

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
January 2, 2019**

The January Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on January 2, 2019 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; Conrad "Mike" Liles, North Railroad Street; and Dean Wolfe, West Main Street.

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

RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:

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

COMMITTEE ASSIGNMENTS: President Moore noted the Commissioners were provided with a listing of suggested committee assignments for 2019 and asked if there were any comments or questions pertaining to same. He also indicated the suggested assignments were the same as those for 2018. With no comments or questions noted, President Moore officially appointed the Commissioners to the committee assignments per the listing and a copy of the listing is attached hereto and made a part of these minutes.

APPROVAL OF MINUTES: MOTION by Mr. Lively, second by Mr. Hoover to approve the minutes of the Regular Meeting held December 4, 2018 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

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

Dewatering Facility Geotechnical Study: Noting that the contract with BlueScope made any geotechnical studies the responsibility of the Township and at the recommendation of the Township Authority, **MOTION** by Mr. Lively, second by Ms. Zimmerman to ratify payment in the amount of \$7,975 to J.E. Horst Builder, LLC for a geotechnical study for the proposed dewatering facility. Motion carried unanimously. Mr. Hoover expressed his frustration that the possibility of a geotechnical study had not been made clear by BlueScope at the beginning of the project and indicated he hoped this would not be the first of a number of unforeseen costs.

Dewatering Equipment: At the recommendation of the Township Authority, **MOTION** by Mr. Embich, second by Mr. Hoover to authorize payment in the amount of \$457,100 to Sherwood Logan for a centrifuge, polymer system, macerator, leveling conveyor, and related components per the November 14, 2018 quote received from Sherwood Logan in the amount of \$440,480, and also comprised of the \$16,620 in additional specified equipment not included in the November 14, 2018 quote, contingent upon the issuance of the necessary building and stormwater permits. Motion carried unanimously.

2019 Drop-Off Facility Schedule: At the recommendation of the Public Works Supervisor, **MOTION** by Mr. Hoover, second by Mr. Lively to have the drop-off facility available from 12 Noon to 6 PM on Wednesdays and from 6 AM to 12 Noon on Saturdays during Daylight Savings Time in 2019, weather permitting, with closures on April 20 for Easter weekend, May 25 for Memorial Day weekend, June 8 for Historic Old Annville Day, and August 31 for Labor Day weekend. Motion carried unanimously.

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

Hiring of Part-Time Crossing Guard: At the recommendation of Chief Dugan, **MOTION** by Mr. Lively, second by Mr. Hoover to authorize the hiring of Edward Reazer as a part-time crossing guard effective January 3, 2019 at a rate of \$11.37 per hour. Motion carried unanimously.

Property: Nothing to report this month.

Parks & Recreation: Nothing to report this month.

Finance: Mr. Embich reviewed the Financial Report for December 2018, highlighting the total income and expenses for that month and year. A copy of the report is attached hereto and made a part of these minutes. Mr. Liles expressed his appreciation for the repaving of Sherman Street that was included in the 2018 budget.

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

Annville Activities: Nothing to report this month.

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:

Executive Sessions: Mr. Yingst reported that no Executive Sessions were held since the adjournment of the December Regular Meeting. He also noted a quorum was present at the annual holiday breakfast on December 21, 2018, although no Township business was discussed or actions taken. An Executive Session was requested to be held prior to the adjournment of the evening's meeting to discuss personnel matters.

Planning Commission: Ms. Zimmerman reported the Planning Commission did not meet in December. The following items were then addressed:

Lebanon Valley College (LVC) Pedestrian Bridge Stormwater Plan: Ms. Zimmerman reported a stormwater plan had been submitted for the proposed LVC pedestrian bridge stormwater plan and it was anticipated the Township Engineer would have a recommendation for the Board of Commissioners to consider at its February meeting, which would also include considering a waiver

request from Section 23-302 of the Township Code of Ordinances. She noted that, unlike a previous version of this proposal, the completed bridge would not require the closure of portions of East Summit Street, although it would eliminate some parking along it.

Stone Hill Village Phase 3B Preliminary Plan: Ms. Zimmerman reported a preliminary plan for proposed Phase 3B of Stone Hill Village was anticipated to be submitted shortly for possible review at the February Planning Commission meeting.

Reduction of Letter of Credit for Liberty Station: At the recommendation of the Township Engineer, **MOTION** by Ms. Zimmerman, second by Mr. Embich to authorize the reduction of the letter of credit pertaining to the Liberty Station development by \$107,504.85, or from \$302,212.03 to \$194,707.18. The motion was then opened for discussion. Per a question from Mr. Lively pertaining to the unfinished nature of the stormwater basin at Liberty Station, Mr. Yingst indicated that this requested reduction did not reduce any of the escrow pertaining to stormwater. With no further discussion noted the motion was voted upon and carried unanimously.

Economic Development: Mr. Yingst reported the attorney representing First Citizens Community Bank, who holds the loan for the Annville Center lot, was recommending a number of steps if the Township should assume the debt for the Economic Development Authority (EDA) for this loan. Mr. Hoover asked about the length of the loan and Mr. Yingst indicated payments began in 2013 and were scheduled to conclude in 2033. Mr. Hoover asked what purpose the loan was used for and President Moore indicated it funded construction of the parking lot and fountain, renovation of four buildings, and demolition of two buildings at the northeast corner of Town Square. Mr. Wolfe asked how much the loan was for and Mr. Yingst indicated the original amount was for \$1,550,000 and \$706,000 remained to be paid on it. In accordance with the instructions of the bank's attorney and noting both the EDA Solicitor and Township Solicitor were in concurrence with them, **MOTION** by Mr. Embich, second by Mr. Lively to (1) authorize beginning the process to have the Township formally assume the EDA's debt with First Citizens Community Bank and the preparation of an agreement doing so, if necessary; (2) authorize submitting an application and any other necessary paperwork to the Pennsylvania Department of Community and Economic Development to do so; and (3) authorize the preparation and advertisement of an ordinance to do so, if necessary. Motion carried unanimously.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for December 2018, a copy of which is attached hereto and made a part of these minutes.

Wage & Salary: Nothing to report this month.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for December 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 December 2018, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

MS4 Remapping: At the recommendation of the Township Authority, **MOTION** by Mr. Embich, second by Mr. Lively to approve the proposal for MS4 remapping services by SSM Group, Inc. for an estimated cost of \$1,700. Motion carried unanimously.

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

Fire Department: The Board noted the receipt of the December 2018 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC). Mr. Lively reported he would be attending the January 3, 2019 meeting of the UHC to swear in its new officers. He also reported updates from the joinder subcommittees were expected shortly.

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

OLD BUSINESS:

First Aid and Safety Patrol (FASP) Emergency Medical Services (EMS) Financial Problems:

Mr. Yingst reported that the 2017 audit for FASP was expected to be completed sometime in mid-January. He also reported that, per Mr. Liles's suggestion, he had contacted the Pennsylvania Fire and Emergency Services Institute with a number of questions pertaining to the FASP situation in particular and EMS in general, but had yet to receive a response. A question was raised as to how many other municipalities had committed to funding FASP in 2019 and Mr. Yingst said he was unsure as there had been no meeting of FASP and the municipalities to discuss this for nearly a month. He indicated he believed most municipalities were waiting on the results of the audit before taking action. Mr. Hoover expressed his feeling that, in order to be a team player within the community, the Township should pay its requested share to FASP if the latter was committed to making necessary improvements going forward, while keeping it afloat in the meantime. Mr. Liles noted there had been more calls for ambulances of other EMS providers because FASP did not have the needed staffing. Mr. Yingst reported there was a trend demonstrating this, as the number of calls FASP responded to in the Township decreased from 2017 to 2018, while the number of calls Life Lion EMS responded to in the Township over that same period increased. Per a question from one of the Commissioners, Mr. Yingst indicated he had not yet received the proposal requested from Life Lion EMS and would contact them about this shortly. The Commissioners continued to discuss the EMS matter in detail, and concerns were expressed about the response time if ambulances located outside the Township were increasingly answering calls in the Township, as well as the possibility that even if the Township provided the requested funding to FASP, the FASP ambulance currently stationed at the UHC fire station might be relocated from it due to a higher level of calls and transports elsewhere. There was also concurrence to wait on the results of the FASP audit before taking any official action on its funding request.

NEW BUSINESS:

Appointments: It was noted the Commissioners were provided with a listing of suggested appointments and President Moore asked if there were any comments or questions pertaining to same. With no comments or questions noted, **MOTION** by Mr. Lively, second by Ms.

Zimmerman to make the appointments per the listing as presented. Motion carried unanimously and the listing of appointments is attached hereto and made a part of these minutes.

Signatories for Township Funds: **MOTION** by Mr. Hoover, second by Ms. Zimmerman to approve the authorized signatories for all Township funds as follows: signatures from three of the following five officers—President, Vice President, Treasurer, Secretary, or Assistant Secretary. Motion carried unanimously.

Annual Memberships: **MOTION** by Ms. Zimmerman, second by Mr. Lively to approve the following memberships for 2019, totaling \$3,160.85:

Pennsylvania State Association of Boroughs - 2019 dues	\$225.00
Pennsylvania State Association of Township Commissioners - 2019 dues	\$1,435.85
Capital Region Council of Governments - 2019 dues (paid by Sewer Fund)	\$1,500.00

Motion carried unanimously.

Errors and Omissions Insurance: Mr. Yingst presented the proposal for the Township public officials management and employment practices liability insurance, commonly referred to as errors and omissions insurance, as bound through Strickler Insurance Agency with Greenwich Insurance Company for 2019. The annual premium for 2019 would be \$5,060, not including a \$95 carrier policy fee, which was the same rate paid for this insurance in 2018. Mr. Yingst also noted this amount was less than what was budgeted for this in 2019. **MOTION** by Mr. Embich, second by Ms. Zimmerman to approve the Township public officials management and employment practices liability insurance with Greenwich Insurance Company for 2019 as presented. Motion carried unanimously.

Resolution No. 20190102-1– 2019 Drop-Off Facility Permit Fee for South Annville Township Residences: Mr. Yingst presented proposed Resolution No. 20190102-1, setting the annual permit fee for South Annville Township residences at \$90 for 2019 for use of the drop-off facility located at the Annville wastewater treatment plant for disposal of cardboard, green waste, and bulk trash. **MOTION** by Mr. Hoover, second by Mr. Lively to adopt Resolution No. 20190102-1 as presented. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

Automated Red Light Enforcement (ARLE) Grant Pedestrian Improvements: Mr. Yingst reported that plans had been developed by Steckbeck Engineering and Surveying, Inc. (SESI) for the relocation of the crosswalk on State Route 934 in the vicinity of Annville Elementary School and the installation of Rectangular Rapid Flash Beacons (RRFBs) at 14 crosswalk locations along State Routes 934 (SR 934) and 422 (SR 422), the latter necessitating the removal of approximately eleven street trees due to concerns they would impede the visibility of the RRFBs by motorists. The following items were then addressed:

Resolution 20190102-2 – Authorization for Submitting Applications for Traffic Signal Approvals: **MOTION** by Mr. Embich, second by Ms. Zimmerman to adopt Resolution 20190102-2, as presented, authorizing and directing the Chief of Police to submit Applications for Traffic Signal Approvals to the Pennsylvania Department of Transportation (PennDOT) for the installation of

RRFBs at the following intersections: SR 934 and Sheridan Avenue, SR 934 and Liberty Street, SR 934 and Church Street, SR 934 and Lebanon Street, SR 934 and Poplar Street, SR 934 and High Street, SR 422 and Chestnut Street, SR 422 and King Street, SR 422 and Concord Street, SR 422 and Lancaster Street, SR 422 and Birch Street, SR 422 and Poplar Street, SR 422 and Manheim Street, and SR 422 and College Avenue. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

Authorization of Agent for Highway Occupancy Permits: **MOTION** by Mr. Embich, second by Mr. Hoover to authorize SESI to act as the Township's agent to apply to PennDOT for any highway occupancy permits with respect to the ARLE grant project. Motion carried unanimously.

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

Trout Unlimited 2019 Annual Fundraising Banquet: Mr. Yingst reported that communication was received from Joseph Connor of the Doc Fritchey Chapter of Trout Unlimited inviting the Commissioners to its 2019 annual fundraising banquet. He noted the banquet is scheduled for 5 PM on March 23, 2019 at the Holiday Inn of Grantville and tickets may be purchased for \$35 per person. Mr. Yingst noted the Township sponsored a full inside page advertisement in the banquet program in 2015 through 2018 and \$100 was budgeted for this again in 2019. **MOTION** by Mr. Embich, second by Mr. Lively to authorize the sponsorship of a full inside page advertisement in the program for the 2019 annual fundraising banquet of the Doc Fritchey Chapter of Trout Unlimited at a cost of \$100. Motion carried unanimously.

Application for Liquor License Transfer: Mr. Yingst reported a letter was received from the Pennsylvania Liquor Control Board on December 10, 2018 informing the Township an application for a person-to-person transfer of the liquor license for the property at 202 West Main Street from Nostalgia Inc. to Dunn and Main Street LLC was received. As such a transfer would not result in the license leaving the Township, no action by the Board was required. It was also reported Chief Dugan was unaware of any specific concerns regarding the officers of Dunn and Main Street.

Appeal of Board of Assessment Decision for the Property at 1325 East Main Street: Mr. Yingst reported an appeal to the Lebanon County Court of Common Pleas pertaining to the Board of Assessment's decision on the property at 1325 East Main Street was received from the attorney representing the owner in the appeal, 795 North Mill Limited Partnership. He further reported he is in conversations with the Lebanon County Assessment Office regarding this matter.

PAY BILLS: **MOTION** by Mr. Lively, second by Ms. Zimmerman 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 8:05 PM. The Regular Meeting was reconvened at 9:05 PM with the five Commissioners, Mr. Yingst, Chief Dugan, and Mr. Lamoureux present.

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

Rex A. Moore, President

Nicholas T. Yingst, Secretary