreement, the Governing Body shall meet to discuss the compliance issue, and determine what the Consortium’s response action(s) to the compliance issue shall be. Where the Administrator or the Governing Body become aware of a potential compliance issue or question, the Administrator shall send written notice to all Participants within three (3) business days, which notice shall include any and all correspondence (including hard, electronic, or telephone call notes/summary) from or with a regulatory entity (including, but not limited to, the Lebanon County Conservation District, DEP, the United States Environmental Protection Agency, and United States Fish and Wildlife Service). The Governing Body shall convene a special meeting in accordance with applicable law, and within ten (10) calendar days of issuance of the notice referenced herein, NOV’s or any other compliance notices issued to Participant(s) for all other MS4 Permit matters not related to this PRP shall be the sole responsibility of the Participant(s)”.

SECTION SIX: Page 14, paragraph 8.a.ii. is amended to read as follows:

“(ii) Initial Contribution. Each participant shall provide an initial funding contribution to the Consortium to cover expenses incurred by the Consortium for the preparation of the Regional PRP and for administration of the Consortium beginning January 1, 2017 and ending August 31, 2017, the amounts of which are due from each Participant be provided and set forth in a cost sharing schedule to be determined by the parties at a later date.

SECTION SEVEN: Page 15, paragraph 8.a.iii. is amended to read as follows:

“(iii) Contribution Formula. The parties have agreed that the annual contribution from each Participant jurisdiction have been and

shall be calculated as follows, based on an estimated total cost of \$5,000,000.00;"

SECTION EIGHT: Page 16, paragraph 8.a iii the first paragraph is amended to read as follows:

"Although the above formula may change as the estimated total cost is revised, the percentage split outlined in the Cost Sharing Scheduled (Attachment B) shall not be changed or revised through the Term (as defined below) of this Agreement except as desired to accommodate additional participants. The percentages outlined in the Cost Sharing Schedule shall be applied to the estimated total cost in conjunction with any schedule of graduated payments adopted by the Governing Body to determine the amount of each Participant's Annual Contribution".

SECTION NINE: Page 16, paragraph 8.a.iv.a. is amended to read as follows:

"Initial Contribution. An Initial Contribution shall be made by Participants to cover expenses incurred by the Consortium for the preparation of the Regional PRP and for administration of the Consortium beginning January 1, 2017 and ending August 31, 2017. Participants shall be invoiced by the Administrator no later than 30 days after the execution of this Agreement, and the Participant's respective contribution shall be due on or before 30 days after receipt of the invoice."

SECTION TEN: Except as amended herein, the previous Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollution Reduction Plan shall remain in full force and effect.

SECTION ELEVEN: Paragraph 17 and 18 as to Counterparts and Execution of this Amended Agreement shall be as set forth in the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Intergovernmental Cooperation Agreement for the implementation of the

Lebanon Area Regional Pollution Reduction Plan to be executed the day and year written above.

ATTEST:

ANNVILLE TOWNSHIP BOARD
OF COMMISSIONERS

BY: Nicholas T. Kingst
Secretary

BY: Rex Moore
President

Nicholas T. Kingst, Secretary
Print Name and Title

Rex Moore, President
Print Name and Title

Signature Date: April 3, 2018

Participation authorized by Ordinance Number 663, passed at a meeting of the governing body on April 3, 2018.

ATTEST:

CITY OF LEBANON

BY: _____
(Assistant) Secretary

BY: _____
(Vice) Chairman

Print Name and Title

Print Name and Title

Signature Date: _____, 2018

Participation authorized by Ordinance Number _____, passed at a meeting of the governing body on _____, 2018.

ATTEST:

CLEONA BOROUGH AUTHORITY

BY: _____
(Assistant) Secretary

BY: _____
(Vice) Chairman

Print Name and Title

Print Name and Title

Signature Date: _____, 2018

Participation authorized by Resolution Number _____, passed at a
meeting of the governing body on _____, 2018.

ATTEST:

NORTH CORNWALL TOWNSHIP

BY: _____
(Assistant) Secretary

BY: _____
(Vice) Chairman

Print Name and Title

Print Name and Title

Signature Date: _____, 2018

Participation authorized by Ordinance Number _____, passed at a
meeting of the governing body on _____, 2018.

ATTEST:

NORTH LEBANON TOWNSHIP

BY: _____
(Assistant) Secretary

BY: _____
(Vice) Chairman

Print Name and Title

Print Name and Title

Signature Date: _____, 2018

Participation authorized by Ordinance Number _____, passed at a
meeting of the governing body on _____, 2018.

ATTEST:

SOUTH LEBANON TOWNSHIP

BY: _____
(Assistant) Secretary

BY: _____
(Vice) Chairman

Print Name and Title

Print Name and Title

Signature Date: _____, 2018

Participation authorized by Ordinance Number _____, passed at a
meeting of the governing body on _____, 2018.

and Chief Dugan concurred. Mr. Hoover asked if the property owner had been requested to remove the vehicle. Chief Dugan indicated the property owner was requested to do so and the only responses received have been through the owner's attorney. With this in mind, the Commissioners expressed their support for the Police Department citing the property owner if the vehicle was not removed within 15 days and instructed the Police Chief to do so. Chief Dugan also inquired if the Board would be interested in having him, Mr. Yingst, and Mr. Lamoureux research possible ordinance amendments to allow for the removal of such vehicles in the future and the Commissioners were supportive of this research.

Local Police Use of Radar: Ms. Zimmerman shared that a bill that would allow for the use of radar by local police would be before the State Transportation Committee the following day.

LVC Golf Carts: There was a brief review of the streets on which LVC may operate golf carts and the requirements for same based upon recent changes in State law.

NEW BUSINESS:

Township Website: Mr. Yingst reported the conversion of the Township website from a Joomla! Content Management System (CMS) to a WordPress CMS was completed the prior month.

Update to Refuse Regulations: Mr. Yingst reported that, during his preliminary review of the Act 101 Section 902 Recycling Grant application submitted by the Township for a compact loader and backhoe and four roll-off containers, a representative of the Pennsylvania Department of Environmental Protection recommended several edits to the Township's refuse regulations so they were consistent with the recycling regulations adopted at a later date. In particular, it was noted that items that must be recycled per the recycling regulations were listed as rubbish per the refuse regulations. Mr. Yingst then presented a draft ordinance amending the refuse regulations to eliminate these inconsistencies to the Commissioners for their review and there was discussion regarding exceptions for composting. **MOTION** by Mr. Embich, second by Mr. Lively to authorize the advertising of an ordinance for possible adoption at a future meeting updating the refuse regulations to remove inconsistencies with the recycling regulations. Motion carried unanimously.

Residential Refuse and Recycling Collection Contract: Mr. Yingst noted the current residential refuse and recycling collection contract expires on August 31, 2018. To that end, he noted he would be preparing the contract specifications for the Commissioners' consideration and approval at its May 1, 2018 meeting. **MOTION** by Mr. Embich, second by Ms. Zimmerman to instruct Mr. Yingst to prepare the contract specifications to be for a two-year term with third-year and fourth-year options and that the amount of the bid bond be increased to \$3,000. Motion carried unanimously.

Flood Risk Review Meeting: Mr. Yingst reported that the prior month he and Township Emergency Management Coordinator Gerald McAteer attend a flood risk review meeting held by the Federal Emergency Management Agency (FEMA) regarding the preliminary revised flood maps FEMA will be issuing during the summer. He and Mr. McAteer were able to review the in-process maps at this meeting and asked FEMA representatives to ensure they properly accounted

for the Hazel Dyke upstream from the Township, as well as to determine if the flooding from Tropical Storm Lee was a 1% annual chance of flood (100-year flood) event. Mr. McAteer is suggesting that upon FEMA's issuing of the preliminary maps later this year, any property owners who are affected by changes (either by the expansion of the flood plain or the retraction of the flood plain) be contacted for a meeting sharing this information with them, the appeals process property owners may make to FEMA, and insurance options available to them. There also are plans to add an Emergency Preparedness section to the website that will have information on same.

Occupancy Regulations: Mr. Hoover asked if there were regulations in place pertaining to residential habitability standards and Mr. Yingst noted that occupancy certificates were issued through the Lebanon County Planning Department for certain types of construction.

CORRESPONDENCE: The Board was informed of the following items of correspondence received since its March Regular Meeting:

Police Collective Bargaining Agreement (CBA) Negotiations: Mr. Yingst reported a letter was received from the Annville Township Police Officers Association (ATPOA) requesting to begin negotiations for a new CBA to take effect in 2019. He further reported that President Moore responded by letter to the ATPOA on March 14, 2018 appointing himself and Mr. Lively as the primary representatives of the Board of Commissioners for these negotiations, as well as requesting a listing of items pertaining to the CBA the ATPOA wished to discuss.

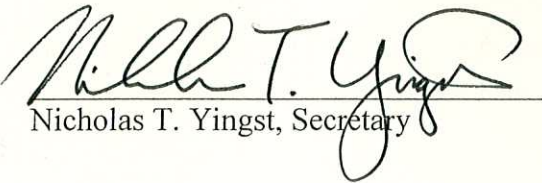
Location of Cellular Towers on Municipal Property: Mr. Yingst reported a letter was received from P3 Towers inquiring if the Township would be interested in a meeting to explore the possibility of locating cellular towers on municipal property. He noted that such under such an arrangement P3 Towers would bear the cost for the development and operation of a tower and would then share fees from carriers that would locate on the tower, and that a monthly payment to the Township for leasing the space was also a possibility. The Commissioners were supportive of Mr. Yingst engaging in such a meeting. It was suggested that P3 Towers be asked if there were any restrictions on who may locate on their towers and Mr. Yingst agreed to do so.

PAY BILLS: MOTION by Mr. Hoover, 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.

RECESS FOR EXECUTIVE SESSION: President Moore called a recess for an Executive Session and the room was cleared of the public at 8:20 PM. The Regular Meeting was reconvened at 8:53 PM with the five Commissioners, Mr. Yingst, and Mr. Lamoureux present.

Correspondence Pertaining to Insufficient Installation of Pavement Markings by PennDOT: **MOTION** by Mr. Lively, second by Ms. Zimmerman to authorize issuing correspondence, in conjunction with other municipalities if feasible, to the local members of the State Legislature expressing displeasure with the insufficient installation of pavement markings by PennDOT as part of the latter's milling and paving project of U.S. Route 422 in 2017 and to request the legislators' assistance in receiving a satisfactory resolution to same. Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Embich, second by Mr. Lively to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:54 PM.


Nicholas T. Yingst, Secretary


Rex A. Moore, President