

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
September 3, 2019**

The September Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on September 3, 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; Cody Dotson and Armin and Sarah Rudd, Maple Street; Conrad "Mike" Liles, North Railroad Street; Dean Wolfe, West Main Street; Martin Brandt and Carolyn Scott, Annville Free Library; Erik Josephson, Josephson Nature Care; and Ron Dowey and Beth McAteer, Union Hose Company.

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:

Thanks and Annual Update from the Annville Free Library (AFL): Mr. Brandt and Ms. Scott of the AFL Board of Directors were recognized for comment. Mr. Brandt began by expressing thanks to the Township for its continued support, specifically noting receipt of and appreciation for its 2019 donation of \$17,500, and that this donation was integral to sustaining the operations of the library. He then introduced Ms. Scott, who described the various programs provided by the AFL and their intended audiences. She noted that circulation of books at the AFL is up, despite a decreasing trend of book circulation for libraries in general. Ms. Scott then discussed various technologies provided to the library's users, indicating the AFL was the only library in Lebanon County to provide mobile hotspots as well as the Prinich wireless printing solution for those who need to print from their personal electronic devices. Mr. Brandt concluded by expressing appreciation for the Township's continued annual increases to the library per the AFL's request several years ago and noted that 2020 will represent the final year of that process.

The Commissioners thanked Mr. Brandt and Ms. Scott for the AFL's efforts and Mr. Brandt left the meeting at 7:06 PM.

Donation of Trees: Mr. Josephson of Josephson Nature Care was recognized for comment. He shared that, as he did in 2018, he would like to donate a tree to the Township and assist with the planting of same. He also noted former Commissioner James Scott of East High Street would like to donate two trees to the Township. Mr. Josephson shared information on the trees, indicating he wished to plant white oak trees since the intended location was the Township-owned parcels on South White Oak Street just north of Quittapahilla Creek. He noted this would continue to beautify that southern entrance point to the Township and he shared that a few days earlier he observed several persons reading under the shade of the trees planted there in 2018. The Commissioners expressed their appreciation to Mr. Josephson and Mr. Scott for their generous 2019 donation.

Mr. Josephson and Ms. Scott left the meeting at 7:09 PM.

APPROVAL OF MINUTES: MOTION by Ms. Zimmerman, second by Mr. Hoover to approve the minutes of the Regular Meeting held August 6, 2019 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

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

North Ulrich Street Stormsewer System Feasibility Study: Mr. Yingst reported the Township Engineer is continuing to develop a proposal for this.

Dewatering Project Loan Requisition No. 2: Noting the polymer system and the leveling conveyor system have been delivered and at the recommendation of the Township Authority, **MOTION** by Mr. Lively, second by Ms. Zimmerman to authorize (1) Requisition No. 2 from the dewatering project loan to the dewatering account in the amount of \$95,280 and (2) payment from the dewatering account to Sherwood Logan & Associates, Inc. in the amount of \$95,280 for the polymer system and the leveling conveyor system. Motion carried unanimously.

Dewatering Building and Platform – Application and Certificate for Payment No. 6: At the recommendation of the Township Authority, **MOTION** by Mr. Embich, second by Mr. Hoover to authorize payment for Application and Certificate for Payment No. 6 to BlueScope Construction in the amount of \$51,333.40. Motion carried unanimously.

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

Police Coverage in South Annville Township: Chief Dugan distributed a report on the call volume and times for coverage by the Annville Township Police Department in South Annville Township during August, noting approximately 33 hours of coverage. Per a question from Mr. Hoover, Chief Dugan confirmed this was relatively close to the original estimate of hours per month, although he noted an increase from the statistics as reported by the Pennsylvania State Police when they previously were used for “off hours” coverage in South Annville. He surmised this may be because people are more likely to call for police when they believe there will be a timely response. Chief Dugan then responded to questions from Mr. Embich and Ms. Zimmerman by describing the dispatch process for responding to calls in South Annville. Per a question from Mr. Hoover, he also noted this report would be submitted to the South Annville Township officials.

