

**MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
October 4, 2022**

The Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on October 4, 2022 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; Nevin R. Hoover; and Anthony C. Perrotto. Also in attendance were Karen A. Gerhart, Township Administrator and Secretary to the Board of Commissioners; Bernard Dugan, Chief of Police; Corey Lamoureux, Esq., Township Solicitor; additional visitors noted on the attendance sheet, a copy of which is attached hereto and made a part of these minutes.

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.

APPROVAL OF AGENDA: MOTION by Mr. Perrotto, second by President Moore to approve the agenda as amended by adding "Second Amendment Agreement to the Intergovernmental Cooperation Agreement for the Implementation of the Lebanon Area Regional Pollution Reduction Plan" to the agenda under "Municipal Separate Storm Sewer System (MS4)" as an item for possible action due to this addendum having been received following the posting of the agenda. Motion carried unanimously.

RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:
President Moore provided an opportunity for public comment and the following comments were noted from those in attendance:

Russ Collins – Doc Fritchey Trout Unlimited: Mr. Collins introduced himself and explained a grant opportunity available through the PA Fish and Boat Commission specific for projects within the Tulpehocken and Quittapahilla Creek watersheds. Doc Fritchey intends to submit a grant application for streambank restoration, narrowing of the creek, installation of habitat structures and erosion control on the north and south banks of the Quittapahilla Creek beginning at South Spruce Street westward for approximately 700 feet. He was in attendance this evening to request a letter of support from Annville Township and the completion of a Landowner Agreement. Solicitor Lamoureux mentioned a few outstanding items to be completed on the grant application and indicated that the Township would request the signing of a hold harmless agreement. The Board directed Ms. Gerhart to draft a letter of support for the grant application and made a **MOTION** by President Moore, second by Mr. Perrotto to authorize the signing of any necessary documents contingent on the satisfactory review by Solicitor Lamoureux and completion of a hold harmless agreement. Motion carried unanimously.

Mr. Collins left the meeting at 7:14 PM.

Ribbon Cutting for Max's Place Playground: Dr. Antonis, Superintendent of the Annville-Cleona School District, announced the ribbon cutting event for this playground at the Annville Elementary School. She explained that this was a grant project started by former Senator David Arnold to honor Maxwell Schollenberger. The project continued with the help of Senator Chris Gebhard and all are invited to the ribbon cutting ceremony taking place on October 19, 2022 at 4:30pm.

Mr. Jesse Hackman- HARB Application: Mr. Hackman was in attendance to discuss his applications to HARB for a new roof on his East Main Street property. He explained to the Board his desire to complete the project at the lowest cost due to financial constraints and bank lending.

Mr. Henri Lively arrived at the meeting at 7:26 PM.

Mr. Joseph Connor, Chairperson of HARB, explained the outcome of Mr. Hackman's various applications and provided insight on the concessions and the allowance to use different roofing shingles for the portion of the home not visible from Main Street. Mr. Embich noted that a hardship provision was contained within the HARB ordinance. He explained that Mr. Hackman could accept the Certificate of Appropriateness based on the recommendations provided by HARB or he could choose to pursue the hardship procedure which would require returning to HARB and would unfortunately delay his needed repairs.

Certificate of Appropriateness for roof replacement for Property at 39-41 East Main Street: At the recommendation of HARB, **MOTION** by Mr. Perrotto, second by Mr. Hoover to issue a Certificate of Appropriateness for roof replacement at 39-41 East Main Street as proposed. Motion carried unanimously.

Certificate of Appropriateness for siding and removal of air conditioning units for Property at 35 East Main Street: At the recommendation of HARB, **MOTION** by Mr. Lively, second by President Moore to issue a Certificate of Appropriateness for 35 East Main Street as proposed, provided such signage meets necessary zoning requirements. Motion carried unanimously.

Mr. Joseph Connor and Mr. Jesse Hackman left the meeting at 7:34 PM.

APPROVAL OF MINUTES:

September 6, 2022 Regular Meeting: **MOTION** by Mr. Hoover, second by Mr. Lively to approve the minutes of the Regular Meeting held September 6, 2022 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

Public Works: The Public Works Report for September 2022 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Ordinance Violation and Posting Notification Method: Ms. Gerhart described the current procedure for notifying residents of various ordinance violations and posting for non-payment of quarterly municipal services billing. They presented some draft samples of bright colored hang tags that would be placed on a resident's doorknob. This alternative method would be faster than utilizing first class mail, would reduce administrative time drafting formal letters and has resulted in a decreased length of time to achieve compliance in other local municipalities. It was the consensus of the Board of Commissioners' that the Township office proceed with the development of this notification method.

Public Safety: The Police Statistical Report for September 2022 was reviewed, which included information on calls responded to in South Annville Township over the past month. A copy is attached hereto and made a part of these minutes. The following items were then addressed:

Handicapped Parking Spaces: At the recommendation of Chief Dugan, **MOTION** by Mr. Lively, second by Mr. Perrotto to remove one handicapped space at 41 W. Sheridan Avenue and install one space on North Ulrich Street.

Fireworks Ordinance: Chief Dugan will work with Solicitor Lamoureux on a proposed ordinance for future consideration.

Parking on North Cherry Street: There are currently two parking spaces available on the East side of N. Cherry Street. A hazardous situation exists when cars are stopped on N. Cherry Street at West Main Street and other traffic is turning on N. Cherry Street. The oncoming cars must stop quickly due to parked cars and there isn't room to go around them due to stopped traffic in the southbound lane. Chief Dugan is concerned that the removal of those two parking spaces will eliminate available parking for the tenants in the adjacent apartments. The police department has reached out to the landlord to determine if the removal of the spaces will be problematic.

2022 Omnibus Ordinance: **MOTION** by Mr. Embich, second by Mr. Hoover to authorize advertising of the 2022 Omnibus Ordinance with the inclusion of the applicable action items from this evening's meeting. Motion carried unanimously.

Property: Nothing to report this month/The following item was addressed:

Town Hall Improvements Project: We are still waiting on quotes from contractors related to the replacement of a non-functioning rooftop air conditioning unit.

Parks & Recreation: The following items were announced: October 19 at 11 am a Ribbon Cutting for the Pickleball Court and the Pumpkin Walk in Quittie Park on October 28 from 7-9 pm.

Finance: Mr. Embich reviewed the Finance Report for September 2022, highlighting the total income and expenses through the ninth month of the year. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for September 2022 was reviewed, a copy of which is attached hereto and made a part of these minutes.

Annville Activities: The following item was addressed: 10/27/22 6-8pm Halloween Trick-or-Treat with a scheduled rain date of 10/31/22.

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

REPORTS OF SPECIAL COMMITTEES:

Executive Sessions: Ms. Gerhart reported that an Executive Session was held immediately prior to of the evening's meeting to discuss personnel and professional services contract. Mr. Perrotto also requested an executive session prior to the adjournment of this meeting to discuss professional services contracts.

Planning Commission: Mr. Perrotto reported the September 12 and October 10, 2022 Planning Commission meetings had been cancelled due to a lack of business.

Historic Architectural Review Board (HARB): Mr. Embich noted these items were addressed earlier in the meeting.

Wage & Salary: Nothing to report this month.

Municipal Separate Storm Sewer System (MS4): Mr. Embich provided a verbal MS4 Report for September 2022. The following item was then addressed:

Addendum to the Intermunicipal Agreement for LCSC: Mr. Embich explained that the addendum addresses the method of disbursement should there any municipal contributed funds remaining after the completion of the planned projects by the LCSC and aligns the end date of the pollutant reduction plan and the permit cycle. **MOTION** by Mr. Embich, second by Mr. Lively to authorize the signing of the addendum by Township officials at an upcoming LCSC meeting. Motion carried unanimously.

Greater Lebanon Refuse Authority (GLRA): Mr. Embich provided a verbal GLRA Report for September 2022. He mentioned the new electronic recycling facility and the battery recycling program to those in attendance.

Fire Department: Mr. Raudensky briefly summarized the September 2022 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC). During October they will be visiting all local elementary schools and preschools in October providing community education as part of Fire Prevention Month. He also asked the Commissioners to consider an earned income tax credit to qualifying volunteers of the Union Hose as a means to incentivize volunteers.

Mr. Raudensky left the meeting at 8:09 PM.

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

OLD BUSINESS:

Welcome Sign: It was noted this item has been tabled for the time being.

Revisions to Wireless Facilities Regulations: Nothing to report this month.

Landline Telephone System Hardware and Software Obsolescence: Nothing to report this month.

NEW BUSINESS:

2022 Omnibus Ordinance: This was addressed earlier in the meeting.

Proposed Resolution 20221004-1 2023 Residential Rental Fee: At the recommendation of Ms. Gerhart, **MOTION** by Mr. Hoover, second by Mr. Lively to approve Resolution 20221004-1 as presented. Motion carried unanimously.

Proposed Resolution 20221004-2 Act 57 of 2022: Solicitor Lamoureux explained Act 57 that signed by Governor Wolf allows taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs from the tax collector. He noted that this must be adopted by all municipalities before January 9, 2023 and is presented for consideration tonight. **MOTION** by President Moore, second by Mr. Lively to approve Resolution 20221004-2 as presented. Motion carried unanimously.

Ordinance No. 681 – Amendment to Refuse Collection Fee: Solicitor Lamoureux presented proposed Ordinance No. 681, amending the refuse collection fee to \$87 per quarter. He informed the Board the ordinance was properly advertised on September 23, 2022 and could be considered for adoption at this time. **MOTION** by Mr. Perrotto, second by Mr. Hoover to adopt Ordinance No. 681, amending Chapter 20, Solid Waste, Part 2, Refuse Collection Fee, Section 20-203(1), Entities Billed, of the Annville 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.

Resignation of Township Administrator: **MOTION** by President Moore, second by Mr. Lively to accept the resignation of Karen A. Gerhart, Township Administrator, effective November 15, 2022. Motion carried unanimously.

Interim Municipal Services Proposals: It was noted that this may be addressed later in the meeting.

Operation and Maintenance Agreement for Bluescope Buildings: A stormwater management plan was received for a laydown yard expansion on BlueScope Buildings North America property. **MOTION** by Mr. Lively, second by Mr. Moore to conditionally approve the Stormwater Management Operations and Maintenance Agreement with BlueScope Buildings North America, Inc. upon satisfactory review by the Township Engineer and the executing and recording said document. Motion carried unanimously.

Text Amendment to Zoning Ordinance: President Moore asked for input from the Board concerning the text amendment that was requested by Mr. VanDerPloog for the allowable use of self-storage units. We recently became aware that the property was listed for sale. At a prior meeting the owner stated that he would be the developer of the self-storage facility. After discussion, the Board concurred that they would still proceed with the text amendment being prepared by Solicitor Lamoureux.

HARB District: Mr. Hoover discussed a discrepancy between our HARB and Zoning Ordinances, which has delayed redevelopment plans on a parcel at N. Concord and E. Lebanon Streets for the

recent purchaser of the property. At the consensus of the Board, Ms. Gerhart will notify Lebanon County Planning Department of a planned update to our Zoning Ordinance in 2023 and request that the parcel in question be granted permits outside the review of HARB, as it does not lie within the defined bounds of the Historic District according to the HARB Ordinance.

CORRESPONDENCE: The Board was informed of correspondence received since its September 2022 Regular Meeting which included a letter of support from Lebanon County Planning Department for Doc Fritchey Grant Application, notification of a price increase from Campbell Durrant, P.C. and a grand opening announcement from 911 Rapid Response.

PAY BILLS: MOTION by Mr. Perrotto, 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.

RECESS FOR EXECUTIVE SESSION: President Moore called a recess for an Executive Session and the room was cleared of the public at 8:41 PM. The Regular Meeting was reconvened at 8:55 PM with the five Commissioners, Ms. Gerhart, and Mr. Lamoureux in attendance.

Interim Municipal Services: **MOTION** by Mr. Perrotto, second by Mr. Embich to accept the proposal from Keystone Business Connections for municipal management services contingent on positive reference checks. Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by President Moore, second by Mr. Embich to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 9:06 PM.

Rex A. Moore, President

Karen A. Gerhart, Secretary