

**MINUTES OF THE ANNVILLE TOWNSHIP  
BOARD OF COMMISSIONERS  
January 5, 2015**

The January Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:30 PM on January 5, 2015 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Rex A. Moore, President; Thomas R. Embich, Treasurer; Allen R. Yingst; and Henri B. 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; Karen Feather, Lebanon Valley College; Brad Rhen, *The Lebanon Daily News*; Larry and Millie Kish, Maple Street; David and Ann Lasky, East Walnut Street; and Ann and Ted Pinca, North Lebanon Township.

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, after which he wished all in attendance a Happy New Year.

**RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:**

**Proposed Natural Gas Pipeline:** Noting that Ann Lasky was listed on the agenda and was in attendance, President Moore asked her to share her comments with the Board. Ms. Lasky indicated she was speaking on behalf of Michael Schroeder, who had addressed the Board at previous Regular Meetings but was presently out of town, and read from a statement that Mr. Schroeder had prepared. In this statement it was noted that Mr. Schroeder had recently provided the Township with a draft resolution opposing the proposed Williams Partners, LP Atlantic Sunrise Natural Gas Pipeline and that this resolution was based upon a similar resolution adopted by Martic Township, Lancaster County. The statement requested that Mr. Schroeder's draft resolution be adopted at the February Regular Meeting and be advertised according to law in advance of the meeting. Unrelated to the natural gas pipeline, Ms. Lasky then personally thanked the Township Public Works Department for its efforts cleaning up the area of Quittie Creek Nature Park adjacent to East Walnut Street by removing a dead tree and debris so that the "No Dumping" signage is visible. David Lasky then asked to speak and noted that while he was initially neutral regarding the proposed natural gas pipeline, he has since become opposed to it since learning about past safety issues associated with Williams Partners, LP. He also indicated his concerns about a pipeline's potential impact to a limestone stream such as the Quittapahilla Creek and the possibility of sinkholes. Mr. Embich noted that, based on concerns received from citizens and, in particular, the impact the proposed route of the natural gas pipeline would have upon the Stone Hill Village development within Annville Township, Administrator Yingst was asked to create a draft resolution based, in part, upon the resolution submitted by Mr. Schroeder. Administrator Yingst indicated that this draft resolution would be shortly presented to the owners of Stone Hill Village for their review and input and that the resolution would likely be considered for adoption at the February Regular Meeting. Referring to Mr. Schroeder's prepared statement, he also noted that a resolution—unlike an ordinance—is not required to be advertised. Mr. Embich inquired if the Township places draft resolutions on its website for review prior to adoption and Administrator Yingst indicated that while it does not typically do so, it certainly could. Mr. Embich stated that he would be in favor of doing so and then discussed the conversations several representatives of the Township had with various individuals in the community, including the owners of Stone Hill Village, that have led to its consideration of a resolution opposing the placing of the proposed natural gas pipeline within Annville Township.

or on property occupied by the Township wastewater treatment plant (WWTP). After he had concluded this overview, Ann Pinca asked to speak and noted that there are further comment periods provided by the Federal Energy Regulatory Commission (FERC) so that the Township still would have an opportunity to submit a resolution to FERC for its consideration.

President Moore thanked those in attendance for their public comments and Mr. and Ms. Lasky and Mr. and Ms. Pinca left the Regular Meeting at this point.

#### **APPROVAL OF MINUTES:**

**December 1, 2014 Public Hearing:** MOTION by Mr. Lively, second by Mr. Embich to approve the minutes of the Public Hearing held December 1, 2014 as presented. Motion carried unanimously.

**December 1, 2014 Regular Meeting:** MOTION by Mr. Yingst, second by Mr. Lively to approve the minutes of the Regular Meeting held December 1, 2014 as presented. Motion carried unanimously.

**December 29, 2014 Adjourned Meeting:** MOTION by Mr. Lively, second by Mr. Embich to approve the minutes of the Adjourned Meeting held December 29, 2014 as presented. Motion carried unanimously.

**COMMITTEE ASSIGNMENTS:** Administrator Yingst noted that the Commissioners were provided with a listing of committee assignments for 2015 that were recommended by President Moore. As the Commissioners offered no comments or questions about these assignments, President Moore officially appointed the Commissioners to the committee assignments per the listing, a copy of which is attached hereto and made a part of these minutes.

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

**Public Works:** The Public Works Report for December 2014 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

**Septage Haulers' Station Warranty Extension:** At the recommendation of the Township Authority, MOTION by Mr. Lively, second by Mr. Yingst to authorize the extension of the warranty for support and updates for the septage haulers' station at a cost of \$1,600. Motion carried unanimously.

**Flow Meter Replacement:** It was noted that three quotes were received for replacing the 16 year old flow meter at the WWTP that is no longer functioning. At the recommendation of the Township Authority, MOTION by Mr. Lively, second by Mr. Yingst to authorize the purchase and installation of a main flow meter at the WWTP by Cal-Tech Service, Inc. at a cost of \$2,070. Motion carried unanimously.

**ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS  
COMMITTEE ASSIGNMENTS  
2015**

**STANDING COMMITTEES:**

Public Works – Rex Moore  
Township Authority – Henri Lively  
Public Safety – Rex Moore  
Property – Al Yingst  
Parks & Recreation/HMGP – Jim Scott  
Finance – Tom Embich  
Permits – NO APPOINTMENT\*  
Annville Activities – Jim Scott

**SPECIAL COMMITTEES:**

Planning – NO APPOINTMENT\*  
Economic Development – Rex Moore  
HARB – NO APPOINTMENT\*  
Wage and Salary – Henri Lively and Rex Moore  
Information Technology – Jim Scott  
Fire Department – Al Yingst  
Spruce Street Bridge – Tom Embich  
Stormwater Management – Tom Embich  
Zoning Ordinance Revision – Jim Scott

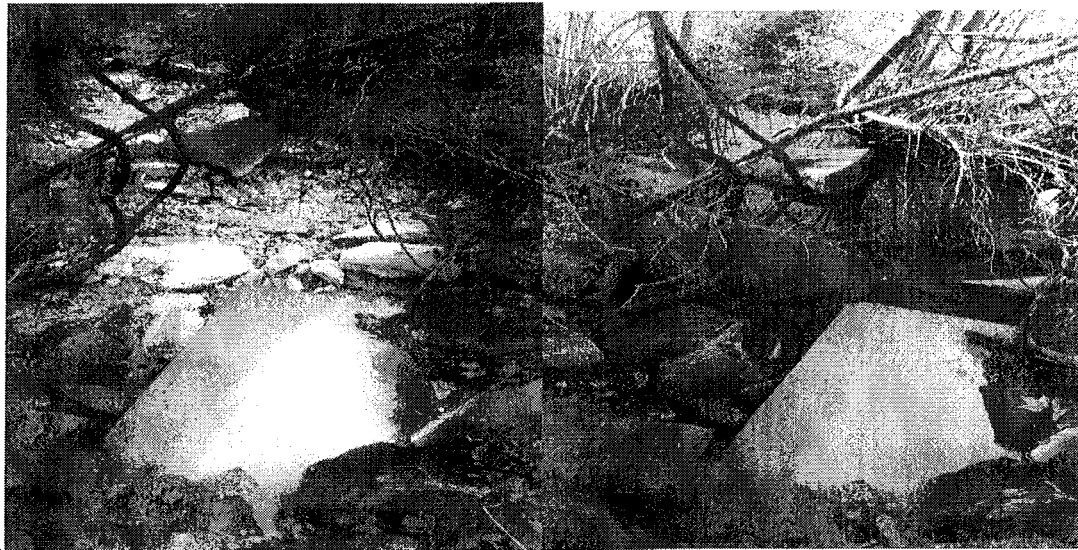
\* = This will continue to be discussed at each monthly meeting, but there will be no commissioner specifically designated to this responsibility.

**WORK DONE FOR DECEMBER 2014**

- (1) **BOLLARD REPAIRS** Two repairs this month.
- (2) **D/T LIGHTS** Lights in square have been repaired and three street lights repaired.
- (3) **CHRISTMAS TREE** We will be removing the Christmas tree the week of Jan. 11.
- (4) **MS4** On Dec 15 the Police Chief notified me that they had a call of a milky white diesel smell solution coming out of the storm drain at the entrance to park on Bachman Rd. It was seen over weekend so when we got the call on Monday there was nothing coming out of drain. The police chief and I went to Bogers Concrete and asked if they had any type of fuel spill over the weekend and they said they did not. We inspected the storm drain and everything looked ok. We have been checking this area frequently because of all the sand and debris Bogers drops on the road. We also inspected this site on Dec 29, some material on road.

**Dec 15**

**Dec 29**



- (5) **GIS SYSTEM** We are still working on street signs.
- (6) **LEAF PICKING** Leaf picking is finished for the year. We spent 21 hrs. in Annaville and 11.5 hrs. in Cleona this month.
- (7) **PARK** Stopped down just to check on stream restoration project in park looks good.



- (8) **MATT MCGOWAN** On Dec 8<sup>th</sup> Matt came in and said his last day would be Dec 19<sup>th</sup>. He got a job at Cedar Crest High School.

Respectfully Submitted  
Les Powell

National Pollutant Discharge Elimination System (NPDES) Permit Application for Biosolids: Noting that on May 27, 2014 the Township Authority had recommended that an application be filed for an NPDES permit for the WWTP, Administrator Yingst presented an NPDES Form 2S permit application pertaining to the disposal of biosolids. **MOTION** by Mr. Lively, second by Mr. Embich to approve the NPDES Form 2S permit application for biosolids disposal and to authorize its execution and submission to the Department of Environmental Protection by the appropriate Township officials. Motion carried unanimously.

**Public Safety:** The December 2014 Police Statistical Report and 2014 Annual Police Statistical Report were reviewed, copies of which are attached hereto and made a part of these minutes. The following items were then discussed in detail:

Proposed Ordinance No. 642 – Amending Residential Rental Unit Licensing: Administrator Yingst presented proposed Ordinance No. 642, which would amend §11-103 and §11-105(4) of Chapter 11, Part 1 of the Annville Township Code of Ordinances by requiring a landlord to furnish the names and addresses of occupants of a residential rental unit to a Township police officer who is investigating a report or complaint of a violation of the Conduct chapter of the Township Code of Ordinances and providing for penalties for failure to do so. He noted that the ordinance was properly advertised and could be considered for adoption. **MOTION** by President Moore, second by Mr. Yingst to adopt Ordinance No. 642, amending §11-103 and §11-105(4) of Chapter 11, Part 1 of the Annville Township Code of Ordinances, entitled “Residential Rental Unit Licensing”, as presented. Mr. Embich inquired if any feedback had been received from the public regarding the proposed ordinance since it was authorized for advertisement at the December Regular Meeting and Administrator Yingst indicated that he was not aware of any such input being received by the Township Office. With no further comments or questions noted, the motion was then voted upon and carried unanimously and a copy of this ordinance is attached hereto and made a part of these minutes.

Hiring of Full Time Police Officer: The Civil Service Commission minutes from its January 2, 2015 meeting were acknowledged as being received by the Board and are attached hereto and made a part of these minutes. Based on the applicants approved as eligible for consideration for appointment as full time police officers by the Civil Service Commission and the recommendation of Police Chief Dugan, **MOTION** by Mr. Embich, second by Mr. Lively to authorize the hiring of Jason Cleck as a full time police officer, effective January 4, 2015. Motion carried unanimously

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

**Parks & Recreation and Hazard Mitigation Grant Program (HMGP) Project:** The Parks & Recreation and HMGP Report for December 2014 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Notice of Prohibition to Perform Work: Solicitor Sheffey indicated that notice was received that Penn Earthworks, Inc.’s workers compensation coverage was set to expire as of January 3, 2015. As proof of reinstatement was not received from Penn Earthworks, **MOTION** by Mr. Lively, second by Mr. Yingst to authorize the Township Solicitor to issue a Notice of Prohibition to

**Monthly Statistics From: 11/27/2014 To: 12/31/2014**

|                             |           |
|-----------------------------|-----------|
| <b>Total Part I Crimes:</b> | <b>17</b> |
| <b>Murder:</b>              | <b>0</b>  |
| <b>Rapes:</b>               | <b>0</b>  |
| <b>Robbery:</b>             | <b>0</b>  |
| <b>Assault:</b>             | <b>0</b>  |
| <b>Burglary:</b>            | <b>0</b>  |
| <b>Larceny:</b>             | <b>17</b> |
| <b>Motor Vehicle Theft:</b> | <b>0</b>  |
| <b>Arson:</b>               | <b>0</b>  |

|                              |           |
|------------------------------|-----------|
| <b>Total Part II Crimes:</b> | <b>15</b> |
| <b>Forgery:</b>              | <b>0</b>  |
| <b>Fraud:</b>                | <b>4</b>  |
| <b>Embezzlement:</b>         | <b>0</b>  |
| <b>Stolen Property:</b>      | <b>0</b>  |
| <b>Vandalism:</b>            | <b>1</b>  |
| <b>Weapons:</b>              | <b>0</b>  |
| <b>Prostitution:</b>         | <b>0</b>  |
| <b>Sex Offenses:</b>         | <b>0</b>  |
| <b>Drugs:</b>                | <b>0</b>  |
| <b>Gambling:</b>             | <b>0</b>  |
| <b>Family Offenses:</b>      | <b>0</b>  |
| <b>DUI:</b>                  | <b>4</b>  |
| <b>Liquor:</b>               | <b>1</b>  |
| <b>Drunkenenss:</b>          | <b>1</b>  |
| <b>Disorderly:</b>           | <b>1</b>  |
| <b>Vagrancy:</b>             | <b>0</b>  |
| <b>All Other:</b>            | <b>0</b>  |

|                                 |            |
|---------------------------------|------------|
| <b>Total Calls for Service:</b> | <b>310</b> |
|---------------------------------|------------|

|                     |           |
|---------------------|-----------|
| <b>Total Cases:</b> | <b>52</b> |
|---------------------|-----------|

|                         |           |
|-------------------------|-----------|
| <b>Total Arrestees:</b> | <b>10</b> |
|-------------------------|-----------|

|                        |          |
|------------------------|----------|
| <b>Total Suspects:</b> | <b>5</b> |
|------------------------|----------|

|                       |           |
|-----------------------|-----------|
| <b>Total Victims:</b> | <b>29</b> |
|-----------------------|-----------|

|                     |          |
|---------------------|----------|
| <b>DUI Arrests:</b> | <b>2</b> |
|---------------------|----------|

|                           |           |
|---------------------------|-----------|
| <b>Traffic Citations:</b> | <b>41</b> |
|---------------------------|-----------|

|                               |          |
|-------------------------------|----------|
| <b>Non Traffic Citations:</b> | <b>6</b> |
|-------------------------------|----------|

|                        |          |
|------------------------|----------|
| <b>Total Warnings:</b> | <b>3</b> |
|------------------------|----------|

***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  
November-December 2014

Fines received from parking tickets ----- \$1345.00

Miles on police cars;

|                     |      |
|---------------------|------|
| 2003 Ford -----     | 29   |
| 2012 Dodge -----    | 1475 |
| 2012 Explorer ----- | 923  |
| TOTAL -----         | 2427 |

Fines received from District Court:

| <u>Month of:</u> | <u>Monthly Total, All Citations</u> | <u>Year-to-date</u> |
|------------------|-------------------------------------|---------------------|
| DEC, 2013        | \$2496.30                           | \$2496.30           |
| JAN, 2014        | 1204.27                             | 3700.57             |
| FEB, 2014        | 1469.47                             | 5170.04             |
| MAR, 2014        | 1721.77                             | 6891.81             |
| APR, 2014        | 2817.53                             | 9709.34             |
| MAY, 2014        | 2533.15                             | 12242.49            |
| JUN, 2014        | 2983.72                             | 15226.20            |
| JUL, 2014        | 2292.60                             | 17518.80            |
| AUG, 2014        | 1905.33                             | 19424.13            |
| SEP, 2014        | 1209.09                             | 20633.22            |
| OCT, 2014        | 1025.61                             | 21658.83            |
| NOV, 2014        | 2238.30                             | 23898.13            |
| DEC, 2014        |                                     |                     |

sig.





**Monthly Statistics From: 1/1/2014 To: 12/31/2014**

**Total Part I Crimes: 109**

|                      |    |
|----------------------|----|
| Murder:              | 1  |
| Rapes:               | 1  |
| Robbery:             | 1  |
| Assault:             | 28 |
| Burglary:            | 6  |
| Larceny:             | 69 |
| Motor Vehicle Theft: | 3  |
| Arson:               | 0  |

**Total Part II Crimes: 268**

|                  |    |
|------------------|----|
| Forgery:         | 0  |
| Fraud:           | 25 |
| Embezzlement:    | 1  |
| Stolen Property: | 5  |
| Vandalism:       | 39 |
| Weapons:         | 1  |
| Prostitution:    | 0  |
| Sex Offenses:    | 9  |
| Drugs:           | 16 |
| Gambling:        | 0  |
| Family Offenses: | 0  |
| DUI:             | 53 |
| Liquor:          | 15 |
| Drunkenness:     | 17 |
| Disorderly:      | 35 |
| Vagrancy:        | 0  |
| All Other:       | 28 |

**Total Calls for Service: 3164**

**Total Cases: 485**

**Total Arrestees: 137**

**Total Suspects: 50**

**Total Victims: 363**

**DUI Arrests: 27**

**Traffic Citations: 498**

**Non Traffic Citations: 80**

**Total Warnings: 121**

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

ANNVILLE TOWNSHIP POLICE DEPARTMENT  
ANNUAL REPORT SUPPLEMENT  
2014

Fines received from parking tickets ----- \$5250.00

Miles on police cars;

|                     |       |
|---------------------|-------|
| 2003 Ford -----     | 3942  |
| 2012 Dodge -----    | 12727 |
| 2012 Explorer ----- | 5864  |

TOTAL ----- 22533

Fines received from District Court:

| <u>Month of:</u> | <u>Monthly Total, All Citations</u> | <u>Year-to-date</u> |
|------------------|-------------------------------------|---------------------|
| DEC, 2013        | \$2496.30                           | \$2496.30           |
| JAN, 2014        | 1204.27                             | 3700.57             |
| FEB, 2014        | 1469.47                             | 5170.04             |
| MAR, 2014        | 1721.77                             | 6891.81             |
| APR, 2014        | 2817.53                             | 9709.34             |
| MAY, 2014        | 2533.15                             | 12242.49            |
| JUN, 2014        | 2983.72                             | 15226.20            |
| JUL, 2014        | 2292.60                             | 17518.80            |
| AUG, 2014        | 1905.33                             | 19424.13            |
| SEP, 2014        | 1209.09                             | 20633.22            |
| OCT, 2014        | 1025.61                             | 21658.83            |
| NOV, 2014        | 2238.30                             | 23898.13            |
| DEC, 2014        |                                     |                     |

sig. Don P. [Signature]

ORDINANCE NO. 642

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, AMENDING §11-103 AND §11-105(4), OF CHAPTER 11, PART 1 OF THE ANNVILLE TOWNSHIP CODE OF ORDINANCES, ENTITLED "RESIDENTIAL RENTAL UNIT LICENSING"

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

SECTION 1. Chapter 11, Part 1, §11-103, Duties of Owners and Managers of Residential Rental Units, and §11-105(4), Residential Rental Unit Licensing, of the Annville Township Code are amended as follows:

§ 11-103. Duties of Owners and Managers of Residential Rental Units:

(1) It shall be the duty of every owner to:

- (A) Obtain and maintain a Residential Rental License for each residential rental unit.
- (B) Provide the Township within 10 days of occupancy and on the annual residential rental license, the number of occupants in the residential rental unit.
- (C) Notify the Township of changes in occupancy of the residential rental unit within 10 days thereof.
- (D) Furnish to a Township Police Officer whom is investigating a report or complaint of a violation of Chapter 6, Conduct, of the Township's Code of Ordinances, the names, physical address and mailing address, if different, of all occupants of the residential rental unit. For the purposes of this Part, tenant shall have the same meaning as occupant.
- (E) Provide trash and recyclables collection and disposal services information and instruct tenants regarding the collection process for such items (e.g., curbside or dumpster and day of pickup).

- (F) Lease each residential rental unit to only one family. For the purposes of this paragraph, a "family" is defined in the Township Zoning Ordinance (Chapter 27).
- (G) Retain a manager when this Ordinance requires that a manager be designated.
- (H) If the owner has appointed a manager, the manager shall be jointly responsible to fulfill all of the obligations set forth herein. No owner may relieve himself of the responsibility to perform the duties set forth herein by appointing a manager.
- (I) It shall be the responsibility of the owner or manager to provide a copy of the Residential Rental License to the occupants of each residential rental unit. The Residential Rental License shall include the following information:
  - (1) The name and telephone number of the owner or manager.
  - (2) The date of expiration of the Residential Rental License.
- (2) No Residential Rental License shall be issued to any owner residing more than thirty (30) miles from the municipal limits of the Township unless the owner provides the Township with the name, mailing address and telephone number of a manager residing within thirty (30) miles of the municipal limits of the Township, authorized to accept service of process on behalf of the owner. For the purpose of this section, a post office box is not acceptable for the manager's address. This designation shall not be valid unless signed by the owner and the manager designated to act on behalf of the owner. The owner shall notify the Township within ten (10) days of any change of manager.

§ 11-105.      Residential Rental Unit Licensing:

- (4) The enforcement officer shall deny and may revoke a residential rental license if the owner does not provide his name, address and phone number, furnish a current list of all tenants in each residential rental unit, including their full name and address, to the Township as provided in § 11-103 (1)(D), and, if applicable, the name, address and phone number of a manager. The enforcement officer shall deny and may revoke a residential rental license if the owner does not pay the annual registration fee, or does not correct a violation of this Part within 30 days of notification of the violation by the enforcement officer.

SECTION 2. SEVERABILITY.

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of the Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included.

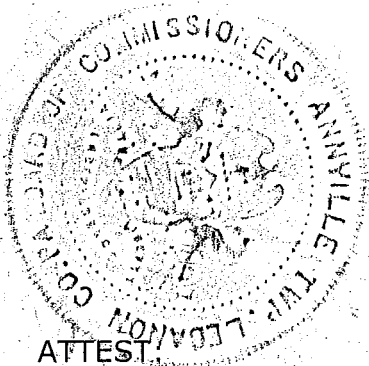
SECTION 3. REPEALER.

All Ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective January 5, 2015.

ORDAINED AND ENACTED this 5<sup>th</sup> day of January 2015,  
by the Board of Commissioners of the Township of Annville, Lebanon County,  
Pennsylvania, in lawful session duly assembled.



TOWNSHIP OF ANNVILLE

Rex Moore, President, Annville Township  
Board of Commissioners

Nicholas T. Yingst, Annville Township  
Secretary

**ANNVILLE TOWNSHIP  
CIVIL SERVICE COMMISSION**

**P.O. Box 178 • Annville, PA • 17003-0178**

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**(717) 867-4476 • FAX (717) 867-0916**

January 2, 2015

A meeting of the Civil Service Commission was called to order by Chairman Thomas Shott on January 2, 2015.

In attendance were Civil Service Commission Members Thomas Shott, Carl Gacono, and Al Yingst.

The Civil Service Committee reviewed the following item presented:

The committee approved the following list of eligible applicants for consideration for appointment as full time police officers for Annville Township: Jason Cleck, Jarrett Dominicis, James Grumbine, and Jason Myers.

There be no further action to be considered by the Commission the meeting was then adjourned.

Submitted by Al Yingst, Secretary

January 2, 2015

January 5, 2015

**HMGP PROPERTIES**

On Monday, December 15, Administrator Yingst, Assistant Secretary Stewart and Commissioner Scott met with Carolyn Benish of FEMA and Bill Creason of PEMA to review our work with the Hazard Mitigation Grant Program and to outline the work and documentation needed to complete the project. At the conclusion of the meeting, Commissioner Scott accompanied the program officials on a tour of the sites. The sites which had received the secondary seeding were said to have fulfilled the terms of the grant. Two exceptions were noted: first, if the Township intends to maintain the well head on the South Spruce Street property, we will need to request permission from the funding agencies to do so. Second, if the Township wishes to preserve the concrete sidewalk along the north side of the 315 South Lancaster Street property, it will also need to request this by letter and submit drawing and a statement of support from the neighboring property owner. Administrator Yingst took this information and will see to the matter.

We have again received notice that Penn Earthworks has failed to maintain Workers Compensation Insurance on its employees. Administrator Yingst instructed Randall Rentschler of Spotts Stevens McCoy to send the appropriate cease work order and to include Franco Umbriac in the correspondence as well. Administrator Yingst has also contacted Attorney Case of ACSTAR about this development who promised to reach out to PEW, as well. Administrator Yingst has marked his calendar and intends to recommend that we invoke the performance bond guarantee immediately unless Penn Earthworks has completed the job by the deadline.

**QUITTIE CREEK NATURE PARK**

The stream bank stabilization project is underway. An open channel has replaced a section of the former mill dam foundation. The contractor has cleared trees and underbrush on the south side of the creek east of the bridge and put down large mats to cover the exposed soil.

The Park Committee did not meet in December.

Perform Work to Penn Earthworks, Inc. from working on any of the HMGP properties in Annville Township until it provides a valid workers compensation certificate of insurance. Motion carried unanimously.

Default Procedure Against Penn Earthworks: Solicitor Sheffey reported on the lack of work performed by Penn Earthworks, Inc. pertaining to the demolition of 315 South Lancaster Street since the Notice to Proceed was issued for this property by the Township Engineer. He informed the Commissioners of the dates of substantial completion and final completion for this property, both of which will occur prior to the February Regular Meeting, and inquired if the Board desired to authorize that the necessary steps be taken prior to this meeting to declare Penn Earthworks in default should these deadlines not be satisfactorily met. **MOTION** by Mr. Embich, second by Mr. Yingst to authorize the Township and the Township Solicitor to taken any actions necessary pertaining to the process of declaring Penn Earthworks, Inc. in default if the deadlines for substantial completion and/or final completion are not satisfactorily met. Motion carried unanimously.

**Finance**: Administrator Yingst reviewed the Financial Report for December, highlighting the total income and expenses for the twelfth month of 2014. A copy of the report is attached hereto and made a part of these minutes. He also indicated the Pennsylvania Auditor General's audit report of the Liquid Fuels Fund for 2012 and 2013 was received and that no findings or reportable conditions were noted in the report. The following item was then discussed in detail:

Police Pension Fund Investment Mix: At the request of Mr. Embich, the Commissioners discussed at length the possibility of changing the mix of equity exposure versus fixed instruments for the Police Pension Fund that was previously addressed at the December 29, 2014 Adjourned Meeting. **MOTION** by Mr. Embich, second by Mr. Yingst to authorize The Principal Financial Advisors, Inc. to change the mix of equity exposure versus fixed instruments to 30% and 70%, respectively, for the Police Pension Fund. Motion carried unanimously.

**Permits**: The Permits Report for December 2014 was reviewed, a copy of which is attached hereto and made a part of these minutes.

**Annville Activities**: The Annville Activities Report for December 2014 was reviewed, a copy of which is attached hereto and made a part of these minutes. The Commissioners briefly discussed the bonfire and turnout for the Destination Annville New Year's Eve event held at the Annville Youth League field.

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

#### **REPORTS OF SPECIAL COMMITTEES:**

**Executive Session**: Administrator Yingst reported that an Executive Session was held prior to the adjournment of the December 29, 2014 Adjourned Meeting to discuss personnel matters.



## Permits Report

Month of December 2014

|                              |           |                  |
|------------------------------|-----------|------------------|
| Plumbing Permits issued      | _____     | _____            |
| Plumbing Licenses issued     | <u>18</u> | <u>\$ 450.00</u> |
| Excavator Licenses issued    | <u>2</u>  | <u>\$ 50.00</u>  |
| Total Tapping Fees Collected | _____     | _____            |

### Tapping Fees

### Building Permits

|        |                      |                               |                      |
|--------|----------------------|-------------------------------|----------------------|
| #46-14 | 320 E. Main St.      | James/Laurie Gill             | erect/replace a sign |
| #47-14 | 315 S. Lancaster St. | Annvile Township              | demo                 |
| #48-14 | 550 E. Main St.      | United Church of Christ Homes | add to structure     |

### Curb/Sidewalk Permits

### Street-Cut Permits

|        |                  |                     |
|--------|------------------|---------------------|
| #14-27 | 343 E. Maple St. | UGI Utilities, Inc. |
|--------|------------------|---------------------|

### Burn Permit

**ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS  
STANDING COMMITTEE: ANNVILLE ACTIVITIES (J. Scott)**

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January 5, 2015

**New Year's Eve**

Destination Annvile moved the New Year's Eve bonfire and celebration to the Youth League Field on Long Street. Public Works staff built the object to be lowered: the Annvile trademark flowering heart into hands. Pierce "Picasso" Caplinger, Henri Lively and Jon Johnson did the painting. Plans for the event include a live band, the Frankadelics, an open concession stand and the heart descending the flag pole at midnight. Administrator Yingst had determined that the Township's general liability insurance would cover the event.

**Winterfest**

Destination Annvile looks toward mid February as a possible opportunity to stage an afternoon of ice-skating and winter sports supported by a large volume of hot cocoa in the quarry pond area of Quittie Creek Nature Park. The quarry pond would need to be cleaned out, flooded if necessary, and frozen; thus all depends on the cooperation of Annvile Township Public Works staff, the Annvile-Cleona Fire District and Mother Nature.

**Planning Commission:** Administrator Yingst reported that the Planning Commission did not meet in December and that it is not expected to meet in January.

**Economic Development:** Administrator Yingst reported that the Economic Development Authority (EDA) met in December and that its next quarterly meeting is scheduled for March 25, 2015.

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

**Wage & Salary:** Administrator Yingst reported that the Wage & Salary Committee would likely be meeting sometime in February or March to review annual employee performance reviews.

**Information Technology:** The Information Technology Report for December 2014 was reviewed, 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 December 2014, a copy of which is attached hereto and made a part of these minutes. He also provided a brief report on the initial bridge construction project meeting held on December 16, 2014.

**Stormwater Management:** Mr. Embich reviewed the Stormwater Management Report for December 2014, a copy of which is attached hereto and made a part of these minutes. He also reported on a meeting held earlier in the day that he attended with Public Works Director Les Powell and Administrator Yingst. This meeting pertained to recent discharges into the Township storm sewer system originating from Boger Concrete Company and how the Township should respond to this. Mr. Embich reported that Mr. Powell agreed to try to determine what Boger's NPDES permit requirements are, as well as the requirements of other municipalities pertaining to NPDES permits issued as part of the MS4 program, before the Township takes any formal action.

**Zoning Ordinance Revision:** Administrator Yingst reported that the Zoning Ordinance Revision Committee is in the midst of a three week hiatus for the Christmas holiday. He did note that proposed draft versions of the zoning ordinance and map have been posted to the Township website and that input from the public on these items is welcome.

**Fire Department:** The Board noted the receipt of the November 2014 and December 2014 Monthly Statistical Reports and the Annual 2014 Statistical Report for the Union Hose Fire Company. Mr. Yingst reported that the next monthly fire department meeting will be on January 8 and that he will be swearing-in the newly-elected officers at that meeting. He also indicated that the merger committee is expected to resume its monthly meetings sometime in January.

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

**OLD BUSINESS:**

January 5, 2015

Following last month's hacking experience and the recognized need to upgrade our content management system (CMS) for improved security, Administrator Yingst contacted our IT consultant, Alan Feldman of Virtual October. He advised us to engage a specialist and suggested two firms he believed could do the work. These provided an immediate minimum quote of \$5000 to accomplish the upgrade from Joomla! 1.5 to Joomla! 3.3.

An online search led Commissioner Scott to Joomla Bird, a division of CAP Digi Soft Solutions, Inc. specializing in Joomla! upgrades. A representative of this company, William Smith, received administrator privileges on our site and returned a quote of \$550. For an additional \$120 he would supply and configure a calendar feature on the site. Following e-mail consultation with the Commissioners, Administrator Yingst approved the offer and authorized Joomla Bird to begin the work. Following receipt of a 50% down payment, Joomla Bird began the update on December 10. It was subsequently necessary to purchase a version of the DOCman component (used to upload and manage the documents we make available to the public) at a cost of \$69. The site maintained using Joomla! 3.3 was to be ready for upload on December 23.

On Friday, December 20, Administrator Yingst received again notice from Blue Host, the Internet Service Provider for our website, that our site had been compromised and made a source for trademark and copyright infringing material. And again, Blue Host had responded to notification by the Trademark Enforcement Department JAB Luxury GmbH, owner of the trademark BALLY. Administrator Yingst immediately contacted Blue Host by phone. Unfortunately this time, Blue Host staff proved unhelpful and uncooperative. There followed a second call to Blue Host and an equally surly response, some pretty unsuccessful efforts on the part of Administrator Yingst and Commissioner Scott and finally a third call to Blue Host picked up by a sympathetic staffer who helped Administrator Yingst resolve the issue. We look forward to the upgraded site coming online in a few days and hope that will eliminate the problem. The helpful Blue Host technician did caution us, however, that the actual malware might survive the upgrade and return.

Thomas Embich

Agenda Items: VII - G & H

Date: December 31, 2014 report for January 05, 2015 Meeting

## **Item VII -G SPRUCE STREET BRIDGE**

1. The "Final" kick-off meeting for the bridge replacement (T-398=South Spruce St. Bridge) was held on Dec. 16, 2014. Wilson Consulting Group, PC conducted the meeting and produced the minutes, which are available. The project environmental impact study and engineering phase will likely last 18 months; the construction was estimated to start sometime in mid-2018 and be completed in 2019. Slivers of property on the north side of the bridge may be required to be taken, but none were anticipated on the south side of the bridge, however, PEMA/FEMA restrictions on land use for the HMGP property (former Smith property) may complicate the widening and smoothing of the approach curve on the south side of the bridge. Preliminary EIS scoping by URS anticipated no issues causing delay.
2. During the project review meeting the issue of a pedestrian underpass to allow walkers to move from east or west side of Quittie Park to the other was discussed. Wilson Consulting will look at possible applications, but the initial field survey of the bridge height was not sufficient to allow for such a passage. Alternative pedestrian protection was briefly discussed, and will be further examined during the design phase.

### **ACTION ITEM:**

- **NONE AT PRESENT**

## ITEMVII -H STORMWATER MANAGEMENT

- The next LCCWA meeting is proposed for January, 2015; no specific date yet set.
- As the Quittie Park streambank stabilization project continues, staff will also be keeping in touch with the contractor to preclude any stormwater outfall damage or blockage.
- Several photos were taken of stormwater contamination from open sand and gravel piles adjacent to North Ulrich Street during a rain event on Dec. 24, 2014. Follow-up is proposed to prohibit such events or make the owner(s) aware of their liability under the stormwater management regulations.

**ACTION:** Official action is recommended for the stormwater contamination of the storm drains and catch basins, and pollution of the Quittapahilla Creek by uncontrolled construction material stock piles.

**Proposed Intermunicipal Agreement with Cleona Borough:** Mr. Lamoureux provided an update on the status of the proposed intermunicipal agreement with Cleona Borough. He reported that he met with the Solicitor for Cleona Borough on January 2 regarding the draft agreement to discuss some minor changes that Cleona is recommending. He noted that he anticipates Annville Township should be ready to adopt a resolution authorizing this intermunicipal agreement at the February Regular Meeting.

**NEW BUSINESS:**

**Authorization of Loan Draw Request No. 38/Requisition No. 38 (Wastewater Treatment Plant Improvements Project):** At the recommendation of the Township Authority, **MOTION** by Mr. Yingst, second by Mr. Embich to authorize Loan Draw Request No. 38 from the Sewer Construction Fund in the amount of \$3,753.04 and to approve Requisition No. 38 authorizing payment to Gannett Fleming for engineering services in the amount of \$3,753.04. Motion carried unanimously.

**Delinquent Sewer and Trash Fees:** Solicitor Sheffey informed the Board that his office was contacted about a closing on the property at 25 West Queen Street, for which a municipal lien had been filed for delinquent sewer and trash fees, and that should the closing take place he anticipates the Township will be paid for this municipal lien in the coming weeks.

**Appointments:** **MOTION** by Mr. Yingst, second by Mr. Embich to make the following appointments:

Depository for Township funds - Fulton Bank  
Jonestown Bank and Trust Company  
Northwest Savings Bank  
Pennsylvania Local Government Investment Trust (PLGIT)

Fire Marshal – Paul Longenecker

Vacancy Board (one year term ending December 31, 2015) – Keith G. Kreamer

Zoning Officer (one year term ending December 31, 2015) – Lebanon County Planning Dept.

Township Authority (five year term ending December 31, 2019) – Keith R. Seward

Planning Commission (four year term ending December 31, 2018) – Conrad L. Liles and  
Anthony Perrotto

Zoning Hearing Board (five year term ending December 31, 2019) – Fredric D. Richter

Zoning Hearing Board Alternate (three year term ending December 31, 2017) – Michael  
Bowman

Economic Development Authority (five year term ending December 31, 2019) – Meghan  
Winslow

Property Maintenance Board of Appeals (three year term ending December 31, 2017) –  
Joann Zimmerman

Property Maint. Board of Appeals Alternate (three year term ending December 31, 2017) –  
Robert Yorty

Township Authority Representatives to Wage & Salary Committee – Anthony Perrotto and  
Hugh Rooney

Greater Lebanon Refuse Authority (GLRA) Representative – Rex A. Moore

EIT/TCC Municipal Representative (one year term ending December 31, 2015) – Adam  
Wolfe

EIT/TCC Municipal Representative Alternate (one year term ending December 31, 2015) –  
Don Umberger

Motion carried unanimously.

**Annual Memberships:** MOTION by Mr. Lively, second by Mr. Yingst to approve the following memberships for 2015, totaling \$1,546.84:

Pennsylvania State Association of Boroughs – 2015 dues \$225.00

Pennsylvania State Association of Township Commissioners – 2015 dues \$1,321.84

Motion carried unanimously.

**Request to Lebanon County Commissioners Regarding Proposed Natural Gas Pipeline:**

Administrator Yingst presented a letter requesting that the Lebanon County Board of Commissioners allow its website to serve as a repository for information on the natural gas pipelines that are proposed to impact the county. MOTION by Mr. Embich, second by Mr. Lively to authorize the issuance of the letter to the Lebanon County Board of Commissioners as presented. Motion carried unanimously and a copy of this letter is attached hereto and made a part of these minutes.

**Employee Assistance Program (EAP):** The Commissioners discussed at length the possibility of providing an EAP as a benefit to its employees. While it was agreed that such a program would be beneficial to employees, it was noted that the Township had not budgeted for the costs of such a program in 2015. It was also noted that the EAP with Philhaven, which the fire department was considering and for which the fire department had provided information to the Township, charges the employer directly for the cost of counseling sessions. Because the costs for the program would be borne solely by the Township and would be based upon usage by employees, several Commissioners expressed concern that the costs for providing such a program were unknown and could vary from year to year. To that end, the Commissioners did not appear to be interested in pursuing an EAP at present, although Mr. Yingst suggested perhaps the Board could consider this for the 2016 budget.

**CORRESPONDENCE:** Administrator Yingst reported that a letter was received from Tanya and Fred Richter of Locust Street requesting that the Township adopt a resolution opposing the Williams Partners, LP Atlantic Sunrise Natural Gas Pipeline; a copy of this letter is attached hereto and made a part of these minutes.



**ANNVILLE TOWNSHIP  
BOARD OF COMMISSIONERS**

**P.O. Box 178 • Annaville, PA • 17003-0178**

**(717) 867-4476 • FAX (717) 867-0916**

January 5, 2015

Attn: Jamie Wolgemuth, County Administrator  
Lebanon County Board of Commissioners  
Room 207, Municipal Building  
400 South 8<sup>th</sup> Street  
Lebanon, PA 17042

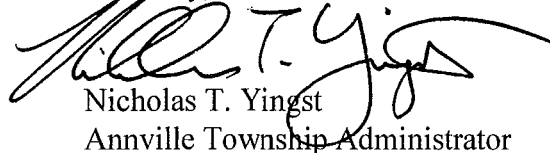
Dear Mr. Wolgemuth:

As I am sure the Lebanon County Commissioners have encountered firsthand, the various natural gas pipeline routes proposed to pass through the county have led to many questions from concerned citizens. Annaville Township has also been the recipient of these inquiries, despite the fact that it would likely be affected by only one of the proposed pipelines and only one property owner within the municipality would be directly impacted.

Over the past year the Annaville Township Commissioners have entertained numerous questions and requests regarding natural gas pipelines at their public meetings. One of these requests is that the Annaville Township website be utilized as a repository for information on these pipelines. While Annaville Township recognizes the potential benefit of having such information available in one location, it does not believe that it is the best entity to provide this service. As these proposed pipelines, if approved, would affect residents of many Lebanon County municipalities, it is Annaville Township's belief that this is a request that could be better addressed by a government with a scope and influence that is broader than a single municipal boundary. To this end, the Township Commissioners believe it would be most sensible for the County Commissioners to allow its website to serve as the public repository for information on the proposed natural gas pipelines and Annaville Township respectfully requests that it consider doing so.

Thank you for your consideration of this request and if you have any comments or questions regarding it, please do not hesitate to contact me.

Sincerely,



Nicholas T. Yingst  
Annaville Township Administrator

December 29, 2014

Annville Township Commissioners  
N. Lancaster Street  
Annville, PA 17003

Recd  
12-30-14

Dear Annville Township Commissioners:

This letter is in regard to the proposed Atlantic Sunrise Pipeline that has the potential to negatively affect Annville Township. We urge you to support the recently submitted resolution opposing this pipeline expansion and that you request the Federal Energy Regulatory Commission to disapprove the location of any portion of the pipeline within the Township or Township property. Join South Londonderry Township which was the first municipality in Lebanon County to do so.

There are a myriad of issues to support this resolution and are included in the resolution. However one of our big questions is about their track record. What kind of stewards have the Williams Company and it's subsidiaries been? The following is an example:

Fred and I are familiar with Parachute, CO and are glad we don't live there because of the unbelievable havoc imposed on this once scenic town by a Williams natural gas pipeline that leaked into the soil and subsequently into the creek. Unfortunately the leaks contained benzene, a cancer-causing agent. This could happen to the Quittapahilla Creek and other bodies of water that drain into the Susquehanna River basin. Remember that Annville Township permanently lost it's previous water supply when chemicals like trichloroethylene contaminated it's wells. What is a clean water supply worth?

Pipelines are around for a long time. The safety practices of this company in regard to issues such as corrosion are not stellar and the company has been fined for failure to follow its own internal policies. (See the attached compliance and safety record list.)

Who pays if a leak or explosion occur and who calculates the cost? What happens if our wastewater plant is affected? What if the company goes bankrupt as it was reported to be on the verge of in 2002. Who pays for repair and cleanup then?

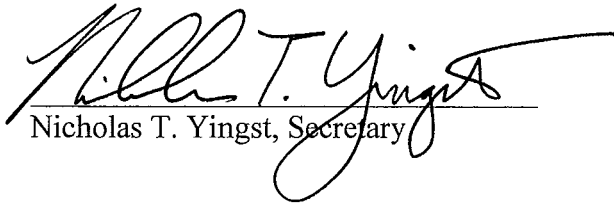
We ask you on behalf of Annville Township to support the resolution presented.


Sincerely,  
Tanya and Fred Richter  
102 Locust Street  
Annville, PA

*Tanya Richter*  
*Fred Richter*

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

**ADJOURNMENT:** There being no further business to come before the Board, **MOTION** by Mr. Yingst, second by Mr. Lively to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 8:25 PM.

  
\_\_\_\_\_  
Nicholas T. Yingst, Secretary

  
\_\_\_\_\_  
Rex A. Moore, President