Property: The following item was addressed:

Town Hall Window Replacement Project: Ms. Zimmerman reported the window replacement project is underway and should be completed before the end of the month. It was also reported that Mr. Yingst would be meeting the following day with a local business to discuss window treatment options. At the recommendation of the Township Administrator, **MOTION** by Mr. Hoover, second by Mr. Lively to approve a change order in the amount of approximately \$2,020 for the installation of frosted basement windows at the police locker room, with the previously

ordered basement windows to be installed on the north side of the building. Motion carried unanimously.

Parks & Recreation: The following items were addressed:

Grant Funding for Streambank Repairs: Mr. Yingst reported a grant agreement was received from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and this agreement was determined to be satisfactory based on its review by him and Mr. Lamoureux. He also noted the deadline to complete the project was December 5, 2019, rather than the earlier deadline of early-September 2019, and there was the possibility of requesting an extension if needed. As such, Mr. Yingst indicated the grant agreement had been signed and submitted to the USDA-NRCS and he was working with Mr. Lamoureux and the USDA-NRCS representative to develop and advertise the bid package for eventual awarding in October.

Julia DyReyes, Maple Street, joined the meeting at 7:20 PM.

Pumpkin Walk: **MOTION** by Mr. Lively, second by Ms. Zimmerman to (1) approve the use of Quittie Creek Nature Park on Friday, October 25, 2019 as the site of the Pumpkin Walk from 7:00 PM to 9:00 PM and (2) authorize Public Works staff to deliver stored Pumpkin Walk materials (luminaries and some Pumpkin Gate elements) to the Swingholm Bridge parking area by 12 Noon on Friday, October 25, 2019 and retrieve and store the same on the following day. Motion carried unanimously.

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

Permits: The Permits Report for August 2019 was reviewed, a copy of which is attached hereto and made a part of these minutes. Mr. Yingst also responded to several questions from the Commissioners about certain permits.

Annville Activities: The following item was addressed:

Trick-or-Treating: The date and times the Lebanon County Chiefs of Police set for countywide trick-or-treating were shared, along with Chief Dugan's recommendation Annville Township follow the same date and times. **MOTION** by Mr. Embich, second by Mr. Lively to authorize trick-or-treating in Annville Township on October 31, 2019 from 6:00 PM to 8:00 PM. Motion carried unanimously.

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 August Regular Meeting. An Executive Session was requested to be held

following the adjournment of the evening's meeting to discuss personnel matters regarding the police collective bargaining agreement.

Planning Commission: Ms. Zimmerman reported the Planning Commission meeting for August was cancelled due to a lack of business and the September 9, 2019 meeting would also likely be cancelled for the same reason. She also reported that the prior month the Zoning Hearing Board granted a variance with conditions allowing rear garages at the property at 344 East Main Street to be converted into a dwelling.

Economic Development: Mr. Yingst reported the assumption agreement for the debt of the Economic Development Authority (EDA) has been signed by the EDA and the Township and delivered to the bank for execution. He also reported the EDA would be meeting at 8 AM on September 20, 2019 to discuss the next steps for its dissolution.

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

Awning Sign Revision at 103 West Main Street and Pole-Mounted Sign Replacement at 344 East Main Street: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Mr. Lively to issue Certificates of Appropriateness for (1) revising the awning sign for Ted's Annville Grille at 103 West Main Street and (2) replacing the pole-mounted sign for Ninh Kieu Restaurant at 344 East Main Street. Motion carried unanimously.

Wage & Salary: Nothing to report this month.

Municipal Separate Storm Sewer System (MS4): Mr. Embich reviewed the MS4 Report for August 2019, a copy of which is attached hereto and made a part of these minutes. In particular, he presented information for the Commissioners' review and consideration from the Lebanon County Stormwater Consortium's (LCSC) Solicitor regarding the current abilities of the LCSC and if the Consortium should continue in that form or consider a change to its structure.

Greater Lebanon Refuse Authority (GLRA): Mr. Embich reviewed the GLRA Report for August 2019, a copy of which is attached hereto and made a part of these minutes.

Fire Department: The Board noted the receipt of the August 2019 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC). The following item was then addressed:

Release of Second Half of 2019 Donation to Fire Department: **MOTION** by Mr. Lively, second by Mr. Hoover to authorize the release of \$32,000, which is the remaining half of the Township's budgeted 2019 donation, to the UHC. Motion carried unanimously.

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

OLD BUSINESS:

Emergency Medical Services (EMS): It was reported a draft agreement had been submitted by Life Lion EMS for ambulance service in the Township and the annual charge was \$20,000. It was also noted the UHC had agreed to house the Life Lion ambulance and the Township would increase its annual donation to the UHC by \$9,000. There was then detailed discussion on the reasons why the Township and the Fire Department believed Life Lion would be able to best provide ambulance service for the community. Mr. Embich asked if patients would be able to choose which hospital they would be taken to and Ms. McAteer indicated this would continue be the case unless the necessary treatment could only be provided by a specific hospital. Mr. Hoover expressed his appreciation to the Fire Department for its beneficial input on this matter and his belief the Township did its utmost in trying to determine the best solution for the community. **MOTION** by Mr. Hoover, second by President Moore to authorize entering into an agreement with Life Lion EMS for ambulance service contingent upon its satisfactory review by the Township Solicitor and Township Administrator. Motion carried unanimously. In response to a question from Mr. Dowey, Mr. Yingst indicated he would reach out to First Aid and Safety Patrol (FASP) EMS the following day to inform its leadership of the Township's decision and to attempt to work out a transition strategy that works for all parties until Life Lion is ready to station an ambulance at the UHC. Mr. Hoover stressed that the increased donation to the UHC would begin once FASP removes its ambulance from the UHC.

Automated Red Light Enforcement (ARLE) Grant Pedestrian Improvements: Chief Dugan reported on the progress being made with the Pennsylvania Department of Transportation (PennDOT) regarding the permitting for the placement of the flashing pedestrian signs and approach signs near the elementary school. Also, at the recommendation of the Public Works Director, **MOTION** by Mr. Lively, second by Mr. Hoover to authorize DriveKore to perform core drilling of ten 16-inch diameter holes for the eventually placement of flashing pedestrian sign poles at certain locations for an estimated cost of \$3,600. Motion carried unanimously.

Ordinance No. 673 - 2019 Omnibus: Mr. Yingst presented proposed Ordinance No. 673, amending Section 15-301 (Vehicle Weight Limits Established on Certain Streets and Bridges), Section 15-402 (Parking Prohibited at All Times in Certain Locations), Section 15-411 (Handicapped Parking), and Section 15-1303 (Prohibition) 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. 673, the 2019 omnibus ordinance, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Jones and Maple Streets Stormwater Evaluation: It was noted the Jones and Maple Streets stormwater evaluation report had been completed by the Township Engineer and distributed to the Commissioners. It was also noted that Mr. Rudd of Maple Street had been provided with the report at his request and he had subsequently provided comments to that report which also had been shared with the Commissioners. At the suggestion of the Board, Mr. Rudd then described several alternatives he had developed based upon the Township Engineer's report. He thanked the Commissioners for funding the evaluation, noting it identified several items that were not known before. With that in mind, he asked the Commissioners to fund an additional evaluation that would

