

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
August 4, 2020**

The August Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on August 4, 2020 at the Annville Public Works Facility Garage, 675 West Main Street, Annville, PA due to the COVID-19 pandemic emergency 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 Nicholas T. Yingst, Township Administrator and Secretary to the Board of Commissioners; Bernard Dugan, Chief of Police; Andrew Race, Esq., Township Solicitor; Dean Wolfe, West Main Street; Gino Frattaroli, West Queen Street; Matt Twomey, Capital Construction Management; and Craig Smith, RGS Associates.

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:

Building Permit Process: Mr. Frattaroli was recognized for comment and indicated he wished to construct a garage to the rear of the property where he resides. He then described his frustration regarding clarity in the permitting process. When Mr. Frattaroli indicated the Lebanon County Planning Department wanted information about the property lines, Mr. Yingst indicated the Township did not have such information and Mr. Race suggested he work with an engineer or surveyor to develop plans that meet the zoning regulations and, if necessary, determine the boundaries of his lot. Mr. Race also briefly discussed what the process may look like if a zoning variance was needed. Mr. Frattaroli concluded by noting that Mr. Yingst informed him a permit would be needed for recent sidewalk work done in front of his property and he would be obtaining that shortly. He thanked the Board for its time and left the meeting at 7:10 PM.

Lebanon Valley College (LVC) Arnold Fitness Center Locker Room Expansion Land Development Plan:

Mr. Smith was recognized for comment and provided a brief overview of the LVC Arnold Fitness Center Locker Room Expansion land development plan that had been reviewed by the Planning Commission (PC) at its June meeting and subsequently revised to incorporate a rain garden per the recommendation of the Township Engineer. It was also noted the Township Engineer had issued a review letter on July 23, 2020 regarding the revised plan and he was supportive of the plan's approval contingent upon the satisfactory addressing of all comments in that letter. The Commissioners then discussed the plan with Mr. Smith, who also reviewed the plan's waiver requests in detail. In response to a question from Mr. Hoover, Mr. Smith indicated LVC would be responsible for maintaining the proposed rain garden and that this would be noted in a forthcoming operations and maintenance agreement. Mr. Hoover asked how the proposed management of the first 1-inch of stormwater would work. Mr. Smith indicated this was based on a method that treats, rather than infiltrates, the first inch of rainfall. He noted any rainfall above the first inch would enter the existing system, as is currently the case. He further noted that per the stormwater calculations the work proposed by the plan would not actually increase the impervious surface factor and, as such, the proposed stormwater facilities would be an improvement for the location. Per a follow-up question from Mr. Hoover, Mr. Smith noted the rain garden would decrease the amount of stormwater entering the stormsewer system from the

current conditions. Mr. Perrotto reflected that some of these questions were reviewed at the PC meeting, where a recommendation for approval was made, contingent in part on the Township Engineer's satisfaction that stormwater improvements be incorporated and were suitable. With no further comments or questions noted, the recommendations of the PC were then considered in light of the Township Engineer's July 23, 2020 review letter.

LVC Arnold Fitness Center Locker Room Expansion Land Development Plan Waivers: At the recommendation of the PC and the Township Engineer, **MOTION** by Mr. Lively, second by Mr. Perrotto to grant the following waivers from Chapters 22 and 23 of the Annville Township Code of Ordinances for the LVC Arnold Fitness Center Locker Room Expansion preliminary/final land development plan:

- (1) Section 22-305, allowing for submission of a preliminary/final plan;
- (2) Section 22-402.2.E, allowing for a property survey of the features within the project area where improvements are proposed as opposed to a survey of all existing structures within 25 feet of the property boundaries;
- (3) Sections 22-403.1 and 404.1, allowing for the use of a plan size of 24 by 36 inches, instead of a plan size of 18 by 24 inches, although the plan may need to be recorded on 18 by 24-inch sheets;
- (4) Section 22-403.2.L, allowing for a survey to show features within the project area where improvements are proposed as opposed to showing existing features on or within 200 feet of any part of the property;
- (5) Section 22-404.2.R, allowing for the omission of showing the location of permanent monuments and lot markers and corresponding note due to the small disturbance area and the proposed improvements being set back further from the property lines than existing buildings; and
- (6) Section 23-308, allowing for stormwater design to manage the first 1-inch of runoff due to Karst, instead of the stormwater design demonstrating that the total post developed total runoff volume for all storms equal to or less than the 2-year 24-hour duration precipitation is not increased.

Motion carried unanimously.

LVC Arnold Fitness Center Locker Room Expansion Land Development Plan Approval: At the recommendation of the PC and the Township Engineer, **MOTION** by Mr. Lively, second by Mr. Perrotto to approve the LVC Arnold Fitness Center Locker Room Expansion preliminary/final land development plan contingent upon the satisfactory addressing of the comments in the Township Engineer's July 23, 2020 review letter. Motion carried unanimously.

Mr. Smith and Mr. Twomey thanked the Board and left the meeting at 7:23 PM.

APPROVAL OF MINUTES: **MOTION** by Mr. Lively, second by Mr. Hoover to approve the minutes of the Regular Meeting held July 7, 2020 as presented. Motion carried by a vote of four to zero with President Moore, Mr. Lively, Mr. Embich, and Mr. Hoover voting in favor of the motion and Mr. Perrotto abstaining due to not being present at said meeting.

REPORTS OF STANDING COMMITTEES:

Public Works: The Public Works Report for July 2020 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

Milling and Overlaying of Township Streets: In accordance with state bidding requirements, the Public Works Superintendent sought bids from four firms for milling and overlaying several Township streets. Two of the firms responded with quotes, with Pennsy Supply submitting a bid of \$32,593.20 and Hoffer Paving submitting the low bid of \$20,800. At the recommendation of the Public Works Superintendent and noting that \$21,000 had been budgeted for this in the 2021 Liquid Fuels budget, **MOTION** by Mr. Perrotto, second by Mr. Hoover to (1) award the contract to Hoffer Paving for milling and overlaying East Cumberland Street from South Poplar Street to South Killinger Street, West Cumberland Street from South Chestnut Street to South King Street, Stuart Street from East Main Street to East Cumberland Street, and West New Street from North Lancaster Street to North Birch Street, at a cost of \$20,800 and (2) authorize the use of Liquid Fuels funds for this project. Motion carried unanimously. Mr. Hoover asked who inspects such work to ensure it is done properly and Mr. Yingst indicated this is done by the Public Works Department.

2021 Wage and Equipment Rate Schedule: Mr. Yingst noted a proposed 2021 Public Works Wage and Equipment Rate Schedule had been provided to the Commissioners for their review and consideration. **MOTION** by Mr. Lively, second by Mr. Perrotto to adopt the 2021 Public Works Wage and Equipment Rate Schedule as presented. Motion carried unanimously and a copy of this rate schedule is attached hereto and made a part of these minutes.

Public Safety: The Police Statistical Report for July 2020 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:

Hiring of Part-Time Police Officer: It was noted the Civil Service Commission (CSC) met on July 14, 2020, and the minutes from that meeting were acknowledged as having been received by the Board and are attached hereto and made a part of these minutes. Based on the applicants approved as eligible for consideration for appointment as part-time police officers by the CSC and at the recommendation of Chief Dugan, **MOTION** by President Moore, second by Mr. Embich to hire Kirk Aldrich as a part-time Civil Service police officer. Motion carried unanimously.

Crossing Guard Services Contract: A contract was presented for crossing guard services with All City Management Services, Inc., through June 30, 2021 at a cost of \$29.99 per hour per crossing guard. It was noted this was the same rate charged to the Township in the previous contract. **MOTION** by Mr. Lively, second by President Moore to authorize entering into the agreement with All City Management Services, Inc., for contracted crossing guard services at a cost of \$29.99 per hour per crossing guard through June 30, 2021 as presented and to authorize its execution by the appropriate Township officials. Motion carried unanimously. Per a question from Mr. Perrotto, Mr. Yingst indicated the Township was not charged for crossing guard services for school days that were cancelled due to the COVID-19 pandemic

Property: The following items were addressed:

Town Hall Window Replacement Project: It was reported the contractor for the Town Hall window replacement project was now targeting the third week in August for the project's start date.

Resurfacing the Town Hall Parking Lot: The Public Works Superintendent sought bids from two firms for resurfacing the parking lot at Town Hall, with Hoffer Paving submitting a bid of \$11,200 and Pennsy Supply submitting the low bid of \$9,752. Mr. Hoover asked if there was interest in determining if the property owner to the north of the parking lot would be interested in sharing the costs for replacing the deteriorating retaining wall where the blacktopping ends with block. Mr. Perrotto asked if it would be sensible to hold off on the project for another year due to financial concerns stemming from the COVID-19 pandemic. Mr. Yingst noted the Public Works Superintendent thought the work could be delayed for another year if that was the desire of the Board. President Moore noted a delay in doing the work could result in higher costs if the price of oil increased. Per a question from Mr. Embich, Mr. Yingst believed the quote specific to resurfacing the Town Hall parking lot could be separated from the other items on that document for which quotes had been provided. Noting that \$20,000 had been budgeted for this in the 2020 Capital Reserve Fund budget, **MOTION** by Mr. Hoover, second by Mr. Perrotto to (1) award the contract to Pennsy Supply for resurfacing the Town Hall parking lot at an estimated cost of \$9,752 and (2) authorize paying for 50% of the cost for replacing the deteriorating retaining wall to the north of the parking lot with block if the property owner is willing to pay for the other 50% and the replacement of same by the Public Works Department. Motion carried unanimously.

Parks & Recreation: Nothing to report this month.

Finance: Mr. Embich reviewed the Financial Report for July 2020, highlighting the total income and expenses through the seventh month of 2020 and referencing the analysis provided by Mr. Yingst of balance sheet and income statement items that might be impacted by the COVID-19 pandemic. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for July 2020 was reviewed, a copy of which is attached hereto and made a part of these minutes.

Annville Activities: Mr. Perrotto reported on a meeting he had with a community member who wished to organize an event, possibly with an arts theme, following the conclusion of the COVID-19 pandemic. President Moore also reported the Annville American Legion was planning for an upcoming outdoor event on its property and would be in touch with Chief Dugan regarding the details.

MOTION by Mr. Embich, second by Mr. Lively 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 July Regular Meeting. An Executive Session was requested to be held following the adjournment of the evening's meeting to discuss personnel matters pertaining to grievances filed by the Annville Township Police Officers Association and consulting with

counsel about potential litigation pertaining to condemned property and active litigation pertaining to Lebanon County Court of Common Pleas Action No. 2020-00078 in the matter of Kristofer H. Gacono and Christine R. Gacono v. Michael R. and Melanie Semrau and Annville Township.

Planning Commission: Mr. Perrotto reported the July and August Planning Commission meetings had been cancelled due to a lack of business.

Historic Architectural Review Board (HARB): Mr. Embich reviewed the HARB Report for July 2020, a copy of which is attached hereto and made a part of these minutes. The following item was then addressed:

Approval for Rebuilding of Chimney and Replacement of Roof Shingles and Siding at 320 East Main Street and Replacement of Carriage House Slate Roof with Shingles at 144 West Main Street: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Mr. Perrotto to issue Certificates of Appropriateness for (1) the rebuilding of the chimney and replacement of roof shingles and siding as proposed for the property at 320 East Main Street and (2) the replacement of the carriage house slate roof with shingles as proposed for the property at 144 West Main Street. Motion carried unanimously.

Wage & Salary: President Moore asked to discuss a personnel matter in Executive Session.

Municipal Separate Storm Sewer System (MS4): Mr. Embich reviewed the MS4 Report for July 2020, 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 July 2020, a copy of which is attached hereto and made a part of these minutes.

Fire Department: Mr. Lively reviewed the July 2020 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC), noting that discussions were resuming about working towards the joinder of the UHC and Cleona Fire Companies. The following item was then addressed:

Release of First Half of 2020 Annual Donation to Fire Department: **MOTION** by Mr. Lively, second by President Moore to release \$36,500, which is half of the Township's 2020 annual donation to the Fire Department, to the UHC. Motion carried unanimously.

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

OLD BUSINESS:

Automated Red Light Enforcement (ARLE) Grant Pedestrian Improvements: The Public Works Superintendent sought bids from seven firms for labor and materials for the curb ramp work on South White Oak Street by the crosswalk at Annville Elementary School. Two of the firms responded with quotes, with Martin's submitting a bid of \$13,775 and Streamline Concrete Inc. submitting the low bid of \$13,700. **MOTION** by Mr. Lively, second by Mr. Perrotto to award the

contract to Streamline Concrete Inc. for the labor and materials for the curb ramp work on South White Oak Street by the crosswalk at Annville Elementary School to be partially funded by the ARLE grant at a price of \$13,700. Motion carried unanimously.

Community Development Block Grant (CDBG): Mr. Yingst reported the 2020 CDBG application for the milling and overlaying of a portion of Church Street was submitted timely to the Redevelopment Authority of the County of Lebanon (RACL) the prior week. He also reported the RACL informed him the Township's 2019 CDBG application for the replacement and upgrade of 17 curb ramps along that same portion of Church Street had been approved and the Township should receive the cooperation agreement from the RACL later in the month. The Commissioners indicated their support for Mr. Yingst's instructions to the Township Engineer to begin work on the survey, design, and specifications of the curb ramps in accordance with his quote for this work that had been incorporated into the 2020 budget so that bidding could take place in late-winter 2021.

Ordinance No. 676 - 2020 Omnibus: Mr. Yingst presented proposed Ordinance No. 676, repealing Part 7 (Model Airplanes) of Chapter 6, and amending Section 15-402 (Parking Prohibited at All Times in Certain Locations), Section 15-411 (Handicapped Parking), and Appendix H (Streets and Sidewalks), of the Township Code of Ordinances. It was noted the proposed ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Hoover, second by Mr. Lively to adopt Ordinance No. 676, the 2020 omnibus ordinance, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Children at Play Signage: The Board revisited the correspondence from John Norton of East High Street requesting warning signage in his neighborhood alerting motorists to children riding bicycles and playing in the street that was discussed at the prior month's meeting. President Moore noted there was such a sign at the intersection of South Manheim and Locust Streets that he no longer believed was serving its original intended purpose. He asked the other Commissioners if they would support moving this sign to the intersection of East High and Elm Streets and they indicated their support for the moving of this sign by the Public Works Department.

NEW BUSINESS:

Remote Participation in Meetings by Commissioners: Noting the Township Authority had a policy that allowed a member to participate by telephone if they were not able to be present at a meeting, Mr. Perrotto asked if the Commissioners were interested in developing a similar policy for remote participation at its Board meetings, in particular noting the practical benefits of doing so amidst the COVID-19 pandemic. Mr. Race suggested that a resolution would be an appropriate way to adopt such a policy if the Board was amenable to this idea. The Commissioners asked that such a resolution be drafted for its consideration at a future meeting.

Proposal for 2020 Audit Services: Mr. Yingst reported a proposal was received from Garcia Garman & Shea, PC for providing audit and financial statement services for 2020. He noted this cost would be shared by the General Fund and the Sewer Fund and was the same total amount as for the 2019 audit and financial statements. **MOTION** by Mr. Embich, second by Mr. Hoover to

(1) approve the proposal from Garcia Garman & Shea, PC to provide audit and financial statement services for the year ending December 31, 2020 at a cost not to exceed \$11,000 and (2) authorize the execution of the engagement letter for same by the appropriate Township officials. Motion carried unanimously.

Release of the 2020 Budgeted Donations to the Annville Free Library, the Quittapahilla Watershed Association, and the Lebanon Valley Conservancy: MOTION by Mr. Perrotto, second by Mr. Embich to release the Township's 2020 budgeted donations of \$20,000 to the Annville Free Library, \$150 to the Quittapahilla Watershed Association, and \$100 to the Lebanon Valley Conservancy. Motion carried unanimously.

Susquehanna Municipal Trust Safety Grant Application: Mr. Yingst presented a safety grant application to be submitted to the Susquehanna Municipal Trust, the Township's workers compensation consortium, for the purchase of a safety harness tripod kit for manhole entry and rescue. The estimated total cost of the kit with shipping was not expected to exceed \$2,000, and the application requested that the Trust reimburse the Township for 50% of this cost. MOTION by Mr. Lively, second by Mr. Perrotto to authorize the submission of a safety grant application to the Susquehanna Municipal Trust requesting it reimburse the Township for 50%, or \$1,000, of the cost for the purchase of a safety harness tripod kit. Motion carried unanimously.

Annville Walking Path: Mr. Yingst provided information on a walking path around Annville developed by the Lebanon Valley Advanced Care Center (LVACC) and funded by a Pennsylvania Walk Works grant. He noted the Board had submitted a letter of support for this project the prior year and further noted there were several locations throughout the Township where the LVACC was requesting the Public Works Department erect signage and poles to demarcate the path's route, with these materials fully funded by the grant. The Commissioners then discussed the route. MOTION by President Moore, second by Mr. Embich to authorize the Public Works Department to erect signs and poles along the path route. 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.

RECESS FOR EXECUTIVE SESSION: President Moore called a recess for an Executive Session and the room was cleared of the public at 8:19 PM. The Regular Meeting was reconvened at 9:07 PM with the five Commissioners, Mr. Yingst, Chief Dugan, and Mr. Race present.

Wage & Salary: Mr. Yingst reported the Wage & Salary Committee met on July 28, 2020 and the minutes from that meeting were presented, a copy of which is attached hereto and made a part of these minutes. These minutes were reviewed by the Board and it was noted the Committee approved the satisfactory employee performance reviews for Cheryl L. Fischer, Karen A. Gerhart, and Nicholas T. Yingst of the Administrative Department; James Grumbine of the Police Department; and Keith Heck, Christopher Koehler, Gary Kosh, Leslie Powell, Jason Shaak, and Joseph Viozzi of the Public Works Department. It was also noted the Committee recommended a

\$1.50 per hour increase be approved for Joseph Viozzi effective January 1, 2020 and, in appreciation for their work on the dewatering project that saved the Township tens of thousands of dollars, recommended that Leslie Powell be paid a \$2,500 one-time bonus and Keith Heck, Christopher Koehler, Gary Kosh, Jason Shaak, and Joseph Viozzi each be paid a \$1,500 one-time bonus. **MOTION** by President Moore, second by Mr. Perrotto to (1) concur with the Wage & Salary Committee's satisfactory employee performance reviews for the abovementioned employees, (2) authorize a \$1.50 per hour pay increase for Joseph Viozzi effective January 1, 2021, (3) authorize one-time discretionary bonuses be paid to Leslie Powell in the amount of \$2,500 and to Keith Heck, Christopher Koehler, Gary Kosh, Jason Shaak, and Joseph Viozzi in the amount of \$1,500 each, and (4) authorize one-time discretionary bonuses be paid to Nicholas T. Yingst in the amount of \$3,000 and to Cheryl L. Fischer and Karen A. Gerhart in the amount of \$1,000 each. Motion carried unanimously.

Demolition of Property at 100 North Weaber Street: Noting that bids were sought and received from three firms for the demolition of the condemned property at 100 North Weaber Street, with French's LLC submitting a bid of \$18,500, Long's Excavating Inc. submitting a bid of \$17,800, and Kresge Excavating submitting the low bid of \$15,960, **MOTION** by Mr. Hoover, second by Mr. Embich to (1) award the contract for the demolition of the condemned property at 100 North Weaber Street to Kresge Excavating at a cost of \$15,960 contingent upon the Township Engineer being satisfied with the proposed scope of work for the basement fill, (2) authorize the Township Solicitor to place a lien on this property for same, and (3) authorize the issuance of any necessary correspondence to the property owner regarding same. Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Perrotto, second by Mr. Lively to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 9:09 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary