

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
December 4, 2018**

The December Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on December 4, 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; Ronald Dowey, President of the Union Hose Company; Philip Snaveley, Chief of the Union Hose Company; Henry Martin, 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 the following comments were noted from those in attendance:

2019 Budget: Mr. Wolfe asked how the \$40,000 figure budgeted for a new furnace for Town Hall had been determined. Mr. Yingst indicated this was a carryover from previous budgets and he recognized it was an intentionally conservative figure, being higher than the anticipated costs for the equipment and installation while also accounting for related project expenses such as advertising. Mr. Wolfe asked if this would be put out for bid and Mr. Yingst believed it would need to be.

APPROVAL OF MINUTES:

November 7, 2018 Public Hearing: MOTION by Mr. Lively, second by Mr. Embich to approve the minutes of the Public Hearing held November 7, 2018 as presented. Motion carried unanimously.

November 7, 2018 Regular Meeting: MOTION by Mr. Lively, second by Ms. Zimmerman to approve the minutes of the Regular Meeting held November 7, 2018 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

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

Completion of and Payment for 2018 Paving Project: It was reported the 2018 paving project had been completed by Pennsy Supply and the Public Works Superintendent was pleased with the final product. Mr. Yingst noted an additional \$5,573.85 above the contract award amount were incurred for base repair materials and the Public Works Superintendent believed these additional repairs were necessary, and it was determined these additional costs were eligible to be paid from Liquid Fuels funds. He also noted that \$177.60 in asphalt escalation costs were incurred but were not eligible to be paid from Liquid Fuels funds. MOTION by Ms. Zimmerman, second by Mr. Hoover

to authorize (1) payment from the Liquid Fuels Fund in the amount of \$76,490.21 to Pennsy Supply for its completion of the 2018 paving project, (2) issuance of the Notice of Completion for this work, and (3) the approval, issuance, and return of any documentation necessary to complete this project. Motion carried unanimously.

Public Safety: The Police Statistical Report for November 2018 was reviewed, a copy of which is attached hereto and made a part of these minutes.

Property: Nothing to report this month.

Parks & Recreation: Nothing to report this month.

Finance: Mr. Embich reviewed the Financial Report for November, highlighting the total income and expenses for the eleventh month of 2018. A copy of the report is attached hereto and made a part of these minutes.

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

Annville Activities: It was noted that the Christmas Tree lighting the prior weekend had been rescheduled from December 1 to December 2 due to inclement weather.

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

REPORTS OF SPECIAL COMMITTEES: President Moore deviated from the agenda to review the Fire Department Report as the first Special Committee report considered, and he then discussed the First Aid and Safety Patrol matter before returning the remainder of the Special Committee reports.

Fire Department: The Board noted the receipt of the November 2018 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC).

First Aid and Safety Patrol (FASP) Emergency Medical Services (EMS) Financial Problems: Mr. Hoover and Mr. Yingst shared information on FASP's request that municipalities contribute funding to cover a \$350,000 financial need to keep FASP in service through the end of 2019. It was noted municipalities have a statutory responsibility to ensure adequate EMS for its residents and that Annville's requested contribution was roughly \$19,000 based upon its 2010 census figure. They reported on multiple meetings FASP has had with municipalities where questions about its operations were questioned and it was noted the first ever financial audit for FASP, which would represent 2017, was expected by year-end. Mr. Hoover shared his impressions of that morning's meeting with FASP, noting that while he was not opposed to continue working with FASP, he had concerns about the organization and indicated he believed the Township would need some guarantees from FASP pertaining to its finances, business model, culture, and communications with partners before Township money should be disbursed. Mr. Yingst concurred, reporting most municipalities were in agreement that at minimum a clean audit report, a commitment by the FASP