look into the alternatives he suggested, in particular expressing his belief that piping the existing Jones and Maple Streets system south across Main Street and then adding stormsewer pipe just to the north of the St. Paul the Apostle Church property that would eventually discharge into the existing system on South Spruce Street was the best alternative. President Moore noted there is a sanitary sewer main at that location. Mr. Lively then asked if the residents of Maple Street in attendance had any recent problems with basement flooding and some residents indicated they did and others did not. There was then lengthy and detailed discussion among the residents of Maple Street, the Commissioners, Mr. Yingst, and the members of the Fire Department pertaining to recent rains and flooding in prior years and the properties affected, the stormwater impact in that neighborhood and on other parts of the Township, the condition of Jones Street, the capacity of the Weaber Street stormsewer system that any of the proposed alternatives would ultimately discharge into, funding challenges and options, the extent of PennDOT's involvement due to the alternatives affecting the Main Street right-of-way, the need to verify any other rights-of-way that might be affected, the amount spent thus far on the evaluation, and where the stormwater currently flows when it discharges south under Main Street just to the east of South Long Street. Based on this, several Commissioners indicated that before any improvements could be considered in one area a larger understanding of the stormsewer system was necessary. Mr. Rudd asked if the Board would request a cost proposal from the Township Engineer for an extension of the Jones and Maple Streets evaluation. Mr. Lively stated the matter at Jones and Maple Street was one part of an overall situation in the Township the Board was beginning to evaluate holistically. As such, just as he believed the Board's investment in the Jones and Maple evaluation represented good progress and a step in the right direction for understanding the system as a whole, there were also other areas that needed to be considered. President Moore indicated the extent of this matter meant any possible solutions would likely take a very long time. He then asked the other Commissioners if they were comfortable seeking one evaluation at a time and they concurred, noting they were waiting on a proposal for the North Ulrich Street system.

NEW BUSINESS:

2020 Minimum Municipal Obligation (MMO) Certifications for Pension Plans: The Board reviewed the MMO calculations and certifications for the two Township pension plans for 2020 in accordance with Act 205 requirements. **MOTION** by Mr. Lively, second by Mr. Embich to approve the MMO certifications for the police pension plan and the non-uniformed employees' pension plan as presented. Motion carried unanimously and copies of the MMO certifications are attached hereto and made a part of these minutes.

Authorize Budget Meeting: **MOTION** by Mr. Embich, second by Mr. Hoover to authorize the advertisement of a Special Meeting on October 15, 2019 at 6 PM to prepare the 2020 budget and to consider any other business that might come before the Board. Motion carried unanimously.

Renewal of Law Enforcement Errors and Omissions Liability Insurance: Mr. Yingst presented the renewal proposal for the Township's law enforcement errors and omissions liability insurance at an annual cost of \$12,706.49. He reported this represented a 3% increase from the previous year and was within the \$12,800 budgeted for this, and also included any exposure for police coverage in South Annville Township. **MOTION** by Mr. Lively, second by Ms. Zimmerman to approve the renewal of the Township's law enforcement errors and omissions

liability insurance with Cincinnati Specialty Underwriters Insurance Company for September 15, 2019 through September 15, 2020 as presented. Motion carried unanimously.

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

Lebanon County Agricultural Land Preservation Board (LCALPB) Appeal for 2020: Mr. Yingst reported an appeal letter was received from the LCALPB for 2020. **MOTION** by Mr. Hoover, second by Mr. Lively to pledge \$100 to the LCALPB in 2020 and to direct the Township Office to return the pledge card to the LCALPB notifying them of this. Motion carried unanimously.

Letter of Support Request for Lebanon Valley College (LVC) Application for Multimodal Transportation Fund (MTF) Grant: Mr. Yingst reported communication was received from LVC requesting a letter of support for its application for MTF grant funding that is intended to build a stronger connection between the north and south sides of campus and provide better access for pedestrians and bicyclists. Following Mr. Yingst's description of the improvements the grant was intended to fund, **MOTION** by President Moore, second by Mr. Embich to authorize the Township Engineer to issue a letter of support for the abovementioned grant application.

PAY BILLS: **MOTION** by Ms. Zimmerman, 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.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Lively, second by Mr. Hoover to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:45 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary