

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

The November Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on November 4, 2020 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; Nevin R. Hoover; and Anthony C. Perrotto. Also in attendance were Nicholas T. Yingst, Township Administrator and Secretary to the Board of Commissioners; Corey Lamoureux, Esq., Township Solicitor; 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 the following comments were noted from those in attendance:

Automated Red Light Enforcement (ARLE) Grant Pedestrian Improvements: Mr. Wolfe was recognized for comment and, as a follow-up to a public comment raised at the prior month's meeting, he reported that per a Google search he learned a pedestrian was hit at the crosswalk at the intersection of West Main and Cherry Streets the prior August. There was also brief discussion on the rationale for the scope of the ARLE project.

APPROVAL OF MINUTES:

October 6, 2020 Regular Meeting: MOTION by Mr. Perrotto, second by Mr. Lively to approve the minutes of the Regular Meeting held October 6, 2020 as presented. Motion carried unanimously.

October 14, 2020 Special Meeting: MOTION by Mr. Hoover, second by Mr. Lively to approve the minutes of the Special Meeting held October 14, 2020 as presented. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES:

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

Public Safety: The Police Statistical Report for October 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.

Property: The following item was addressed:

Town Hall Window Replacement Project: Mr. Yingst reported the replacement windows have been fully installed on the north and east sides of Town Hall and the Township is waiting on the arrival of the window treatments so they may be installed.

Parks & Recreation: The following items were addressed:

Donation of Trees: It was noted that Erik Josephson and James Scott had donated, and would shortly be planting, three trees—two dawn redwood conifers and one wildfire black gum—to the grove of trees on the Township property just north of the Quittapahilla Creek and east of South White Oak Street.

Invasive Species: It was noted that, at the recommendation of the Quittie Park Committee (QPC) of the Friends of Old Annville, in the next few weeks the Public Works Department would be injecting herbicide into trees of heaven in Quittie Creek Nature Park that are so designated by the QPC, and they also would be working together to target poison hemlock in the park beginning around early-February 2021.

Stormpipe Erosion: Mr. Lively reported on erosion that had exposed the stormpipe just north of the South Spruce Street bridge and Mr. Yingst indicated he would pass this along to the Public Works Department.

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

Permits: The Permits Report for October 2020 was reviewed, a copy of which is attached hereto and made a part of these minutes. In response to a question from Mr. Hoover, Mr. Yingst indicated the tapping fee on the report pertained to a new sanitary sewer connection for an existing accessory building on the property at 344 East Main Street that was being repurposed as a dwelling unit.

Annville Activities: The following item was addressed:

Overstreet Banner Fee: Mr. Perrotto discussed the rationale for the \$300 fee presently charged to groups who apply to have an overstreet banner suspended above East Main Street from the Township's poles, and why the cost assumptions for the fee are no longer accurate. As such, additional options for the fee were reviewed and discussed at length by the Board, including the possibility of reducing the fee to a lower, flat rate that better represents Public Works Department costs for suspending and removing a banner, as well as a tiered rate based upon the number of weeks a banner is suspended. **MOTION** by Mr. Lively, second by Mr. Hoover to set the fee for suspending an overstreet banner above East Main Street from the Township's poles at a flat rate of \$150. Motion carried unanimously.

MOTION by Mr. Perrotto, 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 October 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 and personnel matters pertaining to an unfair labor practice complaint filed by the Annville Township Police Officers Association.

Planning Commission: Mr. Perrotto reported the Planning Commission meeting for November 9, 2020 had been cancelled due to a lack of business. The following items were then addressed:

Stone Hill Village Phase 3B-1 Plan Reapproval: Noting a request for same had been received from Eugene Martin of Stone Hill Village, **MOTION** by President Moore, second by Mr. Lively to extend approval for the final land development plan for Phase 3B-1 of Stone Hill Village by an additional 90 days by reapproving said plan contingent upon all items in the Township Engineer's review letter being satisfactorily addressed and obtaining the necessary signatures. Motion carried unanimously.

Lebanon Valley College (LVC) Arnold Fitness Center Locker Room Expansion Land Development Plan Reapproval: Noting a request for same had been received from LVC's consultant for this project, **MOTION** by Mr. Lively, second by President Moore to extend approval for the preliminary/final land development plan for the LVC Arnold Fitness Center Locker Room Expansion by an additional 90 days by reapproving said plan contingent upon all items in the Township Engineer's review letter being satisfactorily addressed and obtaining the necessary signatures. Motion carried unanimously.

Historic Architectural Review Board (HARB): Nothing to report this month.

Wage & Salary: Mr. Yingst reported the Wage & Salary Committee met on October 27, 2020 and the minutes from that meeting were presented, a copy of which is attached hereto and made a part of these minutes. The Commissioners agreed to defer the Committee's recommendations on 2021 budget matters until the next Regular Meeting.

Municipal Separate Storm Sewer System (MS4): Nothing to report this month.

Greater Lebanon Refuse Authority (GLRA): Mr. Embich provided a brief verbal report on the GLRA, noting it was currently working on revising and adopting certain policies and procedures, and further noting the 2021 budget for the GLRA was in process.

Fire Department: Mr. Lively reviewed the October 2020 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC). He also reported there was an effort underway to resume the joinder talks between the UHC and the Cleona Fire Company sometime before the end of the year.

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

OLD BUSINESS:

ARLE Grant Pedestrian Improvements: Nothing to report this month.

Community Development Block Grant (CDBG): Noting same had been approved by the Redevelopment Authority of the County of Lebanon (RACL) and had been determined to be satisfactory by the Township Solicitor, **MOTION** by Mr. Perrotto, second by Mr. Embich to (1) approve the cooperation agreement with the RACL for financing the replacement of 17 curbs ramps along Church Street from up to \$81,775 in CDBG funds and (2) authorize its execution by the appropriate Township officials. Motion carried unanimously.

Cable Franchise Renewal: Mr. Lamoureux reported he spoke earlier in the day with Attorney Daniel Cohen of the Cohen Law Group, who would shortly be providing the Township with a proposed fee agreement for services pertaining to renegotiating the cable franchise agreement with Comcast. He also reported that Jonestown Borough, Bethel Township, Jackson Township, and Union Township may shortly need to renew their cable franchise agreements. As such, Mr. Lamoureux noted it may be beneficial for Annville Township and these municipalities to work together with the Cohen Law Group and thus decrease their individual costs for upcoming renegotiations, and that he was in conversation with those municipalities' solicitors to gauge their interest in doing so. In response to a question from Mr. Perrotto, Mr. Lamoureux indicated that franchise agreements would be specific to each municipality, even if multiple municipalities should jointly engage the services of the Cohen Law Group. Mr. Lamoureux concluded by noting he would also be discussing with Mr. Cohen the concerns Mr. Embich had shared with him over the past month.

Draft Ordinance – 2021 Tax Levy and Appropriations: Mr. Yingst reported the proposed 2021 Tax Levy and Appropriations Ordinance had been drafted and submitted to the Commissioners for their review. He further reported the ordinance would be advertised sometime in the next month so it could be considered for adoption at the December Regular Meeting.

Paid Parking Kiosk: Mr. Embich shared observations on a paid parking kiosk system he had encountered in a different part of the country, should the Township ever wish to revisit the idea of paid parking at the Annville Center parking lot.

NEW BUSINESS:

Workers' Compensation – Township Employees: Mr. Yingst presented the renewal proposal for the Township employees' workers' compensation policy through Susquehanna Municipal Trust (SMT) for 2021 at an annual premium of \$51,820, an increase of nearly \$9,000 from the 2020 rate due to an increased experience modification resulting from a high claim in 2018. **MOTION** by Mr. Lively, second by President Moore to approve the renewal of the Township employees' workers' compensation policy through SMT for 2021 as presented. Motion carried unanimously.

Selection of Insurance Agent: Mr. Yingst reported that proposals had been sought from several local agents for various types of insurance coverage for the Township for 2021. Based on this information, **MOTION** by Mr. Embich, second by Mr. Perrotto to (1) appoint Bowman's Insurance Group as the Township's agent for its commercial property, general liability, commercial auto, law enforcement liability, inland marine, crime and fidelity, public officials, umbrella, and cyber insurance coverage for 2021, as well as any other similar types of insurance

coverage, and (2) authorize the Township Administrator to work with Bowman's Insurance Group and take the necessary actions to finalize said coverage. Motion carried unanimously.

Connected Together Initiative: Mr. Perrotto reminded the Board that the prior year it had submitted a letter of support for a Community Violence Prevention/Reduction Grant applied for by the Community Health Council of Lebanon County to fund its Connected Together Initiative. He reported the grant had been awarded and this had enabled the Sexual Assault Resource and Counseling Center to hire Fitzroy Lewis, who would be spearheading this initiative in the community. Mr. Perrotto shared that Mr. Lewis asked to discuss this violence mitigation initiative with the Board of Commissioners at a future meeting, and in the meantime he offered to coordinate a meeting between Mr. Lewis and Mr. Yingst. The Commissioners were supportive of this, and President Moore suggested it might also be beneficial for Mr. Lewis to meet with someone from LVC.

Establishing Bank Accounts: **MOTION** by Mr. Perrotto, second by Mr. Hoover to authorize the establishment of bank accounts at Jonestown Bank & Trust for the General Fund, Sewer Fund, MS4 Fund, and Payroll Fund. Motion carried unanimously.

CORRESPONDENCE: Nothing to report this month.

PAY BILLS: **MOTION** by Mr. Lively, second by Mr. Perrotto 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 7:40 PM. The Regular Meeting was reconvened at 8:07 PM with the five Commissioners, Mr. Yingst, and Mr. Lamoureux present.

Sidewalk at 801-813 East Main Street Property: **MOTION** by President Moore, second by Mr. Lively to (1) authorize the Township Solicitor to send a letter to the owner of the property at 801-813 East Main Street memorializing his recent conversation with him about the unsatisfactory nature of the sidewalk at the aforementioned property and that it must be brought into compliance with Chapter 21 of the Annville Township Code of Ordinances by November 30, 2020 in a manner 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. 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 8:08 PM.

Rex A. Moore, President

Nicholas T. Yingst, Secretary