Board of Directors and upper level staff to cooperate with a business consultant of the municipalities' choosing to address its management and operational practices, and a commitment by FASP to significantly add municipal representation to the Board of Directors would be required before municipal funding was released. It was also noted that other sources to fund this need were being pursued by FASP, including the County Commissioners. Mr. Yingst reported that Annville Township was considering its options for ensuring adequate EMS for its residents, as Township officials met the prior day with representatives from Life Lion EMS to determine if it should provide EMS to the Township in both a short-term emergency capacity if FASP should cease to exist as well as in a long-term, contracted capacity. He noted a proposal was anticipated from Life Lion EMS based upon this meeting. Mr. Embich asked if there was discussion at the meeting earlier that morning about designating FASP as the primary EMS provider by resolution and Mr. Yingst indicated this had not been specifically discussed. It was also noted Annville Township currently has designated FASP as such by resolution. Mr. Lively asked if any changes had been implemented by FASP thus far. Mr. Yingst reported FASP indicated some changes have been made, but it was difficult to determine the extent of them and the impact they would have on the organization's sustainability. Noting the uncertainty of the timing as to when FASP might cease operations, and the desire to not fund an EMS provider that might do so, Mr. Lamoureux suggested any Township payment to FASP initially be pledged, and only disbursed when it was clear enough other municipalities had pledged funds to FASP. Mr. Lively pondered if the Township should approve such a pledge as an encouragement to FASP and the other municipalities being asked to provide the emergency funding. Mr. Hoover indicated his belief there were significant changes needed at FASP and that it would take some time to identify what those changes are and then if the recommended changes are implemented. Chief Snavely noted the UHC receives rent from FASP for locating an ambulance in one of the fire station's bays and, as that is a revenue stream the UHC depends upon, a chief concern of his is that it continue to receive rent from some entity. He suggested the Township should also take this opportunity to evaluate the service it currently receives from FASP and determine if it meets the Township's expectations and needs. There was also discussion concerning the degree to which FASP's financial difficulties were related to broader challenges facing EMS providers throughout the state or if the issues were based upon FASP's business practices, culture, and size. Ms. Zimmerman asked how many paid employees FASP has and while Mr. Yingst indicated he did not have that information at hand, it was sizable. Mr. Lively asked the amount of rent FASP currently pays to the UHC and Chief Snavely indicated it was \$18,000 annually. Mr. Wolfe asked if the Township pays anyone at present for EMS and Mr. Yingst indicated it does not. Mr. Wolfe then asked if formally funding an EMS provider would open the Township to liability if the provider should declare bankruptcy or have other legal entanglements. Mr. Lamoureux stated he did not believe so and shared his reasoning for this. Mr. Liles reflected that the UHC had previously run an ambulance service and noted the challenges with Medicare and Medicaid reimbursement, as well as with other billing difficulties, that made that service unsustainable. He also suggested the Township contact the Pennsylvania State Fire and Emergency Services Institute about this. Mr. Lively asked Mr. Lamoureux if, in addition to continuing to research both the continued viability of FASP as well as other EMS options, there were any actions the Board needed to consider at present from a formal or legal standpoint. Mr. Lamoureux indicated he did not believe so, as a resolution was in place designating FASP as the primary provider of EMS in the Township, and as long as FASP continues to operate that resolution will remain in effect.

Mr. Dowey and Chief Snavelly left the meeting at 7:54 PM.

Executive Sessions: Mr. Yingst reported that no Executive Sessions were held since the adjournment of the November Regular Meeting, although three Commissioners were present for portions of the November 27, 2018 publicly advertised meeting of the Annville Township Authority and an Executive Session at which they were present was held during that meeting. An Executive Session was requested to be held following the adjournment of the evening's meeting to discuss personnel matters.

Planning Commission: It was reported the Planning Commission did not meet in November.

Economic Development: Nothing to report this month.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for November 2018, a copy of which is attached hereto and made a part of these minutes, and he noted that the tentatively scheduled HARB meeting for December 10, 2018 had been cancelled due to a lack of business to conduct.

Wage & Salary: Mr. Yingst reported that the Wage & Salary Committee met on November 27, 2018 and the minutes from that meeting were presented, a copy of which is attached hereto and made a part of these minutes. The following committee recommendations on 2019 budget matters were then addressed:

Non-Uniformed Employee Benefits for 2019: It was noted the Wage & Salary Committee presented the Board with a recommended listing of benefits for non-uniformed employees for 2019. At the recommendation of the Wage & Salary Committee, **MOTION** by Mr. Hoover, second by Mr. Lively to approve the benefits for non-uniformed employees in 2019 as presented. Motion carried unanimously and the listing of 2019 benefits for non-uniformed employees is attached hereto and made a part of these minutes.

