

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
February 5, 2019**

The February Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on February 5, 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; William Stickler, Police Sergeant; Corey Lamoureux, Esq., Township Solicitor; Conrad "Mike" Liles, North Railroad Street; Dean Wolfe, West Main Street; Shawn Curtain and Matt Twomey, Lebanon Valley College (LVC); Gregory Miller and Tom Smith, Century Engineering; and one person who was not identified.

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:

LVC Pedestrian Bridge: Mr. Curtain was recognized for comment and he shared information on the proposed project to replace the pedestrian bridge across the Norfolk Southern railroad tracks that connect the north and south sides of the LVC campus. He noted the college received grant funding to improve this bridge, which would make it handicapped accessible and more bicycle friendly. It was also noted the improvements to the bridge necessitated the submission of a stormwater management plan and Mr. Miller provided an overview of the project's stormwater impact and explained the rationale for the request for a waiver of Section 23-302 of the Annville Township Code of Ordinances. Mr. Embich asked where the stormwater would discharge to upon completion of the project. Mr. Miller indicated stormwater would flow in three directions: south toward Mund Center to enter the existing stormsewer system that runs under State Route 934, west onto the Norfolk Southern right-of-way via existing discharge points, and north to the existing collection system that ultimately flows southward underneath the railroad tracks and into the Ulrich Street stormsewer system. Mr. Embich asked if this project would increase the flow into the latter system and Mr. Miller indicated it would not. Mr. Embich asked if the project would make East Summit Street narrower. Mr. Smith noted that the traffic way would be unchanged, but it would involve the removal of some parking spaces. Ms. Zimmerman asked how many spaces would be removed and Mr. Smith stated 22. Mr. Curtain added that the loss of the parking spaces would be offset by a sufficient number of existing spaces north of the railroad tracks. Mr. Hoover asked if the area to the south side of the bridge would be accessible by a fire engine and Mr. Smith indicated it would be essentially the same situation as at present, as the parking spaces to be removed tend to currently be occupied by vehicles. Ms. Zimmerman stated she had heard that LVC was short on parking for the current semester. Mr. Curtain indicated the college has adequate parking throughout campus and is in the process of developing policies that would require students to park on the north side of the railroad tracks, thereby reducing the congestion on the south side. Mr. Embich asked about the timeframe for the project and Mr. Twomey stated most of the work was planned for the summer with a goal that the new bridge would be ready for the fall semester. Mr. Hoover asked for more detail on the rationale for the waiver. Mr. Smith stated that they did not want to disturb any more area than was necessary and thought a waiver was appropriate due to

the small amount of stormwater and the fact the project met all other requirements of the Township's stormwater requirements. It was also noted the Township Engineer recommended the waiver be granted for these reasons. Referring to a drawing of the finished project, Mr. Yingst noted that grass was pictured at the south side of the bridge where there was currently asphalt. With this in mind, Mr. Yingst asked if the amount of pervious surface on the south side was increasing due to this project. Mr. Smith confirmed this and noted a metal ramp system would be used on the west side of the bridge's south entrance, thus allowing for drainage to pervious areas underneath the ramp. Mr. Lively asked about the material proposed for the cage covering the bridge and Mr. Twomey noted it would be a metal mesh. Mr. Lively asked how wide the ramps would be and Mr. Smith indicated a four foot width. Mr. Liles recalled that in the past LVC had mentioned providing transportation from the northeast parking lot to encourage students to park there. Mr. Curtain noted that the college was developing a bike share program it hoped would help with this. Mr. Liles asked if the proposed bridge would be in the same location as the existing bridge and Mr. Curtain stated it would be. In response to a concern about whether students would ever park at the northeast lot, Mr. Curtain noted that a benefit of having new students attend the college each year is it provided the opportunity to change this culture over time. Ms. Zimmerman indicated she would also like to see faculty parking moved from onstreet spaces to designated parking lots. Mr. Wolfe asked if there were plans for more residence halls on the north side of campus. Mr. Curtain noted there were no plans at present, but that growth could potentially necessitate it. He also noted that changes in how students do post-secondary education have made the building of residence halls less important for colleges than in the past. With no more questions or comments noted, President Moore thanked Mr. Curtain, Mr. Miller, Mr. Smith, and Mr. Twomey for their presentation.

Waiver of Peak Discharge/Release Rate Criteria for LVC Pedestrian Bridge: Regarding the request received from LVC for a waiver of the peak discharge/release rate criteria for the LVC pedestrian bridge and at the recommendation of the Township Engineer, **MOTION** by Ms. Zimmerman, second by Mr. Embich to grant a waiver to Section 23-302 of the Annville Township Code of Ordinances for the LVC pedestrian bridge. Motion carried unanimously.

LVC Pedestrian Bridge Stormwater Management Plan: At the recommendation of the Township Engineer, **MOTION** by Ms. Zimmerman, second by Mr. Embich to approve the stormwater management plan submitted for the LVC pedestrian bridge contingent upon the satisfactory addressing of all remaining items in the Township Engineer's letter dated January 18, 2019. Motion carried unanimously.

