

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP  
BOARD OF COMMISSIONERS  
July 6, 2021**

The July Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on July 6, 2021 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; Bernard Dugan, Chief of Police; Corey Lamoureux, Esq., Township Solicitor; Carissa Eby and Dustin Ferrillo, South King Street; Dean Wolfe, West Main Street; and Martin Brandt and Carolyn Scott, Annville Free Library (AFL) Board of Directors.

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:**

**Keystone Recreation, Park, and Conservation Fund Library Grant:** It was noted that Mr. Brandt and Ms. Scott of the AFL Board of Directors were listed on the agenda and they were asked to share their comments with the Board. Mr. Brandt began by thanking the Commissioners for their support of the library over the years. He then provided an update on the proposed expansion of the library, noting that over the past year they had refined the design details and cost estimates, and had developed phasing for the project based on levels of funding. Mr. Brandt noted a preliminary/final subdivision and land development had been submitted to the Township the prior week and information would shortly be submitted to the Historic Architectural Review Board (HARB) for its review later in the month. He then shared elevation and floor plans with those present and distributed a capital campaign brochure to raise funds for the project. Mr. Brandt reported the AFL is planning to launch its public fundraising campaign at Historic Old Annville Day in August 2021 and hopes to break ground on the project next spring if all goes according to schedule.

Ms. Scott then provided an update on the Keystone Recreation, Park, and Conservation Fund Library Grant application that was intended to help fund this project. She noted the AFL had started, and then stopped, the application process the prior year due to the financial uncertainties of the COVID-19 pandemic, but now wished to apply for the 2021 round of grant funding, and would again need the Township's assistance to do so. Ms. Scott indicated this application round opens later in the month with a submission deadline of October 2021. While she noted the adequacy of the agreement approved the prior year between the Township and the AFL where the former granted responsibility for public library service to the latter, a new resolution authorizing the filing of the grant application would need to be adopted, and she briefly described the minor language change in the proposed resolution in comparison to the resolution adopted for this purpose in 2020.

**Resolution No. 20210706-1 – Authorization for Filing of a Keystone Recreation, Park, and Conservation Fund Library Grant Application:** Mr. Yingst presented proposed Resolution No. 20210706-1, authorizing the filing of an application for the Keystone Recreation, Park, and Conservation Fund Library Grant for \$750,000 and any related actions for the aforementioned project. **MOTION** by Mr. Lively, second by Mr. Hoover to adopt Resolution No. 20210706-1 as

presented. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

Release of the 2021 Budgeted Donation to the AFL: Noting a request for same had been received from the AFL, **MOTION** by Mr. Embich, second by Mr. Perrotto to authorize the release of the Township's 2021 budgeted donation of \$22,500 to the AFL. Motion carried unanimously.

Per a question from Mr. Embich, Mr. Brandt indicated the AFL had applied for the highest amount of grant funds possible. He also discussed with President Moore the library's efforts to have Candoris provide technical assistance with the project's online fundraising. Per a question from Mr. Lively, Mr. Brandt shared he believed the project would be able to be completed within the timeframe required by the grant, while noting extensions could be sought if needed. He also shared that the library was planning to remain open during the construction process. With no other questions or comments noted, Mr. Brandt and Ms. Scott thanked the Board for its support and left the meeting at 7:15 PM.

**APPROVAL OF MINUTES:** The minutes from the Regular Meeting held June 1, 2021 were presented to the Board for review and it was noted a request was received by Bobbie Ginder to add language to the HMGP Property Leases section of the minutes. Noting that the minutes were not intended to be a verbatim record of the meeting, **MOTION** by Mr. Perrotto, second by Mr. Embich to approve the minutes of the Regular Meeting held June 1, 2021 as amended by adding the phrase "which she reported still continues" to the final sentence of the aforementioned section. Motion carried by a vote of four to one with President Moore, Mr. Lively, Mr. Embich, and Mr. Perrotto voting in favor of the motion and Mr. Hoover voting against the motion.

**OPPORTUNITY FOR PUBLIC COMMENT:** President Moore provided an opportunity for public comment and the following comments were noted from those in attendance:

**West Water Street:** Mr. Ferrillo asked several questions of Mr. Yingst and Mr. Lamoureux pertaining to West Water Street. Ms. Eby and Mr. Ferrillo then left the meeting at 7:25 PM.

### **REPORTS OF STANDING COMMITTEES:**

**Public Works:** The Public Works Report for June 2021 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then addressed:

2005 Mack Tanker Truck Repairs: At the recommendation of the Township Authority, **MOTION** by Mr. Lively, second by President Moore to ratify repairs to the 2005 Mack tanker truck by Leshar Mack Sales & Service, Inc. for \$11,944.04. Motion carried unanimously.

Milling and Overlaying of Township Streets: In accordance with state bidding requirements, the Public Works Department sought bids from at least three firms for milling and overlaying several Township streets. Two of the firms responded with quotes, with PA Asphalt submitting a bid of \$20,655 and Hoffer Paving submitting the low bid of \$20,300. 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 President Moore, second by Mr. Perrotto to (1) award the

contract to Hoffer Paving for milling and overlaying West Marshall Street from South Cherry Street to South Beaver Street, West Marshall Street from South Beaver Street to South Chestnut Street, and West New Street from North Cherry Street to North Chestnut Street, at a cost of \$20,300 and (2) authorize the use of Liquid Fuels funds for this project. Motion carried unanimously.

Sealing the Municipal Parking Lot: The Public Works Department sought bids from four firms for sealing the municipal parking lot east of the Town Hall parking lot, west of North Birch Street, south of West Church Street, and north of West Lebanon Street. Each of the four firms responded with bids, with Miller submitting a bid of \$7,588.00, Pro Seal submitting a bid of \$6,520.41, DB Krieg submitting a bid of \$5,435.00, and PA Asphalt submitting the low bid of \$4,245.20. At the recommendation of the Public Works Superintendent and noting that \$15,000 had been budgeted for this in the 2021 Capital Reserve Fund budget, **MOTION** by President Moore, second by Mr. Lively to award the contract to PA Asphalt for sealing the municipal parking lot as described above at a cost of \$4,245.20. Motion carried unanimously.

Public Safety: The Police Statistical Report for June 2021 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:

Crossing Guard Services Rate for 2021-2023: A revised rate for contracted crossing guard services with All City Management Services, Inc., through June 30, 2023 at a cost of \$32.05 per hour per crossing guard was provided to the Board for its consideration. **MOTION** by Mr. Lively, second by Mr. Hoover to authorize the extension of the agreement with All City Management Services, Inc., for contracted crossing guard services at a cost of \$32.05 per hour per crossing guard through June 30, 2023 and to authorize the execution of any necessary documents by the appropriate Township officials. Motion carried unanimously.

Civil Service Commission (CSC) Meeting: At the recommendation of Chief Dugan, **MOTION** by President Moore, second by Mr. Perrotto to approve the advertisement of a CSC meeting on July 14, 2021. Motion carried unanimously.

Authorization of Handicapped Parking Space: At the recommendation of Chief Dugan, who noted the following request was made by a resident and determined by the Police Department to be valid, **MOTION** by Mr. Lively, second by Mr. Hoover to (1) authorize the painting of and installation of appropriate signage for a handicapped parking space in the vicinity of 430 West Main Street, and (2) instruct the Township Administrator to memorialize this action in an upcoming omnibus ordinance. Motion carried unanimously.

Radar Bill: Chief Dugan provided an update on the bill passed by the Pennsylvania Senate that would allow municipal police officers to use radar for speed enforcement, noting the bill was currently before the House Appropriations Committee. While Chief Dugan was not yet sure of the costs associated with using radar, per a question from President Moore he asserted it would be beneficial for speed enforcement throughout the Township and he believed such equipment could be shared with other police departments to mitigate the costs for same.

**BolaWrap**: Mr. Embich commented favorably on the BolaWrap presentation he attended the prior month that was organized by Chief Dugan and suggested this be considered as an item for the 2022 budget.

**Property**: The following item was addressed:

**Town Hall Furnace Replacement Project**: Mr. Yingst reported that the prior month the natural gas line was connected to Town Hall and the oil-burning furnace was removed.

**Parks & Recreation**: Nothing to report this month.

**Finance**: Mr. Embich reviewed the Financial Report for June 2021, highlighting the total income and expenses through the sixth month of the year. A copy of the report is attached hereto and made a part of these minutes. Per a question from Mr. Hoover concerning checks on the Sewer Fund Cash Disbursements Journal, Mr. Yingst explained the differences in products and services provided by Kemira Water Solutions and Suburban Water Testing Lab.

**Permits**: The Permits Report for June 2021 was reviewed, a copy of which is attached hereto and made a part of these minutes.

**Annville Activities**: Mr. Perrotto reported the preparations for next month's Historic Old Annville Day were going very well.

**MOTION** by President Moore, second by Mr. Embich 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 June Regular Meeting. An Executive Session was requested to be held prior to the adjournment of the evening's meeting to discuss public safety matters pertaining to emergency preparedness and to consult with counsel about personnel matters and potential litigation pertaining to ordinance violations.

**Planning Commission (PC)**: Mr. Perrotto reported the PC meeting for July 12, 2021 was cancelled but it was planning to meet on August 9, 2021 to review a subdivision and land development plan submitted for the AFL and a revised land development plan submitted for the Lebanon Valley College (LVC) School of Nursing Building.

**HARB**: Mr. Embich reviewed the HARB Report for June 2021, 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 June 2021, 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 June 2021, a copy of which is attached hereto and made a part of these minutes.

**Fire Department:** Mr. Lively reviewed the June 2021 Fire Chief's Report and Monthly Statistical Report for the Union Hose Company (UHC). He reported the UHC was appreciative of the Township allowing Mr. Lamoureux's office to assist it with settlement on the sale of the residential rental property just east of the fire station. President Moore and Mr. Lively then briefly discussed recent and scheduled votes of the UHC and the Cleona Fire Company that were positive steps toward the merging of the two fire departments.

**Wage & Salary:** Nothing to report this month.

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

**OLD BUSINESS:**

**Community Development Block Grant (CDBG):** Mr. Yingst reported a pre-construction conference for the West Church Street curb ramp upgrade project was in the process of being scheduled with the contractor, the Redevelopment Authority of the County of Lebanon, the Township Engineer, the Public Works Department, and himself for sometime before the end of the month.

**Cable Franchise Renewal:** Mr. Yingst reported he had a lengthy conversation the prior month with Attorney Joel Winston from the Cohen Law Group to put the final touches on the draft franchise agreement that will shortly be submitted to Comcast. He also explained a recent decision by the Sixth Circuit Court of Appeals that in-kind services to municipalities granting a franchise should be assessed based on "marginal cost" instead of "fair market value" and this will result in a few tweaks to the draft agreement relating to the amount the Township may be charged for such services to its buildings.

**Welcome Sign:** Nothing to report this month.

**LVC Properties on Tax Rolls:** A verbal report was provided on the prior month's meeting between President Moore, Mr. Perrotto, Mr. Yingst, LVC President James MacLaren, and LVC Vice President of Finance and Administration Shawn Curtin. The details of the proposal for the college to charge students a municipal services fee that would then be passed along to the Township were discussed and the Commissioners authorized the Township Solicitor to draft an agreement for same based upon that discussion.

**Sale of Property on South Spruce Street:** Mr. Yingst reported the agreement of sale for the property on South Spruce Street was fully and timely executed and settlement on the property was being scheduled for later in the month.

**Annville-Cleona Recreation Association (ACRA) Court Upgrade:** Mr. Perrotto reported the revised agreement for the court upgrade as proposed by the Board of Commissioners at the prior

month's meeting was submitted to the ACRA for its review. Per a question from Mr. Perrotto, Mr. Yingst indicated he had not yet heard back from the ACRA and would reach out to the Association for an update. Mr. Perrotto also shared that Hugh Rooney indicated the project was moving ahead, with paving scheduled for later in the month, as with the Township's anticipated contribution the project is within approximately \$5,000 of estimated costs. He further noted Mr. Rooney was continuing to seek out potential contributors and he put him into contact with someone from the Lebanon Valley Conservancy to possibly assist with this. Per a question from Mr. Perrotto, Mr. Yingst suggested the Township wait until the agreement with the ACRA has been approved by the Association before responding to Mr. Rooney's request for the Public Works Department to assist with clearing out the project site in advance of the paving.

**Hazard Mitigation Grant Program (HMGP) Property Leases:** The Commissioners reviewed the Township Office's proposal for identifying and contacting possible lessees for the HMGP properties. There was discussion about those properties bordering the Quittapahilla Creek and their ongoing ability to be accessed by anglers. After consulting with Mr. Lamoureux, the Commissioners agreed that any lessees of creekside properties be informed they must allow angler access. It was also noted the leases had to be renewed annually and the Board would need to approve each lease, including deciding who should receive a lease if more than one party were interested in the same property. **MOTION** by Mr. Perrotto, second by Mr. Hoover to authorize letters to be sent to the possible lessees as identified by the Township Office for all HMGP properties with the exception of 143 West Water Street, which the Commissioners agreed would continue to be maintained by the Township. Motion carried unanimously.

**North Ulrich Street Storm Sewer System:** Nothing to report this month.

**NEW BUSINESS:**

**Application for American Rescue Plan Act (ARPA) Funds:** **MOTION** by Mr. Perrotto, second by Mr. Lively to ratify the execution and submission of a single application and necessary corresponding documents to the Pennsylvania Department of Community and Economic Development for ARPA funds. Motion carried unanimously.

**2022 Budget Adoption Schedule:** Mr. Yingst presented the 2022 budget adoption schedule for review and comment, noting that it could be amended as needed. **MOTION** by Mr. Lively, second by President Moore to approve the 2022 budget adoption schedule as presented. Motion carried unanimously and a copy of this schedule is attached hereto and made a part of these minutes.

**Maintenance of Property at 100 North Weaber Street:** Per a question from Mr. Embich, Mr. Yingst indicated the Township was not responsible for maintaining the property at 100 North Weaber Street and had sent correspondence to the property owner informing her of her responsibilities to cut the grass when the height of same was in violation of Township regulations.

**CORRESPONDENCE:** Nothing to report this month.

**PAY BILLS: MOTION** by Mr. Hoover, 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 8:19 PM. The Regular Meeting was reconvened at 9:05 PM with the five Commissioners, Mr. Yingst, Chief Dugan, and Mr. Lamoureux present.

**Hiring of Part-Time Police Officer:** Noting there was only one applicant being considered for approval as eligible by the CSC when it meets on July 14, 2021, **MOTION** by Mr. Hoover, second by Mr. Lively to hire Rantz Martin as a part-time Civil Service police officer provided he meets all necessary requirements and the CSC approves him as eligible for appointment as a part-time officer. 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 9:06 PM.

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Rex A. Moore, President

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Nicholas T. Yingst, Secretary