

**MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
August 3, 2015**

The August Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:30 PM on August 3, 2015 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Rex A. Moore, President; James W. Scott, Vice President; Thomas R. Embich, Treasurer; and Henri Lively. Also in attendance were Nicholas T. Yingst, Township Administrator and Board Secretary; Bernard Dugan, Chief of Police; Timothy D. Sheffey, Township Solicitor; Corey Lamoureux, office of the Township Solicitor; Ron Dowe and Paul Longenecker, Union Hose Fire Company; Michael Schroeder, Friends of Old Annville; Marylouise Sholly, *The Lebanon Daily News*; Rich Raiders, East Main Street; Larry and Millie Kish, Maple Street; Conrad "Mike" Liles, North Railroad Street; Eugene Martin, Stone Hill Village; and Karen Feather, Woodside Court.

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 no comments were noted from those in attendance.

APPROVAL OF MINUTES: MOTION by Mr. Lively, second by Mr. Scott to approve the minutes of the Regular Meeting held July 6, 2015 as presented. Motion carried unanimously.

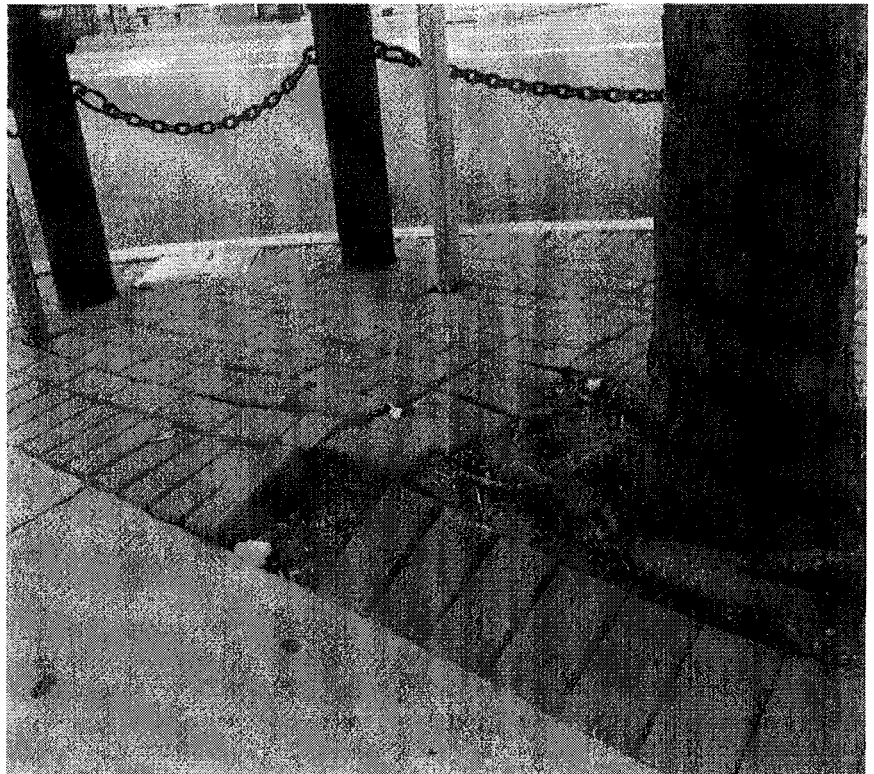
REPORTS OF STANDING COMMITTEES:

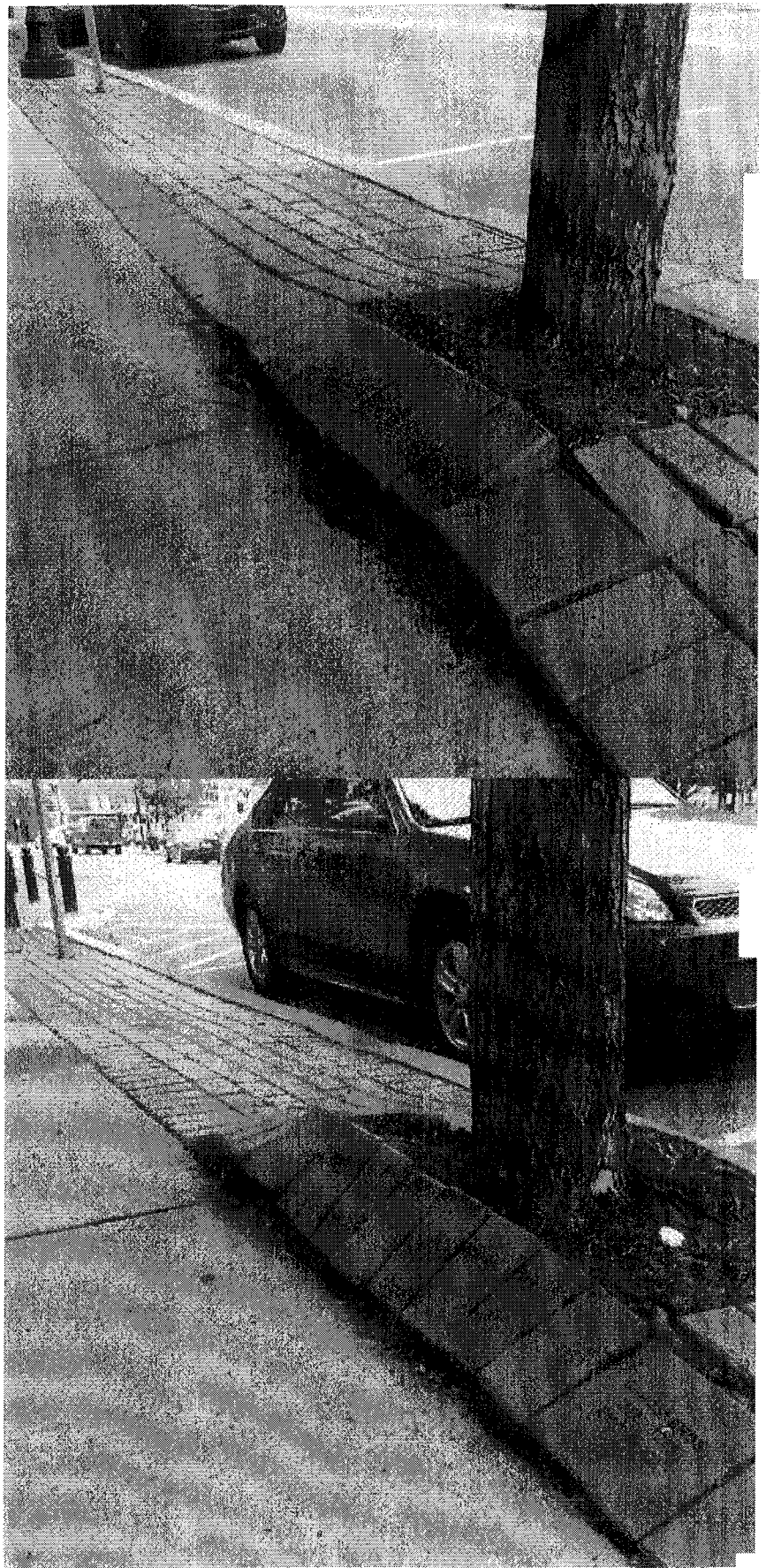
Public Works: The Public Works Report for July 2015 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Wage and Equipment Rate Schedule: The Commissioners reviewed the current Public Works Department Wage and Equipment Rate Schedule and discussed if changes should be made to it for 2016. Mr. Embich inquired if there were any escalators built into the rates listed and while it was noted that there were not, Mr. Embich did observe that the Schedule includes the charging of materials at cost for certain items. Mr. Embich also asked the last time the Schedule was changed and Administrator Yingst recollected that there were minor changes made to the Schedule in 2014. Mr. Scott asked if the rates charged for equipment represented a rental rate and Administrator Yingst clarified that these rates were for "wear and tear" associated with the use of this equipment by Public Works employees and were charged in addition to the hourly rate of the employees doing the actual work. After some additional discussion on the matter, **MOTION** by Mr. Embich, second by Mr. Scott to authorize the items and rates, as provided on the Wage and Equipment Rate Schedule, for 2016. There then followed a brief discussion on the motion, with Solicitor Sheffey noting that if there was the possibility of desiring to change any rates for 2016, then the motion to adopt the Schedule for 2016 may want to be reconsidered. Mr. Embich requested that his motion be withdrawn, Mr. Scott requested that his second to the motion be withdrawn, and the motion did not come up for a vote, although the Commissioners indicated their desire that this be readdressed at the next Regular Meeting.

WORK DONE FOR JULY 2015

- (1) **BOLLARD REPAIRS** No repairs this month. .
- (2) **D/T LIGHTS** Reported 3 street lights out
and Repaired 1 light in Todd Court.
- (3) **LINE PAINTING** Line painting will be finished by the end of the
month.
- (4) **POTHLES** We will be repairing a section of street on Ulrich
Street and Lebanon alley.
- (5) **CRACK SEALING** We will be starting to crack seal after we get
done line painting. We are going to do some
sections on Maple street and numerous streets
around town.
- (6) **TREE's** The D/T trees are starting to push a lot of the
bricks up. I am trying to get someone to look at
them to see if there is anything we can do about
it.





(7) GIS SYSTEM

We are in the process of working with the county on making a more detailed map of the towns storm system.

(8) **CROSSWALKS**

The new crosswalk at First Ave. and East Main has been painted.

(9) **BOGERS**

Bogers will be submitting a plan on what type of curb they are putting in.

(10) **EQUIPMENT RATE**

I attached the rate schedule for equipment use if we want to change any rates we should look at them now so we can notify the people we do work for so they can work it into their budget. I think the rates are fine at this time we could look at an increase for next year of \$10 to \$20.

Respectfully Submitted
Les Powell

Permitting for Biosolids Application at Greater Lebanon Refuse Authority (GLRA) West Farm: At the recommendation of the Township Authority, **MOTION** by Mr. Scott, second by Mr. Embich to authorize the expenditure of \$9,400 to Material Matters, Inc. for the preparation of a submittal package for the permitting of the GLRA West Farm for the application of biosolids. The motion was then opened for discussion. Referring to the July 28, 2015 minutes of the Township Authority, Mr. Scott raised a question regarding the need to obtain a permit for the property from the Pennsylvania Department of Environmental Protection (DEP) when a permit was already issued for it to another entity. Solicitor Sheffey noted that while this is understandably frustrating, if DEP requires another permit to be issued, the Township has no choice but to proceed with the process if it wishes to apply biosolids at this location. With no further discussion noted, President Moore called for a vote on the motion and the motion carried unanimously.

Setting Biosolids Treatment Rates: At the recommendation of the Township Authority, **MOTION** by Mr. Scott, second by Mr. Lively to (1) set the treatment fee at \$0.045 per gallon for biosolids with a concentration of 4.5% or lower, (2) set the treatment fee at \$0.055 per gallon for biosolids with a concentration of greater than 4.5% but not exceeding 5.5%, and (3) prohibit the acceptance of biosolids for treatment with a concentration in excess of 5.5%. The motion was then opened for discussion. Mr. Embich asked about the source of the biosolids and if there was a reciprocal agreement for taking biosolids from Annville, if needed. Administrator Yingst indicated that currently Annville was only taking biosolids from Hollywood Casino and, as such, no reciprocal agreement existed or was likely with such a small treatment facility. He also noted there was a possibility biosolids could be received from another small treatment plant and that this led, in part, to the Township Authority's recommendation to set rates for the treatment of biosolids that is higher than the current rate, which is identical to the rate charged for treating lower concentration septage. Mr. Embich inquired if the biosolids from Hollywood Casino were specific to the casino building or included the racetrack area; based upon when the treatment plant was built it was noted that the biosolids were likely specific to the casino building. With no further discussion noted, President Moore called for a vote on the motion and the motion carried unanimously.

Operations and Maintenance Workshop: At the recommendation of the Township Authority, **MOTION** by Mr. Scott, second by Mr. Embich to authorize Christopher Koehler and Joseph Viozzi to attend an operations and maintenance workshop in Grantville at a cost not to exceed \$240. Motion carried unanimously.

Public Safety: The Police Statistical Report for July 2015 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following item was then discussed in detail:

Civil Service Commission: At the request of Police Chief Dugan, **MOTION** by Mr. Scott, second by Mr. Embich to authorize (1) the Civil Service Commission to meet for the purpose of establishing a list of candidates for the position of police officer and (2) the Township to partner with Palmyra Borough to share costs pertaining to police officer recruitment and testing as per the intergovernmental agreement between the two municipalities. Motion carried unanimously.

Annville Township Police Department

Annville, PA 17003
717-867-2711

Monthly Statistics From: 7/1/2015 To: 7/30/2015**Total Part I Crimes: 13**

Murder:	0
Rapes:	0
Robbery:	0
Assault:	1
Burglary:	1
Larceny:	5
Motor Vehicle Theft:	0
Arson:	6

Total Part II Crimes: 23

Forgery:	0
Fraud:	3
Embezzlement:	0
Stolen Property:	0
Vandalism:	6
Weapons:	0
Prostitution:	0
Sex Offenses:	0
Drugs:	1
Gambling:	0
Family Offenses:	0
DUI:	4
Liquor:	1
Drunkenenss:	1
Disorderly:	1
Vagrancy:	0
All Other:	3

Total Calls for Service: 326**Total Cases: 39****Total Arrestees: 13****Total Suspects: 5****Total Victims: 26****DUI Arrests: 3****Traffic Citations: 93****Non Traffic Citations: 2****Total Warnings: 2**

This report summarizes all crime in the period selected and should not be mistaken for a UCR submission

ANNVILLE TOWNSHIP POLICE DEPARTMENT
MONTHLY REPORT SUPPLEMENT
July 2015

Fines received from parking tickets ----- \$210.00

Miles on police cars;

2012 Dodge -----	0
2012 Explorer -----	483
2015 Explorer -----	1358
TOTAL -----	1841

Fines received from District Court:

<u>Month of:</u>	<u>Monthly Total, All Citations</u>	<u>Year-to-date</u>
DEC, 2014	\$2362.39	\$2362.39
JAN, 2015	1744.84	4107.23
FEB, 2015	2054.06	6161.29
MAR, 2015	1584.95	7746.24
APR, 2015	1492.77	9239.01
MAY, 2015	733.32	9972.33
JUN, 2015	1522.07	11494.40
JUL, 2015		
AUG, 2015		
SEP, 2015		
OCT, 2015		
NOV, 2015		
DEC, 2015		

sig. 

Property: Administrator Yingst noted that he communicated with Commissioner Allen R. Yingst and Mr. Yingst indicated there was nothing to report this month pertaining to property.

Parks & Recreation and Hazard Mitigation Grant Program (HMGP) Project: Mr. Scott reviewed the Parks & Recreation and HMGP Report for July 2015, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Geocaching at Quittie Creek Nature Park: At the recommendation of the Quittie Creek Park Committee of Friends of Old Annville (FOOA), **MOTION** by Mr. Lively, second by Mr. Scott to ratify the decision of the Township Administrator approving the use of Quittie Creek Nature Park by the Lebanon Valley Chamber of Commerce for a geocaching event on August 27, 2016 from 1 PM to 4 PM with an alternate date of August 26, 2016. Motion carried unanimously.

315 South Lancaster Street: Mr. Scott provided an update on the status of the HMGP property at 315 South Lancaster Street, noting that it had been inspected by the Township Engineer. The engineer's inspection report, which was issued to the contractor as well as to the Township, indicated that the property has not met the criteria for achieving substantial completion. The Commissioners discussed this situation briefly and, at the recommendation of the Township Solicitor, **MOTION** by Mr. Scott, second by Mr. Lively to instruct the Township Administrator to inform the agency that issued the performance bond to the contractor of the insufficient status of this project. Motion carried unanimously.

Ash Tree Treatments at South White Oak Street Property: The Commissioners discussed at length Mr. Scott's proposal that an ash tree on the Township's HMGP property at South White Oak Street receive annual insecticide treatments to protect it from the emerald ash borer beetle. After reviewing the various options and costs associated with those options, the Commissioners concurred with a proposal that the Public Works Department explore the feasibility and cost of obtaining the necessary insecticide and applying it to the area around the tree.

Finance: Mr. Embich reviewed the Financial Report for July, highlighting the total income and expenses for the seventh month of 2015. In particular, he noted that total revenues were at 66% of its annual budget and that total expenditures were at 46% of its annual budget. A copy of the report is attached hereto and made a part of these minutes.

Permits: The Permits Report for July 2015 was reviewed, a copy of which is attached hereto and made a part of these minutes.

Annville Activities: Mr. Scott reviewed the Annville Activities Report for July 2015, a copy of which is attached hereto and made a part of these minutes. Police Chief Dugan, speaking on behalf of the Annville Township Police Department, Fire Department, and Public Works Department, invited the community to National Night Out on August 4, 2015 from 5:30 PM to 8:30 PM on the grounds of St. Paul the Apostle Church.

MOTION by Mr. Scott, second by Mr. Lively to approve the reports of the Standing Committees as presented. Motion carried unanimously.

August 3, 2015

QUITTIE CREEK NATURE PARK

The Quittie Creek Nature Park Committee met on Sunday, June 28. Phase 2 of the stream bank restoration project, currently on hold, will finish in the fall. The contractor, Clear Creeks Consulting, LLC., has revised plans for the Paul, Schroeder and Scott properties.

A work crew of approximately 30 volunteers from the Gap will be in the park on Saturday, August 15. They plan to plant trees and make a pile of fallen branches. The group had two requests for help from Public Works:

REQUEST: Chip the pile of dead wood for trail mulch.

REQUEST: Place a sign recognizing the contribution of the Pennsylvania DCNR toward park expansion at the eastern end of the park.

The group also would like to know whether Public Works knows of a source of the wood chips used to mulch the trail. They plan to ask Paul Graham to lend his chip spreader and will need a good supply for a work day later in the fall.

The group also had a question regarding the provisions of the existing easement over Paul Graham's property between Bachman Road and East High Street.

The Quittie Creek Park Committee has approved a request from the Lebanon Valley Chamber of Commerce to set up a geocaching site in the Quittie Park on Saturday, August 27, 2016 from 1-4 pm. (subject to possible change to Friday, August 26, 2016). The event could attract as many as 200 people to the park in search of a hidden prize box (a large, Rubbermaid storage container hidden from view). The Committee seeks Board approval for this decision.

MOTION: Approve the Quittie Park as a geocaching site on August 26 or 27, 2016.

HMGP PROPERTIES

On Monday, July 20, SSM engineer Kent Morey and Commissioner Scott inspected all twelve properties. The engineer's notes and photos will inform a report by Township engineers on the state of the project with a recommendation for further action.

On July 31 we received the engineer's report in the form of a letter to Joseph Umbriac, dated July 20, 2015, which noted five specific deficiencies in the work. The letter conclude by stating that "the site cannot be considered as "Substantially Complete" and asks that Mr. Umbriac address the individual matters as soon as possible. Of the five items, only one seems of real significance (not including the sewer, which was capped—Les Powell has photos): the finish grading of the site. This was accomplished using nothing more than the bucket of a backhoe. The question now is what to do about it.

On July 21, Commissioner Scott met with two representatives of **Greening the Lower Susquehanna**, a Penn State affiliate providing native tree saplings at no cost with the goal of reforesting vacant lots. The group visited all twelve sites and concluded that the Spruce Street, South White Oak Street and King Street sites offered possibilities for tree planting. In consultation with Ryan Miller of the Pennsylvania Game Commission will work with Hillery Yarger to develop planting plans for these sites. The goal is to create attractive, low maintenance properties.

Our acquisition of the South White Oak properties through the HMGP has given us ownership of a magnificent, twin trunk white ash. Unfortunately for us all, the emerald ash borer has arrived in Lebanon County. The good news is that "our" tree appears so far not to have suffered damage. It would be possible to begin a program of prophylactic treatment which would enable the tree to resist infestation by the borer. Imidacloprid is the active ingredient in Merit Insecticide (tm), Bayer Advanced (tm), Premise(tm), and some other insecticides. It is a synthetic, broad-spectrum, and relatively low-toxicity insecticide. Because of the volume needed to treat a mature tree, the cost is not small and runs around \$500 every other year. Bartlett tree service believes that we are now at the beginning of a bell curve for the destructive activity of the borer. If we would decide to protect this tree, we would incur the cost for the foreseeable future. If we do nothing, the tree will eventually succumb to the insect. **DISCUSS.**

Permits Report

Month of July 2015

Plumbing Permits issued	<u>1</u>	<u>\$ 25.00</u>
Plumbing Licenses issued	<u></u>	<u></u>
Excavator Licenses issued	<u>1</u>	<u>\$ 25.00</u>
Total Tapping Fees Collected		<u></u>

Tapping Fees

Building Permits

#14-15	1478 E. Main St.	Richard & Randall & Robert Reich	add to structure
#15-15	209 Millard Dr., Lot #90	Stone Hill Village, LLC	erect new structure
#16-15	119 N. Lancaster St.	Dana & Elizabeth Kapp	add to structure
#17-15	133 W. Main St.	Cindy & Fredrick Hummel III	replace a structure

Curb/Sidewalk Permits

Street-Cut Permits

#15-10	78 W. High St. (2 cuts)	UGI Utilities, Inc.
#15-11	101 S. Lancaster St. (2 cuts)	UGI Utilities, Inc.
#15-12	113 S. King St.	UGI Utilities, Inc.
#15-13	1477 E. Walnut St.	UGI Utilities, Inc.

Burn Permit

**ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
STANDING COMMITTEE: ANNVILLE ACTIVITIES (J. Scott)**
August 3, 2015

Christmas in July, Saturday, July 25, 10:00 AM to 1:00 PM.

A vacationing Santa, appropriately turned out in shorts and a Hawaiian shirt, attracted a crowd of walkers to participating businesses in the town center.

Community Picnic, Sunday, August 2, 6:00 PM to 9:00 PM.

The event celebrated the Washington Band's 150th anniversary.

National Night Out Against Crime, Tuesday, August 4, 5:00 PM to 8:30 PM.

Donors and local restaurants will provide free food and drink on the grounds of St. Paul's. Civic organizations will have information booths and members of the Police Department will distribute event T-shirts bearing the names of sponsors. Musical groups and a DJ will provide entertainment.

Sip and Stroll in Quittie Park, Sunday, September 27.

Destination Annnville is moving ahead with plans for this event. The Annnville Activities Committee maintains liability coverage through a policy which extends to a maximum of six events per year. Destination Annnville will hold this umbrella over the Sip and Stroll event.

Pumpkin Walk, Friday, October 30.

Students from Lebanon Valley College and the Quittie Park Committee of Friends of Old Annnville request permission to stage Pumpkin Walk in the park again this year. The event will use the main trail. Parking will be on the grass. They plan to use a fire pit.

MOTION: Approve use of the Quittie Creek Nature Park for Pumpkin Walk on Friday, October 30, 2015.

5 K Veterans' Day Run, Saturday, 7 November.

Kris Gacono plans to bring a detailed proposal for this event to the September meeting of the Board.

Meet the Commissioner

Still under development.

REPORTS OF SPECIAL COMMITTEES:

Executive Session: Administrator Yingst reported that an Executive Session was held prior to the adjournment of the July Regular Meeting to discuss potential litigation. An Executive Session was requested to be held prior to the adjournment of the August Regular Meeting to discuss potential litigation and real estate matters.

Planning Commission: Administrator Yingst reported that the Planning Commission did not meet in July and that it is not expected to meet in August.

Economic Development: Administrator Yingst reported that the next quarterly meeting of the Economic Development Authority is scheduled for September 22, 2015.

Historic Architectural Review Board (HARB): Administrator Yingst noted that HARB did not meet in July but that it would be meeting in August.

Wage & Salary: Administrator Yingst reported that the Wage & Salary Committee met on July 28, 2015 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 that the Committee approved the satisfactory employee performance reviews for Nicholas T. Yingst of the Township Office and Leslie J. Powell, Christopher Koehler, and Jason Shaak of the Public Works Department, as well as recommended 2% merit increases be approved for Mr. Yingst and Mr. Powell, effective January 1, 2016. **MOTION** by Mr. Scott, second by Mr. Embich to concur with the Wage & Salary Committee's satisfactory employee performance reviews for Nicholas T. Yingst, Leslie J. Powell, Christopher Koehler, and Jason Shaak and to approve 2% merit increases to the salaries of Nicholas T. Yingst and Leslie J. Powell, effective January 1, 2016. Motion carried unanimously.

Information Technology: Mr. Scott reviewed the Information Technology Report for July 2015, a copy of which is attached hereto and made a part of these minutes.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for July 2015, a copy of which is attached hereto and made a part of these minutes. Mr. Scott expressed his concern that the bridge design would effectively be finalized by the bridge engineer and the Pennsylvania Department of Transportation (PennDOT) before the Township would have the opportunity to review it. Mr. Lively also inquired if the likelihood of a pedestrian underpass beneath the bridge seemed to be diminishing. Mr. Embich spoke briefly to both these points and noted that, based upon the opinion of the bridge engineer, an underpass may have to be done separately from the bridge project. He further noted that the Township has been communicating its wishes regarding this to the bridge engineer.

Stormwater Management: Mr. Embich reviewed the Stormwater Management Report for July 2015, a copy of which is attached hereto and made a part of these minutes.

Zoning Ordinance Revision: Mr. Scott reviewed the Zoning Ordinance Revision Committee Report for July 2015, a copy of which is attached hereto and made a part of these minutes. He

**MINUTES OF THE ANNVILLE TOWNSHIP
WAGE & SALARY COMMITTEE
July 28, 2015**

A meeting of the Annville Township Wage & Salary Committee was held on July 28, 2015 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Rex Moore, Henri Lively, Anthony Perrotto, and Hugh Rooney. Mr. Moore called the meeting to order at 6:45 PM.

EMPLOYEE EVALUATIONS: Four satisfactory employee performance reviews were submitted to the Committee to review for the following employees:

- Nicholas T. Yingst, Township Office – Township Administrator
- Leslie J. Powell, Public Works Department – Superintendent
- Christopher Koehler, Public Works Department – Operator
- Jason Shaak, Public Works Department – Laborer

Upon review by the Committee, **MOTION** by Mr. Rooney, second by Mr. Perrotto (1) to approve the satisfactory annual employee performance reviews for Nicholas T. Yingst of the Township Office and Leslie J. Powell, Christopher Koehler, and Jason Shaak of the Public Works Department; (2) to recommend that the Board of Commissioners do the same; and (3) based on these reviews to recommend that the Board of Commissioners approve 2% merit increases to the salaries of Nicholas T. Yingst and Leslie J. Powell, effective January 1, 2016. Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Moore, second by Mr. Lively to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 7:10 PM.

Respectfully submitted,

Rex A. Moore, Member
Wage & Salary Committee

August 3, 2015

DOCman Update Difficulty.

A recent upgrade to the DOCman component of the website provided an opportunity to make use of last month's subscription renewal for continued support. Following the (routine) update, Township staff lost the ability to link documents to an article on the site. Joomla!tools responded within 72 hours to a request for help. The dialogue is ongoing as of this writing and the issue remains unresolved.

Thomas Embich

Agenda Items: VI - G & H

Date: July 30, 2015 report for August 03, 2015 Meeting

Item VI -G SPRUCE STREET BRIDGE

1. Wilson Consulting Group, PC, James Wilson, met with Messrs. Powell and Embich to review the bridge inspection report (on file for review). The bridge is in much the same condition as a year ago. Mr. Wilson did suggest periodic checks, which Mr. Powell indicated were being done, and the addition of reference "pins" at each corner of the base will be added to provide a reference for any shifts being sought.
2. Wilson indicated that the design(s) are still in review with Penn DoT, but should be available soon.

ACTION ITEM:

- **ADD REFERENCE PINS TO BRIDGE BASE WHEN POSSIBLE; MR. POWELL HAS THIS ON FUTURE WORK LIST.**

ITEM VI - H STORMWATER MANAGEMENT

1. The LCCWA meet on July 15. The next meeting will be in September. Minutes or relevant information is or will be available for review in the Township Office on request. A \$3,000 grant for advertising is being sought with PA DEP. The long-term stream maintenance brochure is being finalized by a subcommittee. Comments from the LCCWA/members to the PA DEP regarding draft MS4 regulations were coordinated by Ms. Feather, LVC, and submitted to PA DEP. Bulk amounts of field test kits to help comply with nitrate and phosphorus load reduction testing are being sought via grants, also.
2. Mr. Powell is continuing to update our base map for the stormsewer system, since the map of our system is one key item that the regulatory agencies seek when inspecting for MS4 compliance. The process is slow since we do not have direct access to the mapping. Changes must be delivered to Lebanon County Planning, where the map updates are currently made. If we want local mapping and map revision capability we may be looking at about \$7000 to acquire that capability.

ACTION:

“Develop, implement, and maintain” documents required to provide partial compliance:

1. Update our ordinance(s) for enforcement of the MS4 program.
2. Preparation and adoption of the “Public Education and Outreach Program” (PEOP) for MCM #1 compliance;
3. Preparation and adoption of the “Public Involvement and Participation Program” (PIPP) for MCM #2 compliance.

ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
SPECIAL COMMITTEE: ZONING ORDINANCE REVIEW COMMITTEE (Scott)

VI. - I

August 3, 2015

ZORC

The Committee has begun its final review of the completed draft.

Administrator Yingst met with Township Zoning Officers Kim and Spang in mid July seeking their comments and responses to a number of questions. The Committee learned that the Municipal Planning Code requires the Township to submit its draft to the County Planning Office for review before scheduling any public hearing. The Committee had planned to schedule informal meetings to solicit public comments before submitting this draft, but now seeks guidance from the Township Solicitor on how best to proceed.

reported that the committee expects to complete its preparation, review, and editing of the draft zoning ordinance in the next few weeks and discussed the committee's desire to hold informational public meetings to discuss it. Mr. Scott noted that the purpose of these meetings would be to consider and address any comments and concerns provided by the public before the draft ordinance is submitted to the Lebanon County Planning Department for its review. President Moore asked how many public meetings were anticipated and Mr. Scott suggested to start with one and, based upon how it goes, consider having additional public meetings. President Moore asked if the meetings would need to be advertised and Mr. Scott and Solicitor Sheffey both recommended advertising as a way to ensure that more people are made aware of the meetings, thus maximizing public participation.

Fire Department: Administrator Yingst noted that he communicated with Commissioner Allen R. Yingst and Mr. Yingst indicated there was nothing to report this month pertaining to the Fire Department. The Board also noted the receipt of the June 2015 and July 2015 Monthly Statistical Reports for the Union Hose Fire Company.

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

OLD BUSINESS:

Adoption of Ordinance No. 643 - Revision to Tapping Fee, Equivalent Dwelling Unit (EDU), and Reservation of Capacity Fee: Administrator Yingst presented proposed Ordinance No. 643, which would amend §18-103 ("Definitions") and §18-127(2)(A) and §18-127(5)(A) ("Tapping, Connection, Customer Facility, and Reservation of Capacity Fees") of Chapter 18 ("Sewers and Sewage Disposal") of the Annville Township Code of Ordinances. He noted that the ordinance was properly advertised and could be considered for adoption. **MOTION** by Mr. Scott, second by Mr. Embich to adopt Ordinance No. 643, amending §18-103, §18-127(2)(A), and §18-127(5)(A) of Chapter 18 ("Sewers and Sewage Disposal") of the Annville Township Code of Ordinances, as presented. Motion carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Proposed Ordinance - 2015 Omnibus: Administrator Yingst reported that the proposed 2015 omnibus ordinance approved for preparation and advertising at the July Regular Meeting is receiving final edits and should be ready for consideration and possible adoption at the September Regular Meeting.

Main Street and First Avenue Crosswalk: Administrator Yingst reported that, as requested by the Township, the final land development plans submitted for the Lebanon Valley Advanced Care Center extended the width of the east-west driveway along the southern perimeter of the parking lot by four feet, including the area adjacent to Annville-Cleona Veterinary Associates (ACVA). He also noted that he reached out to a representative of PennDOT and was informed if the Township desired any sort of pedestrian pathway to be painted along the shoulder of Route 422 it would need to make this request to PennDOT with a drawing of the proposed route including any markings, which would be the responsibility of the Township to maintain. As President Moore had been in contact with the owner of ACVA regarding the possibility of

ORDINANCE NO. 643

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, AMENDING § 18-103 ("DEFINITIONS") AND § 18-127(2)(A) AND § 18-127(5)(A) ("TAPPING, CONNECTION, CUSTOMER FACILITY, AND RESERVATION OF CAPACITY FEES") OF CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES OF ANNVILLE TOWNSHIP.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, and it is hereby ordained and enacted as follows:

SECTION 1. The provisions of Chapter 18, Sewers and Sewage Disposal, of the Code of Ordinances of Annville Township, are amended and revised as follows.

(a) Section 18-103 is amended as follows:

Equivalent dwelling unit (EDU)—the term used to correlate the metered volumes of water per calendar quarter or the metered volume of discharge per calendar quarter by any dwelling unit and/or improved property connected to the sewer system using up to 202 gallons per day. For purposes of this definition, any dwelling unit and/or improved property using or discharging 202 gallons per day or less shall be counted as 1 EDU, and any dwelling unit and/or improved property using or discharging more than 202 gallons per day shall have its quarterly usage or discharge divided by 202 gallons per day, and the results rounded to the nearest tenth of an EDU.

(b) Section 18-127(2)(A) is amended as follows:

2. Tapping Fee.

A. A tapping fee for the capacity component is hereby established in the amount of \$1,700 for each equivalent dwelling unit located on said improved property, based upon usage of 202 gallons per day multiplied by a cost of \$8.42 per gallon. A tapping fee for the collection system component is hereby established in the amount of \$2,500 for each equivalent dwelling unit located on said improved property, based upon usage of 202 gallons per day multiplied by a cost of \$12.38 per gallon. The total tapping fee, based upon the capacity component and the collection system component is hereby established as \$4,200. The Township shall, by resolution adopted by the Township Commissioners, amend the tapping fee upon the owner of each dwelling unit and/or improved property (other than such owner who is subject to contractual or special agreements providing for the payment of certain sums in lieu of a tapping fee) whose building sewer is connected to the sewage collection system, regardless of whether such connection is direct or indirect, including changing the type of use of the improved property previously connected, or connecting one or more new uses of the type hereinafter referred to through an existing connection and regardless of whether such improved property is connected through one or more building sewers, or that the building

sewer is owned by the Township or by any owner other than the Township.

(c) Section 18-127(5)(A) is amended as follows:

5. Reservation of Capacity Fee and Agreement.

A. A reservation of capacity fee is hereby established in the amount of \$104.40 per quarter for each equivalent dwelling unit for which capacity is reserved. The Township shall, by resolution adopted by the Township Commissioners, amend this reservation of capacity fee.

SECTION 2. All other provisions of Section 18-103 and Section 18-127 of Chapter 18, Sewers and Sewage Disposal, of the Code of Ordinances of Annville Township, remain in full force and effect.

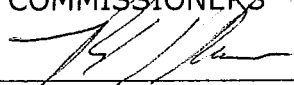
SECTION 3. SEVERABILITY. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Annville Township Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

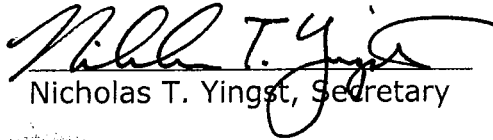
SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective August 3, 2015.

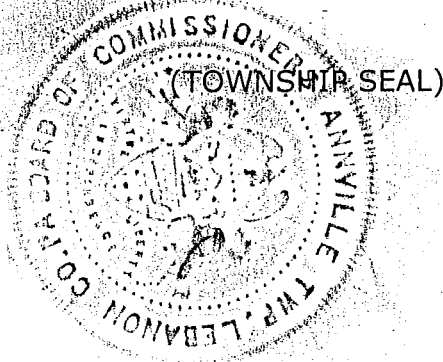
ORDAINED AND ENACTED this 3rd day of August, 2015

BY ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS

By: 
Rex A. Moore, President

ATTEST:


Nicholas T. Yingst, Secretary



having the crosswalk at Main Street continue across the ACVA property as a path for pedestrians, he indicated he would share this information with him and see how he wished to proceed. Mr. Scott and Paul Longenecker then engaged in a disputation about handicapped accessibility at the crosswalk.

Properties Located Within Annville Township Historic District: Administrator Yingst reported that, as HARB did not meet in July, Solicitor's Sheffey memo regarding various possible measures for informing prospective property owners that a property is located within the Annville Historic District prior to its sale is still waiting official review and comment by HARB, which will occur at its next meeting.

Fire Escrow Account: Administrator Yingst reported the garage at 34 West Sheridan Avenue that was damaged by fire earlier in the year has been reconstructed and inspected by the Property Maintenance Code Enforcement Officer, who determined it to be in compliance. As such, the insurance proceeds being held in escrow by the Township were released to the property owner after deducting for inspection costs and the bank account at Fulton Bank that held these escrow funds has been closed. **MOTION** by Mr. Embich, second by Mr. Scott to ratify the closure of the fire escrow account pertaining to 34 West Sheridan Avenue. Motion carried unanimously.

Awarding of Refuse and Recycling Collection Contract: Administrator Yingst reported that he received communication from Sattazahn Refuse Removal, Inc. on July 20, 2015 indicating it would be unable to obtain the performance bond required by the terms of the refuse and recycling collection contract it was awarded on July 6, 2015. As such, he noted that Sattazahn Refuse Removal, Inc. was unable to enter into a written contract with Annville Township within the timeframe stipulated by the contract specifications and the Board may award the contract to another firm who submitted a bid. Administrator Yingst reported that the next lowest bid of the four received was submitted by Lebanon Farms Disposal, Inc. at a price per year of \$129,998.40 for years one and two with a third year option of \$136,480.80. **MOTION** by Mr. Embich, second by Mr. Scott to award a two year contract at an annual price of \$129,998.40 with a third year option of \$136,480.80 to Lebanon Farms Disposal, Inc. for the collection, removal, and disposal of municipal solid waste and recyclable materials accumulated in Annville Township, with said contract commencing on September 1, 2015. Motion carried unanimously. Also, at the recommendation of Solicitor Sheffey, **MOTION** by Mr. Embich, second by Mr. Scott to authorize the Township to take the necessary steps to collect on the \$2,000 bid bond or certified check provided by Sattazahn Refuse Removal, Inc. due to its inability to enter into the contract it was awarded. Motion carried unanimously. Mr. Embich then expressed his disappointment that Sattazahn Refuse Removal, Inc. was unable to obtain a performance bond, reflecting upon the difficulties that small operators often have attempting to obtain said bond and how this can effectively squeeze them out of the competitive bidding process.

Overstreet Banners: Mr. Scott engaged Ron Dowey of the Union Hose Fire Company in a conversation about the possible use of the mast arm of a pole on East Main Street that is owned by the Union Hose for the displaying of banners for community events. Mr. Dowey indicated he had looked into this and expressed his concern that the height of the aerial fire truck may tear a banner when the truck is being backed into the fire station. Mr. Scott suggested that perhaps the banners could be mounted on the top of the mast arm using flexible stanchions. Mr. Dowey

asked who would put up the banners and Mr. Scott indicated the Township Public Works Department may be able to do so, and perhaps the Fire Department would be willing and able to assist, as well. He stressed that the benefit of using this existing pole, if possible, is that it would avoid the need to erect additional poles that would contribute to urban clutter. Mr. Dowey agreed to look into this further and he and Mr. Scott agreed to discuss this at a later date.

NEW BUSINESS:

Authorization of Loan Draw Request No. 45/Requisition No. 45 (Wastewater Treatment Plant Improvements Project): At the recommendation of the Township Authority, **MOTION** by Mr. Embich, second by Mr. Lively to authorize Loan Draw Request No. 45 from the Sewer Construction Fund in the amount of \$526.74 and to approve Requisition No. 45 authorizing payment to Gannett Fleming for engineering services in the amount of \$526.74. Motion carried unanimously.

South White Oak Street Sidewalk Replacement: Administrator Yingst reported that the Public Works Director sought bids from four firms for the replacement of approximately 100 feet by four feet of sidewalk along the east side of the 300 block of South White Oak Street. Two of the firms responded with quotes, with Streamline Builders, Inc. submitting the low bid of \$3,400. It was noted that this portion of sidewalk was the Township's responsibility as it was adjacent to property it purchased with HMGP funds, and it was further noted that \$7,500 was budgeted in the Capital Reserve Fund for this sidewalk replacement. **MOTION** by Mr. Lively, second by Mr. Scott to ratify the awarding of a contract to Streamline Builders, Inc. for the replacement of approximately 100 feet by four feet of sidewalk along the east side of the 300 block of South White Oak Street at an estimated cost of \$3,400. Motion carried unanimously.

2014 Municipal Recycling Achievement Award: Administrator Yingst reported that, at the July 7, 2015 meeting of the Greater Lebanon Refuse Authority, Township Public Works Director Les Powell accepted an award on behalf of the Township recognizing Annville Township for outstanding municipal recycling achievements in 2014. Mr. Scott then displayed the award for the benefit of those in attendance.

Allen Theatre: Noting that Michael Schroeder of FOOA was in attendance, President Moore asked if he wished to share with the Board FOOA's efforts on behalf of the Allen Theatre. Mr. Schroeder reported that FOOA has been successful in its attempt to raise funds for the purchase and installation of a digital projection system that will replace the obsolete projection system currently in use. He also indicated that the Allen Theatre was anticipated to reopen in September once the new projection system is fully installed and operational. It was also noted that Congressman Charlie Dent would be visiting Annville on August 5, 2015 to tour the Allen Theatre and to visit and promote various local businesses within the Township.

Draft Resolution Opposing House Bill 809: Mr. Scott presented a resolution he drafted opposing Pennsylvania House Bill 809. He noted that House Bill 809 would preempt municipal ordinances that regulate the occupation of a rental property based on a person's matriculation status or the number of unrelated persons sharing a dwelling unit. Mr. Scott indicated that Annville Township currently limits the number of unrelated persons who may occupy a rental

unit at five. He further noted that the ordinance regulating this was crafted with significant collaboration from residents, landlords, and Lebanon Valley College and he stated his belief that the municipality is best able to ascertain and balance the housing needs of its community. Noting that the bill is still in committee, Mr. Scott asked if it would be appropriate to consider adoption of this draft resolution at a later date and Solicitor Sheffey indicated it may make sense to wait to act should the bill come out of committee.

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

Lebanon Valley Chamber of Commerce: Administrator Yingst reported that correspondence was received from the Lebanon Valley Chamber of Commerce (LVCC) informing the Township of upcoming LVCC events. He also noted that an invoice for the Township's annual membership in the Chamber was included with the correspondence and he indicated that the Township budgeted for this amount in its 2015 budget. **MOTION** by Mr. Scott, second by Mr. Lively to authorize payment of \$175 to the Lebanon Valley Chamber of Commerce for the Township's 2015-2016 annual membership in this organization. Motion carried unanimously.

223 East Main Street: Administrator Yingst reported that correspondence had been received from FOOA regarding a number of exterior issues at a structure in the Historic District. He noted that this information was provided to the Board of Commissioners and the cover letter from FOOA is attached hereto and made a part of these minutes. Administrator Yingst concluded by informing the Board that an application to appear before HARB was received for this structure and as such FOOA was not asking the Board to take any action at this time.

Donation to the Annville Free Library: Administrator Yingst reported that a letter had been received from the Annville Free Library thanking the Board of Commissioners for their annual donation of \$7,500.

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

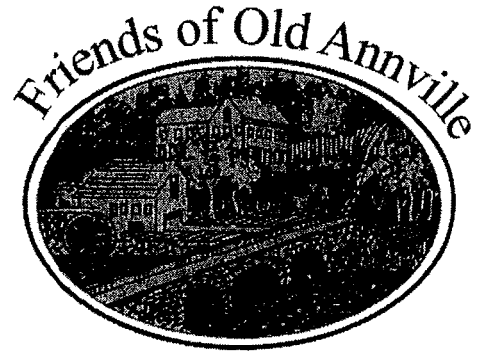
RECESS FOR EXECUTIVE SESSION: President Moore called a recess for an Executive Session and the room was cleared of the public at 8:46 PM. The Regular Meeting was reconvened at 9:35 PM with the five Commissioners, Administrator Yingst, Solicitor Sheffey, and Mr. Lamoureux present.

Overcharging of Tapping Fees for Liberty Station: At the recommendation of the Township Authority, **MOTION** by Mr. Scott, second by Mr. Lively to authorize the Township Administrator to contact the developer for Liberty Station to notify it of the overcharging of the collection component of sanitary sewer tapping fees beginning in 2012 and to work out a repayment plan that both parties are amenable to. Motion carried unanimously.

Assessment of Liquidated Damages for 315 South Lancaster Street: **MOTION** by Mr. Embich, second by Mr. Lively to (1) authorize the assessment of liquidated damages at a rate of

Nick Yingst
Annville Township Administrator
36 North Lancaster Street
Annville, PA 17003

July 27, 2015



Dear Nick,

I write on behalf of Friends of Old Annville to express our concerns about the deterioration of the Historic District house at 223 East Main Street, next door to and owned by the Union Hose Fire Company. Elements of this historic house are in danger of demolition by neglect, with severely rotting wood, supports, flooring and trim on the front porch.

This porch is a distinctive and integral part of the design of this 19th century building located not only in the Annville Historic District but also the National Register of Historic Places. Additionally, rumors are circulating that the fire company intends to tear down not only 223 but also possibly Perry Troutman's home to the east for an expansion of the combined Annville-Cleona fire companies. While we acknowledge the importance of a viable fire company, the location should not be in the heart of the historic and residential area of Annville. We urge the Township and the Fire Company to explore other location options. Additionally, you should know that if any federal or state funds are to be used in the expansion project, an additional review is required because of the National Register designation.

We ask that the Township contact the Fire Company about the evident dilapidation of the 223 property in violation of the demolition by neglect provisions of Annville Ordinance 587. Appended to this letter are photographs of this deteriorating structure. Accompanying this letter in separate PDF files are (1) a checklist of the criteria for Demolition by Neglect as defined in Annville Ordinance No. 587 that includes our evaluation of this property, and (2) a newspaper article from the *Lebanon Daily News* from the 1980s describing the historic value of the house.

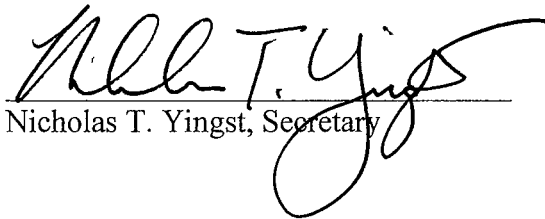
As you know, the Friends of Old Annville offers a façade grant program of up to \$4,000 to help property owners in the Historic District defray part of the cost of needed repairs. We encourage the Union Hose Fire Company to apply to the façade grant program for assistance. Information about FOOA's Façade Grant Program, including the application form, can be found on our website, at <http://www.fooa.org/preserve/facade-grants/>.

Thank you,


Michael Schroeder
Co-President
Friends of Old Annville

\$200 per day for the property at 315 South Lancaster Street due to the contractor's inability to meet the deadline for substantial completion at this property and (2) authorize the Township Solicitor to inform the contractor for the HMGP project of this. Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Scott, second by Mr. Embich to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 9:36 PM.



Nicholas T. Yingst, Secretary



Rex A. Moore, President