

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
October 6, 2020**

The October Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on October 6, 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 Karen A. Gerhart, Assistant Township Administrator and Assistant Secretary to the Board of Commissioners; Bernard Dugan, Chief of Police; Corey Lamoureux, Esq., Township Solicitor; Henry Martin, Church Street; Dean Wolfe, West Main Street; Dr. Krista Antonis, Annville-Cleona School District (ACSD) Superintendent; Dr. Josiah Keene, ACSD Assistant Superintendent; and Carolyn Eisenhower, North Chesnut 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:

Fence Damage: Mr. Martin was noted as being listed on the agenda and was recognized for comment. He shared that his fence was recently damaged by vehicles on two separate occasions and he inquired if he could place boulders or small concrete bollards in the grassy area between the paved alley and his fence to mitigate against this. Mr. Embich mentioned that he may have some materials that would be suitable for this purpose and offered that Mr. Martin contact him. The Commissioners indicated they were not opposed to him doing so, provided Public Works would not have any sweeping or plowing issues and he did not encroach into the paved roadway. President Moore recommended that Mr. Martin reach out to the Township Office to inform them of his final choice for deterring vehicle damage to the fence.

Greetings from ACSD: Dr. Antonis and Dr. Keene were noted as being listed on the agenda and were recognized for comment. Dr. Antonis, Superintendent of Annville-Cleona School District, introduced herself and Dr. Keene to the Board of Commissioners and explained their desire to attend the meeting to become familiar with and be able to place faces along with the names of the members of the Board. Dr. Antonis thanked Chief Dugan and the Annville Township Police Department for their assistance thus far, especially with traffic in the vicinity of Annville Elementary School. She encouraged the Board to contact her if there is anything that they need or ways that they could partner together in the future.

Demolition of House at 100 North Weaber Street: Mr. Wolfe was recognized for comment and inquired about the demolition of the house on North Weaber Street and who was responsible for tearing it down. President Moore informed him that the Township entered into a contract to have the house demolished. Upon further inquiry, Mr. Lamoureux explained that the property had numerous violations under the International Property Maintenance Code for more than two years. Once the code officer recommended demolition due to safety concerns, the homeowner was contacted and informed of the required demolition. When the homeowner didn't respond and neglected to demolish the building within the stated timeframe, the responsibility fell back onto the Township and the costs for demolition will be filed as a lien against the property.

Automated Red Light Enforcement (ARLE) Grant Pedestrian Improvements: Ms. Eisenhower inquired if there would be a flashing pedestrian crosswalk at the VFW, located at the corner of West Main and North Cherry Streets. Chief Dugan stated that he did not believe there was one planned for that location.

APPROVAL OF MINUTES: MOTION by Mr. Lively, second by Mr. Perrotto to approve the minutes of the Regular Meeting held September 1, 2020 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

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

Septage Station Repairs: At the recommendation of the Township Authority, **MOTION** by Mr. Lively, second by Mr. Hoover to authorize (1) Light's Welding to repair the damage to the septage grit station in accordance with its proposal of \$6,800 and (2) the costs for electrical work and renting the necessary equipment for removal and reinstallation by the Public Works Department at a total cost not to exceed \$9,500. Motion carried unanimously.

Variable Frequency Drive (VFD) for Wastewater Treatment Plant (WWTP) Water Pumps: At the recommendation of the Township Authority, **MOTION** by Mr. Hoover, second by Mr. Perrotto to authorize the purchase and installation of a VFD for the WWTP water pumps by Dourte Electric at an estimated cost of \$7,000. Motion carried unanimously.

Public Safety: The Police Statistical Report for September 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 item was then addressed:

Trick-or-Treating: Chief Dugan reminded the Board that the Lebanon County Chiefs of Police set October 29, 2020 from 6:00 PM to 8:00 PM for countywide trick-or-treating, but it is up to the individual municipalities to determine participation in the event. Discussion followed concerning the risk level of trick-or-treating in light of the COVID-19 pandemic. Mr. Perrotto noted an enforcement issue that would occur if the Township cancelled trick-or-treating. **MOTION** by Mr. Perrotto, second by Mr. Embich to recognize October 29, 2020 from 6:00 PM to 8:00 PM as the date set by the Lebanon County Chiefs of Police for trick-or-treating and that the Board of Commissioners is discouraging participation due to the possibility of community spread of COVID-19.

Property: The following item was addressed:

Town Hall Window Replacement Project: Mr. Hoover noted the north facing and east facing windows had been fully installed at Town Hall with the external work anticipated to be completed later in the week. It was also noted a quote was received from Allwein's Carpet One for installing window treatments, as that firm installed the window treatments for the windows replaced the prior year. **MOTION** by Mr. Hoover, second by Mr. Embich to authorize the proposal from Allwein's

Carpet One for installation of window treatments for the replaced windows of Town Hall at a cost of \$3,163.82. Motion carried unanimously.

Parks & Recreation: Nothing to report this month.

Finance: Mr. Embich reviewed the Financial Report for September 2020, highlighting the total income and expenses through the ninth month of 2020. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for September 2020 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. Embich, second by Mr. Lively to approve the reports of the Standing Committees as presented. Motion carried unanimously.

REPORTS OF SPECIAL COMMITTEES:

Executive Sessions: President Moore reported that no Executive Sessions were held since the adjournment of the September Regular Meeting. An Executive Session was requested to be held prior to the adjournment of the evening's meeting to consult with counsel about potential litigation pertaining to ordinance violations.

Planning Commission: Mr. Perrotto reported the Planning Commission meeting for September 14, 2020 was cancelled due to a lack of business and the October 12, 2020 meeting had been cancelled for the same reason.

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

Multiple Exterior Improvements at 227 West Main Street: At the recommendation of HARB, **MOTION** by Mr. Embich, second by Mr. Perrotto to issue a Certificate of Appropriateness for the property at 227 West Main Street for (1) construction of a cast stone retaining wall, replacement front door, replacement double (east) side door, replacement single (west) side door, replacement structural vinyl turned porch column, vinyl porch railing, and wall-mounted bracket-hung two-sided sign as proposed provided such work meets necessary zoning requirements and (2) replacement of existing siding on the east half of the Main Street elevation and only to the second-floor line with board and batten vertical siding in vinyl, metal, or traditional painted wood material instead of an Exterior Insulation Finishing System product as originally proposed by the applicant. Motion carried unanimously.

Wage & Salary: Ms. Gerhart reported the Wage & Salary Committee was planning to meet later in the month to review the proposed benefits and cost of living adjustments for non-uniformed employees for 2021.

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

Fire Department: Mr. Lively reviewed the August 2020 Monthly Statistical Report and the September 2020 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC). He also reported that the UHC was awarded a \$25,000 Lebanon County CARES grant and they are awaiting response of a grant application submitted to the Pennsylvania Fire Commissioner's Office/Pennsylvania Emergency Management Agency. Members of the UHC and Cleona Fire Company joinder committee also anticipate a meeting in October.

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

OLD BUSINESS:

Automated Red Light Enforcement (ARLE) Grant Pedestrian Improvements: Nothing to report this month.

Community Development Block Grant (CDBG): Nothing to report this month.

2021 Budget Meeting: Mr. Embich mentioned the first Annville Township 2021 budget meeting will be held on October 14, 2020 at 6:00 PM.

NEW BUSINESS:

Termination of Seasonal Part-Time Custodian: **MOTION** by President Moore, second by Mr. Embich to terminate the employment of Samuel Muir as a part-time Custodian at Town Hall effective September 11, 2020. Motion carried unanimously.

Contracted Custodial Services Agreement for Town Hall: At the recommendation of Mr. Yingst, **MOTION** by Mr. Perrotto, second by Mr. Embich to ratify approval of a one-year agreement with Coverall Cleaning for custodial services at Town Hall for \$495 per month in addition to an initial cleaning for \$300 and the execution of said agreement by the Township Administrator. Motion carried unanimously.

Location of Township Meetings During COVID-19: It was noted the Commissioners were presented with several options for holding public meetings during the cooler fall and winter months in light of the COVID-19 pandemic emergency and were asked for their preference. The Commissioners were in agreement to hold their November meeting back in Town Hall with adjustments made to the layout of tables and chairs to allow for proper social distancing. Mr. Perrotto recommended that the meetings return to the Public Works facility if wearing masks and lack of social distancing appears to be problematic at the November meeting. The other Township

Boards/Commissions are encouraged to meet at the location they feel most comfortable with, noting that some boards/meetings naturally have a higher number of people in attendance.

Cable Franchise Renewal: It was noted that correspondence was received from Comcast wishing to commence the renewal process of its cable franchise agreement with the Township. Mr. Lamoureux shared information on what this process looked like in light of the applicable laws, how the Township addressed a similar request from Comcast a decade ago, and the actions other municipalities have taken during the franchise renewal process. Recognizing that other municipalities had contracted with the Cohen Law Group to negotiate such franchise agreements with Comcast (as had the Township a decade earlier) he suggested it may be appropriate for him to reach out to the Cohen Law Group for further information and direction and asked if the Board would be interested in authorizing that communication. Mr. Embich shared his disapproval of the cable franchise agreement that he views as handing a monopoly to Comcast. He noted that the law is outdated and doesn't take into consideration changes and advancements in technology since the law was created. The Commissioners were in agreement to have Mr. Lamoureux contact Cohen Law Group concerning the cable franchise renewal process.

Lebanon County Relief Block Grant CARES Municipal Application: MOTION by Mr. Perrotto, second by Mr. Moore to (1) authorize the creation and submission of a Lebanon County Relief Block Grant CARES municipal application to Lebanon County for reimbursement of eligible COVID-19 related expenses incurred by the Township through September 30, 2020 and (2) its execution by the appropriate Township officials. Motion carried unanimously.

Holiday Breakfast for Township Employees and Elected/Appointed Officials: Mr. Perrotto discussed the cancellation of the annual Holiday Breakfast for employees and officials due to COVID-19 and the issues with an indoor gathering without social distancing. The Board of Commissioners was in agreement to move the event to sometime in the Spring of 2021 and recommended a donation in lieu of the breakfast to local organizations. MOTION by President Moore, second by Mr. Perrotto to donate \$200 each to the Lebanon Rescue Mission and the Caring Cupboard. Motion carried unanimously.

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 7:53 PM. The Regular Meeting was reconvened at 8:27 PM with the five Commissioners, Ms. Gerhart, Chief Dugan, and Mr. Lamoureux present.

Recommendation for Legal Actions Against Property Owner for Violating Chapter 21 of the Annville Township Code of Ordinances: Upon recommendation of the Commissioners, the Township Solicitor is to (1) send a letter to the owner of the property at 801-813 East Main Street notifying him that he must address the outstanding violations of Chapter 21 of the Annville Township Code of Ordinances in a manner that the Township Public Works Superintendent

determines to be satisfactory upon his review or action will be taken through the Magisterial District Judge's (MDJ) office and (2) authorize said action through the MDJ's office if necessary.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Lively, second by Mr. Perrotto to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:29 PM.

Rex A. Moore, President

Karen A. Gerhart, Assistant Secretary