Mr. Curtain, Mr. Miller, Mr. Smith, and Mr. Twomey left the Regular Meeting at 7:26 PM.

APPROVAL OF MINUTES: **MOTION** by Mr. Lively, second by Mr. Embich to approve the minutes of the Regular Meeting held January 2, 2019 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

Public Works: The Public Works Report for January 2019 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Piping to Heat Dewatering Building: At the recommendation of the Township Authority, **MOTION** by President Moore, second by Ms. Zimmerman to authorize the purchase of approximately 300 feet of insulated piping to run from the boiler to the new dewatering building to heat the latter in the amount of \$1,569. Motion carried unanimously.

Dewatering Facility Stormwater Management Plan Review Costs: At the recommendation of the Township Authority, **MOTION** by Mr. Lively, second by Mr. Hoover to ratify payment totaling \$890 to Bolt Engineering, LLC, the Lebanon County Engineer, for its review of the dewatering facility stormwater management plan. Motion carried unanimously.

Public Safety: The Police Statistical Report and Monthly Summary Report for January 2019 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Prescription Disposal Box: Per questions from Mr. Lively and Mr. Wolfe, Chief Dugan provided information on the location of, and how to access, the prescription disposal box at Town Hall. Mr. Embich also suggested the Police Department consider removing labels from any discarded prescription bottles it collects.

Property: The following item was addressed:

Town Hall Flagpole Light: Ms. Zimmerman reported a solar-powered light costing less than \$100 was installed on the top of the Town Hall flagpole earlier that day to provide better illumination of the flag.

Parks & Recreation: The following item was addressed:

Annville Free Library (AFL) 2019 BOOK IT! Run: At the request of the AFL, **MOTION** by Mr. Lively, second by Mr. Embich to authorize the library's BOOK IT! run through Quittie Creek Nature Park to be held on June 8, 2019 from 8 AM to 10 AM. Motion carried unanimously.

Finance: Mr. Embich reviewed the Financial Report for January 2019, highlighting the total income and expenses for the first month of 2019. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for January 2019 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 Ms. Zimmerman, second by Mr. Hoover to approve the reports of the Standing Committees as presented. Motion carried unanimously.

REPORTS OF SPECIAL COMMITTEES:

Executive Sessions: Mr. Yingst reported an Executive Session was held on January 9, 2019, to discuss personnel matters. An Executive Session was also 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 January but would be meeting on February 11, 2019, to review the preliminary land development plan submitted for Phase 3B of Stone Hill Village.

Economic Development: Mr. Yingst reported that the steps being required by the Pennsylvania Department of Community and Economic Development for the assumption of the Economic Development Authority's debt by the Township were more cumbersome than initially anticipated. Because of this, he anticipated the draft ordinance authorizing this assumption that he presented to the Board would likely be considered for adoption at the April 2, 2019 Regular Meeting.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for January 2019, a copy of which is attached hereto and made a part of these minutes. The following was then addressed:

Replacement of Rear External Stairs and Addition of Second Floor to the Rear at 207 West Main Street and Installation of Building Mounted Sign at 224 West Main Street: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Mr. Lively to issue Certificates of Appropriateness for (1) the replacement of rear external stairs and addition of a second floor to the rear at 207 West Main Street and (2) the installation of a building mounted sign for The Annville Music Center at 224 West Main Street. Motion carried unanimously.

Wage & Salary: Nothing to report this month.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for January 2019, 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 January 2019, 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 January 2019, a copy of which is attached hereto and made a part of these minutes.

Fire Department: The Board noted the receipt of the January 2019 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC), as well as the 2018 Annual Fire Chief's Report and 2018 Annual Statistical Report.

MOTION by Mr. Embich, second by Ms. Zimmerman 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 the municipalities that use FASP for EMS are still waiting on the 2017 audit. He also noted a “soft” proposal had been received from Life Lion EMS the prior afternoon and had been forwarded to the Commissioners. The Commissioners briefly discussed this proposal, which was interpreted as stationing an ambulance at the UHC for 12 hours a day at no cost to Life Lion, with the possibility of 24 hour a day coverage if other municipalities to the north of the Township were also interested in designating Life Lion as their primary EMS provider. There was also discussion as to the revenue that would be lost by the UHC under such an arrangement, as the fire company currently receives \$18,000 annually from FASP for the ambulance it stations there. President Moore recollected the amount that FASP was asking the Township to contribute to ensure its ability to continue to operate was a similar amount. Mr. Hoover expressed his mystification that despite FASP having indicated in November 2018 it was facing a financial crisis that could lead to its imminent closure, it was continuing to provide EMS without any further updates regarding the direness of its financial situation. Mr. Lamoureux noted that if the Township wished to designate a different primary EMS provider it was not required to issue a request for proposals, as EMS was considered to be a professional service. There was also concurrence to continue to wait on the results of the FASP audit before taking any official action on this matter.

Appeal of Board of Assessment Ruling for the Property at 1325 East Main Street: Mr. Yingst reported the Lebanon County Assessment Office obtained an appraisal for the property at 1325 East Main Street it believed supported the earlier ruling of the Board of Assessment on it. Because of this, the County Assessment Office would be challenging this appeal and anticipated a pre-trial hearing date before the Lebanon County Court of Common Pleas sometime during the spring. He also shared what the Township’s estimated share of costs would be for the County Assessment Office fighting this appeal. **MOTION** by Mr. Lively, second by Mr. Hoover to authorize the Township Administrator to represent and act for the Township regarding the appeal of the Board of Assessment ruling for the property at 1325 East Main Street. Motion carried unanimously.

NEW BUSINESS:

Pennsylvania Department of Environmental Protection (DEP) Section 902 Recycling Grant:

The following items were addressed:

Grant Agreement and Project Officer Appointment: Noting Mr. Yingst and Mr. Lamoureux reviewed the Section 902 Recycling Grant Agreement the Township was awarded for a compact backhoe and containers and said Agreement was submitted to DEP, **MOTION** by Mr. Lively, second by Mr. Embich to ratify (1) the Section 902 Municipal Recycling Program Grant Agreement with DEP in the amount of \$75,083 as submitted and its execution by the appropriate Township officials and (2) the appointment of Nicholas T. Yingst as the project officer for the grant. Motion carried unanimously.

Authorization of Payment for Compact Backhoe: Noting the arrival of the compact backhoe that is being funded by the Section 902 Recycling Grant, **MOTION** by Mr. Hoover, second by Ms. Zimmerman to authorize payment in the amount of \$74,276 to Stephenson Equipment, Inc. for this equipment. Motion carried unanimously.

Condemned Property at 100 North Weaber Street: Mr. Lamoureux provided information on the options available to the Township regarding the condemned property at 100 North Weaber Street. He noted there were many liens against the property that would need to be satisfied by a buyer, meaning a conventional sale or Sheriff's Sale were not likely paths toward it changing hands and ultimately being rehabilitated. He also recommended the Township ensure it would not end up owning the property, and being responsible for the liens, if it should force a Sheriff's Sale and there were no buyers. Mr. Lamoureux asked the Commissioners if they would like him to research these matters further and there was discussion about the likely costs for him doing so. **MOTION** by Mr. Hoover, second by Mr. Lively to authorize the Township Solicitor to (1) contact the Sheriff's Office to see if the Township is able to force a Sheriff's Sale without being obligated to own the property and assume the liens if there are no bids at such a sale, (2) file a lien against the property at 100 North Weaber Street for costs incurred by the Township for securing it and code enforcement inspections if he deems it prudent to do so, and (3) contact those parties with judgments against this property to see if they would be willing to waive those claims. Motion carried unanimously.

Swatara Sojourn Proclamation: In light of the 31st annual Swatara Sojourn, a proclamation was presented declaring May 4 and 5, 2019, as Swatara Creek Sojourn Days, noting how the Township benefits from the Sojourn and the purpose of the Swatara Watershed Association that sponsors the event. **MOTION** by Mr. Embich, second by Mr. Hoover to proclaim May 4 and 5, 2019, as Swatara Creek Sojourn Days and to instruct the appropriate Township officials to execute and submit this proclamation to the Swatara Watershed Association. Motion carried unanimously and a copy of this proclamation is attached hereto and made a part of these minutes.

Hazard Mitigation Grant Program (HMGP) Property Leases: Mr. Yingst provided a brief overview of the Township's desire since 2013 to lease its HMGP properties and the following items were then addressed:

Request to Lease HMGP Properties: **MOTION** by President Moore, second by Mr. Lively to request the Federal Emergency Management Agency and/or the Pennsylvania Emergency Management Agency to allow the 11 HMGP properties to be leased for \$1 per year in accordance with the property lease agreement approved by the Board of Commissioners in 2013. Motion carried unanimously.

HMGP Property Lease Applications: **MOTION** by President Moore, second by Mr. Lively to authorize the Township Office to offer applications for leasing HMGP properties that will be considered by the Board at a future meeting. Motion carried unanimously. Mr. Wolfe inquired how potentially interested parties would be contacted. Mr. Yingst indicated the Township Office planned to contact adjacent property owners, former owners of the HMGP properties, and other individuals and community groups who have expressed interest in the properties over the past several years.

CORRESPONDENCE: Nothing to report this month.

PAY BILLS: MOTION by Mr. Embich, 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 8:38 PM. The Regular Meeting was reconvened at 9:35 PM with the five Commissioners, Mr. Yingst, and Mr. Lamoureux present.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Embich, second by Ms. Zimmerman to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 9:36 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary