

**DRAFT MINUTES OF THE ANNVILLE TOWNSHIP  
BOARD OF COMMISSIONERS  
November 3, 2021**

The November Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:00 PM on November 3, 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; Bobbie Ginder, West Water Street; Martin Brandt, President of the Annville Free Library (AFL) Board of Directors; Matthew Twomey, Capital Construction Management; Joshua Weaber, Chrisland Engineering; Shawn Curtin, Lebanon Valley College (LVC) Vice President of Finance and Administration; Timothy Horstmann, Esq., McNees Wallace & Nurick LLC; 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.

**APPROVAL OF AGENDA: MOTION** by Mr. Lively, second by Mr. Hoover to approve the agenda as presented. Motion carried unanimously.

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

**Road Safety Audit (RSA):** Mr. Wolfe was recognized for comment and asked for an update on the previous month's State Route 934 RSA meeting. Mr. Yingst indicated he would be reporting at length on the RSA later in the evening but noted his impressions of the meeting were positive.

**Projects in 2022:** Mr. Wolfe also asked if the Board would be working on a list of possible projects for the upcoming year. Mr. Lively indicated the Commissioners were always open to suggestions and President Moore noted such decisions tend to be based upon the annual budget. Mr. Perrotto indicated that pursuing collaboration with other municipalities for improved and cost-effective services would continue to be a chief priority for the Township in 2022.

**APPROVAL OF MINUTES:**

**October 5, 2021 Regular Meeting: MOTION** by Mr. Lively, second by Mr. Perrotto to approve the minutes of the Regular Meeting held October 5, 2021 as presented. Motion carried unanimously.

Douglas Hartman, Cleona Borough Council, arrived at the meeting at 7:03 PM.

**October 13, 2021 Special Meeting: MOTION** by Mr. Lively, second by Mr. Hoover to approve the minutes of the Special Meeting held October 13, 2021 as presented. Motion carried unanimously.

**SPECIAL ORDERS OF BUSINESS:**

**Recommendation for Contingent Approval for LVC School of Nursing Building**

**Preliminary/Final Land Development Plan:** Mr. Smith was noted as being listed on the agenda and in attendance and he was asked to make his presentation to the Board. He indicated his firm was serving as LVC's engineering consultant on its School of Nursing Building preliminary/final land development plan and he briefly summarized same. In particular, Mr. Smith shared that an informal parking analysis was conducted and determined there was adequate parking available for the proposed building, and this also met the Zoning Officer's interpretation of the parking requirements. He also discussed the proposed service drive to the building that had been widened to 20 feet per the Fire Chief's recommendation, and that a fire lane had been added to the north side of the building to provide adequate access for a fire truck. Mr. Smith noted the existing wraparound drive that would provide access to the rear of the building was not 20-feet wide but would be expanded to this width at a later point, and this was included as a note on the proposed plan and would be included in the plan's financial security tabulation. He also discussed how the stormwater would be managed, and noted LVC was committed to discussing with the Township issues concerning parking and access to the college properties on the northside of the railroad tracks and to the east of State Route 934 prior to submitting its next land development plan.

Per a question from Mr. Embich, Mr. Smith noted the property straddled the municipal line with North Annville Township but, as the area being developed was entirely in Annville Township, North Annville Township would be deferring approval of the plan. Mr. Hoover asked Mr. Smith if he believed the stormwater calculations and direction of stormwater flow as proposed from the north side of the building would be sufficient. Mr. Smith indicated he believed it was, as the stormwater design was managed to a two-year storm and provided more stormwater management than was required, although some of this would be utilized for the widening of the wraparound drive. Per a follow-up question from Mr. Hoover, Mr. Smith confirmed the proposed stormwater facilities would ultimately tie into the existing Ulrich Street stormsewer system. Per a question from Mr. Embich about why infiltration was not used for stormwater management to the north of the building, Mr. Smith indicated this decision was based on testing done throughout the site to determine how best to manage stormwater. Noting the support of the Planning Commission (PC) for the ongoing conversations with LVC regarding parking and site access, and at its recommendation, **MOTION** by Mr. Perrotto, second by Mr. Lively to approve the preliminary/final land development plan submitted for the LVC School of Nursing Building contingent upon the satisfactory addressing of the comments in the Township Engineer's plan review letter dated October 1, 2021. Motion carried unanimously.

Mr. Smith and Mr. Twomey left the meeting at 7:13 PM.

**Recommendation for Contingent Approval for AFL Preliminary/Final Subdivision and Land Development Plan:**

Mr. Weaber was noted as being listed on the agenda and in attendance and he was asked to make his presentation to the Board. He indicated his firm was serving as the AFL's engineering consultant on its preliminary/final subdivision and land development plan and he briefly summarized same. In particular, Mr. Weaber reviewed the stormwater management proposed by the plan and discussed the parking agreements the AFL had with other entities to provide adequate parking for the facility's expansion. Per a question from President Moore, Mr. Brandt provided details on the locations and number of spaces per the parking agreements. Mr. Perrotto also noted the PC had asked for some direction from the AFL regarding signage and

pavement markings to better facilitate the movement of patrons from these shared parking lots to the library itself. At the recommendation of the PC, **MOTION** by Mr. Perrotto, second by Mr. Lively to approve the preliminary/final subdivision and land development plan submitted for the AFL contingent upon the satisfactory addressing of the comments in the Township Engineer's plan review letter dated October 1, 2021. Motion carried unanimously.

Mr. Brandt and Mr. Weaber left the meeting at 7:18 PM.

**Resolution No. 20211103-1 – Approving the Township Authority to Act as a Conduit for Tax-Exempt Financing for LVC:** Mr. Horstmann was noted as being listed on the agenda and in attendance and he was asked to make his presentation to the Board. Mr. Horstmann shared that his firm was serving as bond counsel for LVC and the college had approached the Annville Township Authority requesting the latter serve as a conduit for \$16,500,000 in tax-exempt financing for construction of the LVC School of Nursing Building. He indicated the Township Authority was amenable to this and had taken the required actions at its meeting the prior week, and he then presented a proposed resolution requiring approval by the Board of Commissioners if the Township Authority was to act as a conduit for tax-exempt financing for LVC.

Per a question from Mr. Embich, Mr. Horstmann indicated that the Township Authority, nor LVC, would be acquiring any property as part of this financing and that verbiage was included in the proposed resolution as it represented language from the pertinent act that described the powers of the Township Authority. Mr. Embich indicated he was glad to hear this, as he was concerned about the financial impacts to the Township of further properties being removed from the tax rolls. Mr. Curtin shared that LVC hoped that construction was anticipated to take about 14 months and was scheduled to begin in Spring 2022, with the goal of being used by students in January 2024. Per a question from Mr. Embich, Mr. Curtin indicated the term of the bond was for 13 years and Mr. Horstmann indicated they were hoping to close on it the following month. Per a follow-up question from Mr. Embich, Mr. Horstmann confirmed this would not create any liability for either the Township or the Township Authority. Per a question from Mr. Perrotto, Mr. Lamoureux confirmed he had reviewed the necessary documents in detail and he was comfortable with them. With no further comments or questions noted, **MOTION** by Mr. Lively, second by President Moore to adopt Resolution 20211103-1 as presented, granting authorization for (1) the Authority to act as a conduit for tax-exempt financing for LVC as described therein and (2) the appropriate Township officials to act on behalf of the Board in this matter, where necessary. Motion carried unanimously following a roll-call vote with each of the five Commissioners voting in favor of it and a copy of this resolution is attached hereto and made a part of these minutes.

Mr. Curtin and Mr. Horstmann left the meeting at 7:25 PM.

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

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

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

**Police Regionalization Study:** It was reported that Cleona Borough was interested in pursuing a police regionalization study through the Pennsylvania Department of Community and Economic Development (DCED). Information on the DCED program, including the letter of intent that would need to be approved and signed by the participating municipalities, was presented to the Board for its review. Per a question from Mr. Wolfe, President Moore indicated a benefit of police regionalization would be improved staffing. Per a follow-up question from Mr. Wolfe, Chief Dugan noted that while mutual aid is in place and can be helpful, it is much more efficient to address staffing via regionalization. Mr. Perrotto noted this was essentially the same concept the Union Hose Company (UHC) and Cleona Fire Company (CFC) had been pursuing due to their own staffing issues. Mr. Wolfe asked if this might lend itself to police coverage in North Annville Township and South Annville Township. President Moore said it might if those municipalities were interested, further noting the police departments of Annville Township and Cleona Borough currently provide contracted services to those municipalities. Mr. Perrotto noted the DCED program would be conducted at no cost to the participating municipalities and asked Mr. Hartman if Cleona Borough Council took any action on this matter at its meeting earlier in the week. Mr. Hartman report Council voted to move forward with the study. **MOTION** by Mr. Perrotto, second by Mr. Lively approve the letter of intent to request technical assistance from DCED for a regional police consolidation study. Motion carried unanimously. At the request of President Moore, Mr. Hartman briefly shared the police services Cleona was providing to other municipalities, noting they were primarily related to traffic matters and as requested by those municipalities. Per a question from Mr. Hoover, while it was not clear if North Annville and South Annville Townships would be participating in the study, there was hope this might provide momentum for further intermunicipal cooperation. At the request of Mr. Perrotto, President Moore agreed to communicate the Township's decision to move ahead as part of the police regionalization study to the neighboring municipal leaders.

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

**Parks & Recreation:** Mr. Perrotto reported he met with the Quittie Park Committee (QPC) the previous month. He noted it was a productive meeting where there was discussion of the plan to repair benches in Quittie Creek Nature Park (QCNP) and coordination with the Public Works Department to place a garbage can at one of the Park's trailheads where a receptacle had disappeared some time ago.

**Finance:** Mr. Embich reviewed the Finance Report for October 2021, highlighting the total income and expenses through the tenth month of the year. A copy of the report is attached hereto and made a part of these minutes.

**Permits:** The Permits Report for October 2021 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. 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 immediately following 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 and to discuss personnel matters.

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

**Historic Architectural Review Board (HARB):** Mr. Embich reviewed the HARB Report for October 2021, a copy of which is attached hereto and made a part of these minutes.

**Wage & Salary:** Mr. Yingst reported the Wage & Salary Committee might be meeting later in the month.

**Municipal Separate Storm Sewer System (MS4):** Mr. Embich reviewed the MS4 Report for October 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 October 2021, a copy of which is attached hereto and made a part of these minutes. Per a question from Mr. Wolfe, Mr. Embich noted he was aware the GLRA moved the location of its electronics recycling facility, describing the new location for this as well as for the composting site.

**Fire Department:** Mr. Lively reported the UHC would be conducting a boot drive on December 4, 2021. He also reported that 11 probationary members had been added to the Fire Department, and he shared information on the members who will be assuming financial responsibilities at the UHC due to the recent resignation of its financial secretary. Per a question from Mr. Lively, Mr. Hartman reported that the merger process between the UHC and CFC was going well and was currently in the hands of the attorney who is assisting with this, and it is hoped the merger will be completed sometime during the first three months of 2022.

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

**OLD BUSINESS:**

**Community Development Block Grant (CDBG):** Mr. Yingst reported the West Church Street curb ramp upgrade project was nearing completion. He also reported on a conversation he had with a property owner concerning possible damage to his property related to the work on this project and he provided the contractor's contact info to him.

**Cable Franchise Renewal:** Nothing to report this month.

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

**LVC Financial Contribution Agreement:** It was suggested this be discussed later in the meeting.

**Connected Together Annville:** Mr. Perrotto suggested this be removed from the agenda going forward.

**Jones and East Maple Streets Stormwater Evaluation:** Mr. Yingst reported the Jones and East Maple Streets stormwater evaluation report was anticipated to be received later in the month.

**RSA:** Mr. Yingst reported the initial meeting for the State Route 934 RSA was held on October 19, 2021, with representatives from the Township, other municipalities, the school district, the Pennsylvania Department of Transportation, and other stakeholders in attendance. He noted that challenges and concerns along this corridor were discussed at this meeting, which also included onsite visits to some of the locations for observation purposes. Mr. Yingst reported a follow-up meeting was scheduled for November 15, 2021 to discuss possible solutions to these challenges and concerns, with an overall RSA report to be issued sometime thereafter.

**Draft Ordinance – 2022 Tax Levy and Appropriations:** Mr. Yingst reported the proposed 2022 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.

#### **NEW BUSINESS:**

**Establish 2022 Meeting Dates and Times:** Mr. Yingst noted the Commissioners were provided with tentative 2022 meeting dates and times for the Board of Commissioners, Township Authority, PC, and HARB. **MOTION** by Mr. Embich, second by Mr. Hoover to approve the 2022 meeting dates and times as presented and to authorize the Township Administrator to advertise same. Motion carried unanimously.

**Renewal of Township Employees' Workers' Compensation Policy:** Mr. Yingst presented the renewal proposal for the Township employees' workers' compensation policy through Susquehanna Municipal Trust (SMT) for 2022 at an annual premium of \$53,953. **MOTION** by Mr. Lively, second by Mr. Perrotto to approve the renewal of the Township employees' workers' compensation policy through SMT for 2022 as presented. Motion carried unanimously.

**2021-2022 Humane Society of Lebanon County Stray Housing Agreement:** Mr. Yingst reported a stray housing agreement had been received from the Humane Society of Lebanon County. The agreement runs from October 1, 2021 through September 30, 2022 and would charge the Township a flat annual fee of \$350. This fee is based upon the number of unclaimed stray animals picked up in Annville Township and deposited at the Humane Society over the previous fiscal year. **MOTION** by Mr. Lively, second by Mr. Embich to approve the 2021-2022 stray housing agreement with the Humane Society of Lebanon County for an annual fee of \$350 and to authorize its execution by the appropriate Township officials. Motion carried unanimously.

**Creek Cleanup:** Mr. Embich reported he was looking into the possibility of volunteer environmental groups doing cleanup along Quittaphailla Creek. He also noted he believed North Cornwall Township had an ordinance in place requiring property owners who are adjacent to a creek to remove any debris in the creek that originates from their property, and he would be researching that, as well. Mr. Perrotto noted the QPC used students from LVC to assist them with cleanup and clearing trails in QCNP and that might be a possible resource. Mr. Lively recalled participating in a voluntary cleanup of the creek years ago when he first moved to Annville.

**2021 Carol Stewart Award:** Mr. Lively encouraged the Commissioners to consider submitting nominations for the 2021 Carol Stewart Award for Outstanding Service to Annville Township, as the deadline for doing so was November 15, 2021.

**CORRESPONDENCE:** The Board was informed of the following items of correspondence received since its October 2021 Regular Meeting:

**Lebanon Rescue Mission Donation:** Mr. Yingst shared a thank you note received from the Lebanon Rescue Mission expressing its appreciation to the Township for its donation in 2021.

**AFL Capital Campaign Donation:** Mr. Yingst shared a thank you note received from the AFL expressing its appreciation to the Township for its capital campaign donation in 2021.

**PAY BILLS: MOTION** by Mr. Perrotto, 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.

**RECESS FOR EXECUTIVE SESSION:** President Moore called a recess for an Executive Session and the room was cleared of the public at 8:07 PM. The Regular Meeting was reconvened at 9:28 PM with the five Commissioners, Mr. Yingst, Chief Dugan, and Mr. Lamoureux present.

**LVC Financial Contribution Agreement: MOTION** by Mr. Perrotto, second by Mr. Hoover to (1) authorize the Township Solicitor to negotiate with LVC's attorney on the details of the financial contribution agreement between the Township and LVC and (2) approve said financial contribution agreement contingent upon the Township Solicitor's satisfactory review and opinion of 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 9:29 PM.

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Rex A. Moore, President

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Nicholas T. Yingst, Secretary