Promotion for Karen Gerhart: At the recommendation of the Wage & Salary Committee, **MOTION** by Mr. Embich, second by Ms. Zimmerman to (1) promote Karen Gerhart to full-time Assistant Township Administrator, effective January 1, 2019; (2) grant Karen Gerhart a \$0.50 per hour raise and ten days' vacation as if it were the beginning of her third year of service, effective January 1, 2019; and (3) authorize an additional \$0.50 per hour raise for Karen Gerhart following completion of a six-month probationary period for full-time employment contingent upon approval of a satisfactory performance evaluation for same. Motion carried unanimously.

Wage and Salary Adjustments for 2019: It was noted the Wage & Salary Committee recommended all non-uniformed employees be given a 2% across-the-board wage and salary increase effective January 1, 2019. At the recommendation of the Wage & Salary Committee, **MOTION** by Mr. Lively, second by Mr. Hoover to approve the listing of salaries and wages, which includes a 2% across-the-board wage and salary increase for non-uniformed employees, effective January 1, 2019 as presented. Motion carried unanimously and the listing of salaries and wages effective January 1, 2019 is attached hereto and made a part of these minutes.

Revisions to Employee Handbook Pertaining to Sharing of Insurance Premium Costs by Employees and One-Half Hour Lunch Option for Administrative Office Staff: At the recommendation of the Wage & Salary Committee, **MOTION** by Ms. Zimmerman, second by Mr. Lively to revise the employee handbook, effective January 1, 2019, to (1) require those non-uniformed employees receiving medical, dental, and/or vision insurance coverage through the Township to pay 3% of the premium cost as a payroll deduction and (2) provide for the option of a one-half (1/2) hour lunch for Administrative Office staff if approved by the department head. Motion carried unanimously.

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

Municipal Separate Storm Sewer System (MS4): Mr. Embich reviewed the MS4 Report for November 2018, a copy of which is attached hereto and made a part of these minutes.

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

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

OLD BUSINESS:

Deteriorating Curb and Sidewalk by Christ Church: Mr. Yingst noted a permit was issued to Christ Church on November 20, 2018 for the curb and sidewalk repairs adjacent to its property, and a copy of the revised signed proposal indicating the work would not be for a monolithic curb (in keeping with Pennsylvania Department of Transportation requirements) was also provided to his office on that date. He further noted the work has begun and was anticipated to be completed by the end of the week.

Ordinance No. 668 – Amendment to Refuse Collection Fee: Mr. Yingst presented proposed Ordinance No. 668, amending the refuse collection fee to \$66 per quarter. He informed the Board the ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Lively, second by Ms. Zimmerman to adopt Ordinance No. 668, 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.

Ordinance No. 669 – 2019 Tax Levy and Appropriations: Mr. Yingst presented proposed Ordinance No. 669, fixing the 2019 real estate tax rate for general purposes at three and nine one-hundredths (3.09) mills on each dollar of assessed valuation and appropriating specific sums estimated to be required for the specific purposes of the municipal government during 2019. He informed the Board the ordinance was properly advertised and could be considered for adoption, and noted that adopting this ordinance would officially adopt the 2019 budget. **MOTION** by President Moore, second by Mr. Embich to (1) adopt Ordinance No. 669, fixing the real estate tax rate for the year 2019 and appropriating specific sums estimated to be required for the specific

purposes of the municipal government during 2019, as presented, and (2) authorize advertisement of the adoption of the 2019 budget. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Ordinance No. 670 – Amending Time and Date of Commissioners’ Meetings: Mr. Yingst presented proposed Ordinance No. 670, amending Section 1-201 (Time of Regular Meetings of Board of Commissioners), Section 1-202 (Notice of Change of Time or Date of Regular Meetings), and Section 1-203 (Place of Regular Meetings of Board of Commissioners) of Chapter 1, Administration and Government, Part 2, Elected and Appointed Officers, of the Annville Township Code of Ordinances. He informed the Board the ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Hoover, second by Mr. Embich to adopt Ordinance No. 670 as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Proposal for Evaluation of Stormsewer System Concerns at Jones and Maple Streets: Noting funds had been set aside in the 2019 budget for this purpose, Mr. Yingst presented a proposal received from SSM Group in the estimated amount of \$4,500 for evaluating the stormsewer concerns at Jones and Maple Street that were previously raised to the Board. **MOTION** by Mr. Lively, second by Ms. Zimmerman to accept the proposal as presented. Motion carried unanimously.

NEW BUSINESS:

Resolution No. 20181204-1 – Adopting Lebanon County Hazard Mitigation Plan: Mr. Yingst presented proposed Resolution No. 20181204-1, adopting the Lebanon County 2018 Hazard Mitigation Plan, for the Board’s consideration. He noted the Township provided input into the development of this plan, and that municipalities needed to adopt such a plan if it wished to be eligible for Federal funding after certain types of storms and hazards. **MOTION** by Mr. Embich, second by Mr. Lively to adopt Resolution No. 20181204-1 as presented. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

Approval of Lease Agreement for Township Office Copier/Printer/Scanner/Fax Machine: **MOTION** by Ms. Zimmerman, second by Mr. Embich to ratify approval of a five-year lease agreement with Marco for a Kyocera TASKALFA 3501i copier/printer/scanner/fax machine for the Township Office for \$83.80 per month. Motion carried unanimously.

Renewal of Treasurer’s Bond: **MOTION** by Mr. Hoover, second by Mr. Lively to approve the renewal of the Treasurer’s bond in the amount of \$250,000 through Strickler Insurance Agency and payment of \$468 for this renewal. Motion carried unanimously.

Christmas Tree Collection Dates: **MOTION** by Mr. Lively, second by Ms. Zimmerman to establish the dates for the annual curbside Christmas tree collection from January 2 through January 11, 2019 and to authorize the Township Administrator to advertise same. Motion carried unanimously.

Parking Concerns: Ms. Zimmerman reported on a conversation she had with Mr. Martin about illegal parking issues he had noticed throughout the Township. Mr. Martin shared a picture of a vehicle parked on the sidewalk on West Main Street. Chief Dugan indicated that vehicle had received parking tickets for this in the past and contemplated if it was appropriate to consider issuing citations to this vehicle in the future. Per questions from Mr. Martin and Mr. Wolfe, Chief Dugan noted that the Police Department could not tow a vehicle for such a violation and it did not have a boot to place on such a vehicle. Ms. Zimmerman also reported instances elsewhere in the Township where vehicles were parking in private driveways in a manner that obstructed the sidewalk. Chief Dugan indicated he was not sure if that was prohibited and that he would research it further.

Golf Carts on Streets: Mr. Embich raised concerns about Lebanon Valley College (LVC) golf carts operating on Township streets. Chief Dugan reviewed how golf carts previously were not allowed on public streets but LVC successfully lobbied the State Legislature to provide for instances in which this was allowed. He noted he worked with LVC once this new law was in place to ensure the streets on which college staff could drive golf carts were clearly communicated, while noting that college staff appeared to be pushing the limits on this as of late.

Distribution of Projected 2018 Year-End Surplus: Noting that a year-end surplus was projected for the General Fund and at the recommendation of Mr. Yingst, **MOTION** by President Moore, second by Mr. Lively to authorize the transfer of \$150,000 from the General Fund to the Capital Reserve Fund. Motion carried unanimously.

Cancellation of Adjourned Meeting: Noting the Adjourned Meeting scheduled for December 26, 2018 may not be necessary due to the 2019 budget having already been adopted, **MOTION** by Mr. Lively, second by President Moore to cancel the Adjourned Meeting scheduled for December 26, 2018 if the way be clear and to authorize the Township Administrator to advertise same. Motion carried unanimously.

Traffic Signals Preventative and Response Maintenance Agreement: Mr. Yingst presented a preventative and response maintenance agreement with C.M. High, Inc. of Myerstown for the traffic signals at the intersection of U.S. Route 422 and State Route 934. He indicated this cost is eligible for reimbursement by Lebanon County as part of its commitment to funding the Congested Corridor Improvement Program along Route 422 and, as such, there would be no cost to the Township for approving this contract. **MOTION** by President Moore, second by Ms. Zimmerman to approve the agreement with C.M. High, Inc. for preventative and response maintenance for the traffic signals at the intersection of U.S. Route 422 and State Route 934 for 2019 as presented. Motion carried unanimously.

CORRESPONDENCE: Nothing to report this month.

PAY BILLS: **MOTION** by Mr. Lively, second by Mr. Hoover 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 Ms. Zimmerman to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:29 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary