

**MINUTES OF THE ANNVILLE TOWNSHIP
BOARD OF COMMISSIONERS
May 4, 2015**

The May Regular Monthly Meeting of the Annville Township Board of Commissioners was held starting at 7:30 PM on May 4, 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; Allen R. Yingst; and Henri B. Lively. Also in attendance were Nicholas T. Yingst, Township Administrator and Board Secretary; William Stickler, Police Department Sergeant; Timothy D. Sheffey, Township Solicitor; Corey Lamoureux, office of the Township Solicitor; Karen Feather, Lebanon Valley College (LVC); Matt Baczewski, *The Lebanon Daily News*; Michael Schroeder, East High Street; Tanya Richter, Locust Street; Steve Kreamer, Kathleen K. Moe, and Meghan Winslow, East Main Street; Larry and Millie Kish, Maple Street; Conrad "Mike" Liles, North Railroad Street; Eugene and Rhoda Martin, Stone Hill Village; Dan Milusnic, West Main Street; Kyler Burke, James Escobar, Nick Jones, Ian McGinnis, Jacques Mercer, Carson Snively, and Kevin Tilley, students at LVC; Richard Charles, Cornwall Borough; Steve Dayton and Edric Fetter, Annville PH, LP; Gregory Holtzman and Mark Heeb, BL Companies; Craig Mellott, Traffic Planning and Design, Inc.; Charles Courtney, McNees Wallace & Nurick, LLC; and several individuals who did not sign in prior to the meeting or identify themselves during the meeting.

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:

Resolution No. 20150504-001 - Recognition of Kathleen K. Moe's Service on the Annville Economic Development Authority (EDA): Noting that Kathleen K. Moe has submitted a letter of resignation to the EDA after serving on it for many years, President Moore presented a framed original copy of Resolution No. 20150504-001, on behalf of the Board of Commissioners, to Ms. Moe, thanking her for her service to the community in this role and her hard work over the years. **MOTION** by Mr. Scott, second by Mr. Lively to adopt Resolution No. 20150504-001, extending recognition and appreciation to Kathleen K. Moe for her many years of service on the EDA. Motion carried unanimously and a copy of this resolution is attached hereto and made a part of these minutes.

Lebanon Valley Advanced Care Center (LVACC) Land Development Plan: Noting that representatives associated with the developer of the proposed LVACC land development plan were in attendance, President Moore asked if they wished to address the Board. Gregory Holtzman of BL Companies, the engineer representing the developer, provided the Board with a revised site plan drawing for the LVACC and asked the Board that conditional approval be granted for the land development plan. He noted that all comments of the Township Engineer, Authority Engineer, and Lebanon County Planning Department have been reviewed; he reported that all major recommendations have been addressed and the recommendations that remain outstanding are minor and in the process of being addressed. Mr. Scott inquired about the status of the response to the transportation comments. Craig Mellott of Traffic Planning and Design, Inc., the traffic engineer representing the developer, explained that he and several representatives of the developer had previously met with Township officials and the Township Engineer to review traffic concerns that had been raised. This meeting led to a Traffic Impact Study (TIS) that was reviewed by the Township Engineer and Mr. Mellott indicated his belief that he has

RESOLUTION NO. 20150504-001

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
ANNVILLE TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA,
EXTENDING RECOGNITION AND APPRECIATION
TO KATHLEEN K. MOE FOR HER MANY YEARS OF SERVICE ON
THE ANNVILLE ECONOMIC DEVELOPMENT AUTHORITY**

WHEREAS, the Annville Township Board of Commissioners created the Annville Economic Development Authority (AEDA) in 2008 to encourage development of properties and promotion of a vibrant economic environment within Annville Township; and

WHEREAS, Kathleen K. Moe has served as a member of the AEDA since its inception, most recently serving as its Vice Chairperson; and

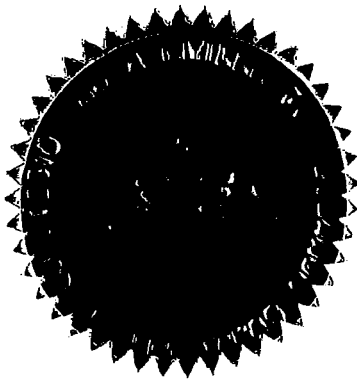
WHEREAS, Ms. Moe was instrumental in overseeing the development of the properties located on the northeast corner of the square in Annville, commonly known as Annville Center, which has dramatically improved the appearance, ambiance, and dynamic of the downtown; and

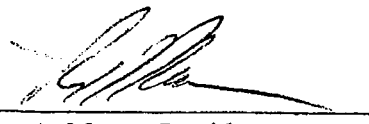
WHEREAS, Ms. Moe has served on the AEDA with integrity, diligence, conscientiousness, prudence, and fairness; and

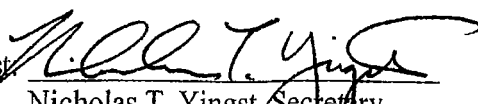
WHEREAS, Ms. Moe has submitted a letter of resignation to the AEDA, effective May 30, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Annville Township Board of Commissioners that Kathleen K. Moe be recognized and appreciated for her many years of service to the community on the Annville Economic Development Authority.

ADOPTED this fourth day of May, 2015.




Rex A. Moore, President

Attest: 
Nicholas T. Yingst, Secretary

satisfactorily addressed the Township Engineer's comments pertaining to this study. To that end, he noted that the remaining transportation issue to be finalized is the execution of a Development Agreement between the developer and the Township. This agreement, which is currently under review by the Township Solicitor, would provide for the details of future studies that would determine if a traffic signal was warranted at the driveway entrance to the property per Pennsylvania Department of Transportation (PennDOT) standards. Mr. Mellott noted that while the current conditions did not warrant a traffic signal at that intersection, and that PennDOT would not permit a traffic signal unless its standards were met, as the LVACC reaches full occupancy there is a good chance that PennDOT's standards will be met. Mr. Scott asked if he was familiar with the Earl Drive intersection in North Londonderry Township and Mr. Mellott indicated he was. Mr. Scott inquired how PennDOT would permit a traffic signal at that intersection due to its perceived low traffic volume entering Route 422 from that street. Mr. Mellott responded that whatever the conditions may be at the Earl Drive intersection, he was confident that the TIS for the LVACC did not meet PennDOT standards and that it would not permit a traffic signal at present. Mr. Scott then asked who would pay for the traffic signal and Charles Courtney of McNees Wallace & Nurick, LLC, the attorney representing the developer, indicated that the developer would, including costs of installation and permitting. Mr. Courtney noted that these were items included in the Development Agreement. He also noted that, should another land development plan be submitted in the immediate vicinity of the LVACC driveway intersection prior to installation of the traffic signal, the signal costs be shared with that developer. Mr. Embich asked when the TIS was performed and Mr. Mellott indicated it was done in the winter, although he noted that the weather conditions were not inclement at the time of the study. Mr. Embich suggested that a summer TIS be done in order to take into account higher levels of pedestrian and bicycle traffic. He also asked how frequently the studies would be done. Mr. Courtney responded that the studies would be performed annually, with the final study occurring after the LVACC achieves full occupancy; he also noted that the study could be done in the summer, if the Board wished. Mr. Embich asked about the impact that shift changes at the LVACC could have on the traffic situation, and Mr. Mellott responded that subsequent studies would account for this as the LVACC approaches full occupancy. Mr. Courtney also noted that the developer would be amenable to doing a study earlier than one year from plan approval, if the Board wished. Mr. Scott inquired how many parking spaces were required by Township ordinances and Mr. Holtzman replied that 390 were required, although the proposal called for 419. Mr. Scott suggested that a number of parking spaces could be removed to allow for a bicycle lane without violating Township ordinances and asked the developer if it would incorporate this into the plan. Mr. Holtzman stated that they would take this into consideration. Mr. Scott indicated that the Township greatly desired to see a bicycle lane due to safety concerns, and he then discussed the potential route for such a lane in detail with Mr. Holtzman and Mr. Courtney. Mr. Scott suggested a possible route that would remove 12 parking spaces adjacent to the northern edge of the east-west driveway at the southern perimeter of the parking lot. Mr. Holtzman expressed his concern that the slope of the lot might make this proposal difficult and potentially hazardous. Mr. Courtney asked for clarification concerning what type of lane structure Mr. Scott was suggesting, and Mr. Scott indicated his preference would for a lane that would be separated by a curb. If this was not possible, he would then prefer a painted, designated lane and should this second option not be possible, then a wider east-west driveway that would provide more room for bicyclists and pedestrians. Mr. Courtney suggested that perhaps the southern edge of the east-west driveway at the southern perimeter of the parking lot

could be expanded by four feet to allow for a wider traffic lane without removing any parking spaces, and Mr. Scott indicated that this is what the Township had asked for several months prior. Mr. Holtzman indicated that proposal might be workable and that he would look into it, although Mr. Courtney stressed the possibility of zoning or engineering issues they were not considering that would need to be taken into account before the land development plan was changed accordingly. Mr. Lively then asked for clarification regarding a specific item on the site plan drawing and Mr. Holtzman indicated it represented a planting island that served to address slope issues. Mr. Scott returned to the matter of a bicycle path and asked Tanya Richter, a member of the Planning Commission and bicycle proponent, if she thought Mr. Courtney's proposal was a good one. She indicated that the proposal would be helpful in addressing this concern. Mr. Yingst indicated that the parking lot at this site is currently used as a staging area for the town's annual Memorial Day Parade, briefly recounting the history, growth, and significance of this local event. He then asked if this site would be available for this going forward. In light of this question, Mr. Lively asked if the facility would operate 24 hours a day, seven days a week. Regarding Mr. Lively's question, Edric Fetter of Annville PH, LP, the developer, indicated that only the urgent care portion of the LVACC would operate 24 hours a day, seven days a week. Regarding Mr. Yingst's question, he noted that this concern was shared with him by Senator Mike Folmer shortly after the LVACC was proposed. Mr. Fetter noted that this would not be an issue for 2015 and that he was open to discussing the use of this parking lot for parade staging going forward. President Moore asked the Commissioners if they had any further questions regarding the proposed land development plan and none were noted, at which point several recommended actions pertaining to this plan were considered by the Board.

LVACC - Engineering Review: At the recommendation of the Township Authority, **MOTION** by Mr. Yingst, second by Mr. Scott to ratify the authorization for Gannett Fleming to perform sanitary sewer engineering reviews for the Lebanon Valley Advanced Care Center, with the cost of these reviews to be paid by the developer. Motion carried unanimously.

LVACC - Certification of Sewage Capacity: At the recommendation of the Township Authority engineer, **MOTION** by Mr. Scott, second by Mr. Yingst to authorize the issuance of a letter certifying that sewage capacity exists for the Lebanon Valley Advanced Care Center. Motion carried unanimously.

LVACC - Waiver Regarding Slope Restrictions for Basins: Noting that the Planning Commission had done likewise, **MOTION** by Mr. Lively, second by Mr. Embich to approve the request that Section 23-314.1.D(3) of the Stormwater Management Ordinance regarding slope restrictions for basins be waived for the Lebanon Valley Advanced Care Center. Motion carried unanimously.

LVACC - Conditional Approval of Final Land Development Plan: Noting that the Planning Commission had done likewise, **MOTION** by Mr. Yingst, second by Mr. Scott to approve the final land development plan for the Lebanon Valley Advanced Care Center upon the following conditions being met: (1) that all comments by the Township Engineer are satisfactorily addressed by the developer, (2) that a satisfactory Development Agreement is entered into with the developer by the Township, and (3) that the land development plan incorporates the widening of the southern edge of the east-west driveway at the southern perimeter of the parking lot by

four feet to allow for a wider traffic lane to better accommodate bicycle traffic, provided that doing so does not result in any significant zoning or engineering issues. Motion carried unanimously.

LVACC - Additional Discussion: Karen Feather of LVC asked to address the Board and was recognized by President Moore. Ms. Feather noted that several college students were in attendance who had some questions regarding the LVACC. One student, who did not identify himself, inquired if the facility would be using its own ambulances or those of other ambulance services. Mr. Courtney indicated that other ambulance services would be used. A follow-up question was raised regarding whether the site would have a helicopter landing space and Mr. Courtney stated that it would not. The student, who indicated that his father was a helicopter pilot for LifeLion, suggested that incorporating a helicopter landing site would be beneficial and Mr. Holtzman indicated he would pass along that suggestion.

At this point no further public comments were offered by those in attendance and Mr. Courtney, Steve Dayton, Mr. Fetter, Mark Heeb, Mr. Holtzman, and Mr. Mellott left the Regular Meeting at 8:02 PM.

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

REPORTS OF STANDING COMMITTEES:

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

Milling and Overlay of South Lancaster Street: In accordance with the state bidding requirements, the Public Works Director sought bids from four firms for milling and overlay of South Lancaster Street from Marshall Avenue to West Queen Street. Two of the firms responded with quotes, with Hoffer Paving submitting the low bid of \$8,500. **MOTION** by Mr. Lively, second by Mr. Yingst to award a contract to Hoffer Paving for milling and overlay of South Lancaster Street from just north of the intersection with Marshall Avenue to just south of the intersection with West Queen Street at a cost not to exceed \$8,500 and to authorize the use of Liquid Fuels funds for this project. Motion carried unanimously.

Request to Hire Full-Time Employee: At the recommendation of the Township Authority, **MOTION** by Mr. Embich, second by Mr. Scott to hire Joseph R. Viozzi as a full-time employee at his current rate of \$10.00 per hour, effective May 4, 2015. Motion carried unanimously.

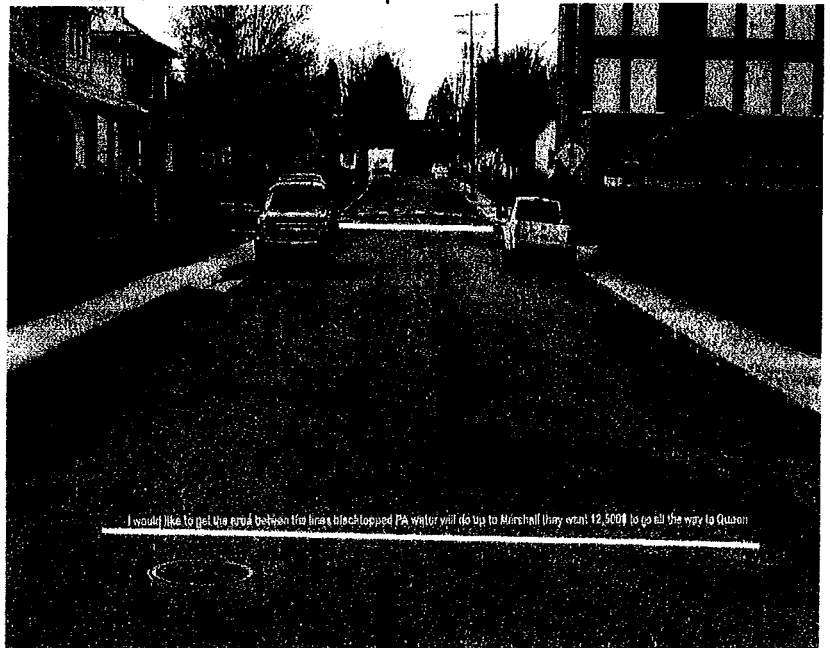
Public Safety: The Police Statistical Report for April 2015 was reviewed, a copy of which is attached hereto and made a part of these minutes. The following items were then discussed in detail:

Bulletproof Vest Grant Application: Noting that on April 28, 2015 Police Chief Bernard Dugan submitted a grant application for bulletproof vests, **MOTION** by Mr. Embich, second by Mr. Scott to ratify the submission of an application to the Bulletproof Vest Partnership for \$2,800, or

ANNVILLE TOWNSHIP PUBLIC WORKS DEPT.

WORK DONE FOR APRIL 2015

- (1) **BOLLARD REPAIRS** 2 repairs this month.
- (2) **D/T LIGHTS** Repaired 4 lights
- (3) **SWEEPING** Spent 6 hrs. sweeping in Annville, and 11 hrs. in Cleona.
- (4) **BLACKTOP** S Lancaster from West Queen to Marshall is not being done by the water co. We asked them to give us a price to do this section. They gave us a price of \$12,500. I asked Hoffer paving to give me a price and he can to it for \$8,500. I also called Pennsy and Burkholder but did not hear anything back from them. The area between the white lines is the area to be paved.



- (5) **POTHOLES** We are working on potholes now. We have to run to Prescott for material since the Annville plant will not be open until July. We should finish up within 2 weeks as long they keep making material.
- (6) **D/T SIDEWALKS** The sidewalks through the Downtown will be cleaned in May. They did not get done due to the colder temps.
- (7) **GIS SYSTEM** The storm drain system should be finished.

(8) FOUNTAIN

The fountain will be painted next week weather permitting. The temps have been too cold to paint this past month.

(9) JOE VIOZZI

I would like to recommend that Joe V be hired as a fulltime employee. He is doing a very good job and he catches on to things very quickly.

(10) MS4

I have been working with Nick on some of the documentation we have to have on file for an inspection. We started a binder that will be located at the Twp. Office and the public works dept. that will have everything in it. We also had a meeting with Kent, Tom, Nick and myself on some of the items and procedures DEP will be looking for on an inspection.

Respectfully submitted
Les Powell

50% of the anticipated cost of \$5,600 for five Police Department bulletproof vests. Motion carried unanimously.

Body Cameras: Mr. Yingst asked if the Police Department was considering purchasing body cameras and Sergeant Stickler reported it was and that currently the Department was evaluating different types of cameras based upon both cost and ease of use. He noted that the most significant cost driver concerned video storage. Mr. Yingst also asked if the Police Department still had a volunteer chaplain available to the officers and Sergeant Stickler indicated it did. Mr. Embich and Sergeant Stickler then discussed the manner in which video information was submitted and maintained. An LVC student, who did not identify himself and indicated he is originally from Baltimore, MD, asked if any measures were being taken to insure that the violence occurring in his hometown does not occur in Annville. President Moore responded by noting that the Police Department has significantly increased its focus on training over the past few years. Sergeant Stickler concurred, further noting that the Department has extensively revised the policies and procedures that its officers are required to adhere to and has also recently achieved accreditation status attesting to the sufficiency of these standards.

Property: Administrator Yingst noted that there is a vacancy in Apartment B at 25 East Main Street and the "For Rent" sign has been posted in the window of the unit.

At this point of the Regular Meeting V. Carl Gacono arrived at 8:10 PM.

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

Breakfast in the Park: **MOTION** by Mr. Scott, second by Mr. Lively to authorize the use of Quittie Creek Nature Park on June 20, 2015 by the Friends of Old Annville (FOOA) for its "Breakfast in the Park" event. Motion carried unanimously.

Purple Loosestrife: Mr. Scott briefly discussed the growth of purple loosestrife at the quarry pond area of Quittie Creek Nature Park and suggested that the Public Works Department select an appropriate herbicide to begin eradication of this invasive species. Mr. Embich asked if the Quittie Creek Nature Park Committee of FOOA was in favor of this and Mr. Scott indicated it was. The Commissioners appeared to concur with this suggestion and Administrator Yingst indicated he would pass along this request to the Public Works Department. Michael Schroeder of East High Street asked to address the Board and was recognized by President Moore. Mr. Schroeder asked if the type of herbicide that is used be stated in the minutes. Mr. Scott indicated that he did not know what type of herbicide would be used and thought it best for the Public Works Department make that determination based upon its expertise in that area. He further noted, however, that he would incorporate this information in a future month's Parks & Recreation Report.

Finance: Mr. Embich reviewed the Financial Report for April and provided a brief overview of the budget-to-actual revenues and expenditures through four months. A copy of the report is attached hereto and made a part of these minutes. Mr. Embich also reported that, as the Lebanon

ORI: PA0380100
Population: 15000

Annville Township Police Department

Annville, PA 17003
717-867-2711

Monthly Statistics From: 4/1/2015 To: 4/30/2015

Total Part I Crimes:	7
Murder:	0
Rapes:	0
Robbery:	0
Assault:	2
Burglary:	1
Larceny:	4
Motor Vehicle Theft:	0
Arson:	0

Total Part II Crimes:	25
Forgery:	1
Fraud:	0
Embezzlement:	0
Stolen Property:	0
Vandalism:	11
Weapons:	0
Prostitution:	0
Sex Offenses:	0
Drugs:	4
Gambling:	0
Family Offenses:	0
DUI:	2
Liquor:	0
Drunkenness:	1
Disorderly:	3
Vagrancy:	0
All Other:	2

Total Calls for Service: 245

Total Cases: 44

Total Arrestees: 10

Total Suspects: 3

Total Victims: 28

DUI Arrests: 2

Traffic Citations: 50

Non Traffic Citations: 4

Total Warnings: 3

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
April 2015

Fines received from parking tickets ----- \$85.00

Miles on police cars;

2003 Ford -----	0
2012 Dodge -----	1425
2012 Explorer -----	351
TOTAL -----	1776

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		
APR, 2015		
MAY, 2015		
JUN, 2015		
JUL, 2015		
AUG, 2015		
SEP, 2015		
OCT, 2015		
NOV, 2015		
DEC, 2015		

sig. 

ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS**STANDING COMMITTEE: PARKS AND RECREATION / HMGP (J. Scott)**

May 4, 2015

QUITTIE CREEK NATURE PARK

The Friends of Old Annnville's park committee met on Sunday, April 26. Items on the agenda included:

- A workday tentatively planned for Saturday, May 16 to clear trails and mark boundaries in the eastern extension of the park.
- An update on the stream bank restoration project and review of the contractor's punch list.
- A Breakfast in the Park now planned for June 20. The group will sell a limited number of tickets, and then conduct guided tours of the park with breakfast to follow.
- Plans to to complete the trail base in the eastern section. The committee discussed the possibility of obtaining RAP (recycled asphalt pavement) for this purpose, but will likely purchase stone instead out of concern for potentially toxic leachate from the former material.
- A report on the progress of the stream bank stabilization project—now on hold till the summer. Officials from DEP and the contractor will review the work done so far on Thursday, April 2.
- A reported that 55 City of Lebanon elementary students will be in the park from 10:00 AM to 2:00 PM on Tuesday, May 19, for a tour and tree planting project. Annnville Public Works will provide a second, handicapped accessible, portable toilet. The handicapped toilet will then remain and replace the one currently available.

MOTION: Approve June 20 as the date for FOOA' s Breakfast in the Park event.

The Department of Public Works has sprayed the poison hemlock in the west end of the park; it has already begun to turn a sickly yellow. A vigorous crop of purple loosestrife is shooting up along the boggy fringe of the quarry pond; it should meet the same fate. Rodeo is a glyphosate product approved for aquatic environments. The Pennsylvania Department of Agriculture recommends application of the herbicide while the plant is enjoying vigorous growth.

RECOMMENDATION: Ask the Department of Public Works to select an appropriate herbicide and begin the eradication of purple loosestrife in the quarry pond area.

On Wednesday, April 29, Commissioner Scott met Lee Irwin of ARRC (Aquatic Resource Restoration Company) to walk the project and review the punch list for the completion of phase I and partial completion of phase II. The work was expected to have been finished by the end of the week, but remains to be done at this writing. Project designer Rocky Powell expects to visit and sign off on this part of the work in the coming week.

Two groups of scouts have worked at park maintenance (clean-up, weed removal) during the month.

HMGP PROPERTIES

- The Umbriacs continue to work to assemble the insurance package needed before they can commence demolition on the final property. The Township office has corresponded with the Umbriac's bonding company and Township engineers in a so far fruitless attempt to move things along. The Township office has voiced our concern that the demolition and site restoration of 315 South Lancaster be complete before Ebersole Excavating begins to repave this street.
- The Township office has informed the various adjoining property owners interested in leasing one of the properties about the need to postpone these transactions.

County Treasurer's Office mailed the property tax bills two weeks later than usual, the Lebanon County Board of Commissioners extended the discount period deadline for payment of taxes by two weeks. He noted that this could have an effect on the timing of when the Township receives tax receipts.

Permits: The Permits Report for April 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 April 2015, a copy of which is attached hereto and made a part of these minutes. The following item was then discussed in detail:

Banners: Mr. Scott reported that he presented Mr. Embich's suggestion of allowing the fence at the Wastewater Treatment Plant (WWTP) to be used by community groups for the hanging of banners to promote events and that he has received a very positive response from these groups. As such, he asked if the Board needed to determine what procedures should be established concerning granting approval to community groups for hanging banners on the WWTP fence. The Commissioners discussed this and agreed that an approval process would be necessary. President Moore noted that the WWTP is located in North Annville Township and, as such, any banners hung on the property would need to conform with its Zoning Ordinance. Administrator Yingst agreed to research this and report back to the Board with his findings.

MOTION by Mr. Scott, second by Mr. Yingst 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 April Regular Meeting to discuss potential litigation. He also requested that an Executive Session be held prior to the adjournment of the May Regular Meeting to discuss potential litigation and real estate matters.

Planning Commission: Administrator Yingst noted that the draft minutes from the April 20, 2015 meeting of the Planning Commission had been distributed to the Board of Commissioners.

Economic Development: Administrator Yingst reported that the next quarterly meeting of the Economic Development Authority (EDA) is scheduled for June 23, 2015. He also indicated that a notice requesting letters of interest for appointment to fill the vacancy on the EDA has been posted in Town Hall and on the Township website. He concluded by noting that the deadline for the Township to receive letters of interest is May 22, 2015, following which point they will be considered by the EDA for recommendation to the Board of Commissioners.

Historic Architectural Review Board (HARB): Administrator Yingst reported that the HARB met in April to review applications for the erection of a sign at 321 East Main Street, replacement of windows at 144 West Main Street, and façade replacement at 226 West Main Street. Regarding the application for 226 West Main Street, it was noted that the HARB tabled

Permits Report

Month of April 2015

Plumbing Permits issued	<u>1</u>	<u>\$ 25.00</u>
Plumbing Licenses issued	<u></u>	<u></u>
Excavator Licenses issued	<u></u>	<u></u>
Total Tapping Fees Collected		<u>\$3,100.00</u>

Tapping Fees

Landmark Builders	Lot #36 – Liberty Station	\$3,100.00
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Building Permits

#6-15	1455 E. Main St.	Lee/Susan Allwein	erect new structure
#7-15	744 E. Main St.	William Hartmann	replace a structure
#8-15	602 E. Maple St.	Jason/Dana Moyer	erect new structure

Curb/Sidewalk Permits

Street-Cut Permits

15-07	331A W. Church St.	UGI Utilities, Inc.
15-08	406 W. Queen St. (2 cuts)	UGI Utilities, Inc.
15-09	105 N. Lancaster St. (2 cuts)	UGI Utilities, Inc.

Burn Permit

ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
STANDING COMMITTEE: ANNVILLE ACTIVITIES (J. Scott)
May 4, 2015

Memorial Day Parade, Saturday, May 23.

The parade committee met weekly during April. Plans for the 8-division parade are now in the final stages.

- Police Department has received PennDOT's approval to close Main Street.
- Fund raising is on track.
- Grand Marshall will be Lebanon native USAF Major (Ret) Clifford Kantz. Major Kantz is a veteran of WWII now living in Orlando, Florida. He will be accompanied by his wife, Marion, and daughter, Gay McNally.
- The Governor will not attend.
- Mounted State Police will lead the procession.
- Ballau High School Marching Knights from Washington, D.C. will again end the parade.
- Dr. Stephen C. MacDonald, LVC President Emeritus, will deliver the main address at the Memorial Service.

Historic Old Annvile Day, Saturday, June 13.

Planning continues. As of now, all booth spaces are rented.

- Police Department has received PennDOT's approval to close Main Street.
- The organizing committee will conduct a walk-through of the arrangements for traffic control with Flagger Force coordinators on Monday, May 18.

Independence Day Concert by the HSO: Thursday, July 2, 8:00 PM.

Lebanon Valley College is now a confirmed site for this event on the above date, rain or shine.

National Night Out Against Crime, Tuesday, August 4.

Plans are moving forward.

Meet the Commissioner: no dates have been set

Over-street Banner Supports

- Destination Annvile has located a source of used telephone poles available at no cost.
- The east end of town awaits further investigation as a possible site.
- The parade committee and the HOAD committee were both informed of the idea to display a banner on the Public Works Department fence. Both responded enthusiastically, but have yet to determine whether to follow through.

For Discussion: Procedure for groups to follow who might wish to use the fence to advertise their event.

the application for consideration at a future meeting while waiting on additional information from the property owner; as such, the HARB did not recommended action by the Board of Commissioners for this application at present. The Board then considered the following recommendations made by the HARB pertaining to the other applications:

321 East Main Street - Erection of a Sign: At the recommendation of the HARB, **MOTION** by Mr. Lively, second by Mr. Yingst to issue a Certificate of Appropriateness for erection of a sign at 321 East Main Street. Motion carried unanimously.

144 West Main Street - Replacement of Windows: Administrator Yingst reported that the HARB recommended that a Certificate of Appropriateness be issued for the replacement of windows at 144 West Main Street conditioned upon the application of a product to the first and second floor windows that appropriately simulates the original window grill patterns and the replacement of the third floor windows that better matches the function and action of the original windows and has a window pane grill pattern that matches those of the first and second floor windows. Dan Milusnic, the owner of the property at 144 West Main Street, asked to address the Board and was recognized by President Moore. Mr. Milusnic presented the Commissioners with pictures of the property and drawings of both the current windows and the corrective measures proposed by the HARB. He noted that, while he initially planned on conforming to both conditions recommended by the HARB and still intended on complying with the HARB's recommendation for the first and second floor windows, he asked that he not be required to comply with the HARB's recommendation regarding replacement of the third floor windows. He indicated this was because, subsequent to the HARB meeting, he has had difficulty finding any three pane windows that would fit into the third floor window openings and provide the amount of ventilation that the current two pane windows do. Ms. Richter, as a member of the HARB, asked to address the Board and was recognized by President Moore. Ms. Richter indicated she was in attendance at the HARB meeting that reviewed Mr. Milusnic's application and expressed her frustration that he only appeared before the HARB at the direction of the Township after he had already installed the current replacement windows at the property. Mr. Milusnic indicated that he was unaware of the HARB review process when he purchased the property and noted his timely response to the Township's direction that he appear before the HARB. He also noted his belief that the replacement windows at the property were more energy efficient than the previous windows and that they were not inconsistent with other properties on West Main Street. Ms. Richter replied that she believed the current third floor replacement windows appeared to be more appropriate for a basement and further noted that the appropriateness of a window was specific to the historical era in which the structure was built and not necessarily the types of windows in nearby buildings. Mr. Milusnic and Ms. Richter then engaged in a detailed discussion regarding the HARB's recommendation. Administrator Yingst noted that he spoke with Joseph Connor, Chairperson of the HARB, earlier that afternoon after learning of Mr. Milusnic's concern about meeting the HARB's recommendation regarding the third floor windows. Consequently, as this information was not presented to the HARB when it reviewed the application for this property, Mr. Connor suggested that the Board consider directing Mr. Milusnic to reappear before the HARB to evaluate his suggestion if the Board was not willing to grant the conditional approval originally recommended by the HARB. Mr. Scott lamented that the property owner was not made aware of the HARB review process prior to the installation of the replacement windows. Administrator Yingst noted that his office recently established a

procedure for notifying new property owners within the Historic District of the HARB requirements based upon a review of the monthly property transfers report received from the Lebanon County Tax Assessment Office. However, it was noted that this report is only received subsequent to the property transfer actually taking place and consequently cannot be used to inform prospective property owners of the HARB requirements prior to the purchase. Mr. Scott asked why Mr. Milusnic's real estate agent did not inform him that the property was in the Historic District and Mr. Milusnic indicated he did not use a real estate agent as the property was purchased at Sheriff's sale. President Moore then asked if Mr. Milusnic would be willing to reappear before the HARB and he indicated he would. **MOTION** by Mr. Scott, second by Mr. Embich to direct Mr. Milusnic to reappear before the HARB at its May 11, 2015 meeting and present to it his concerns pertaining to the recommendation concerning the third floor windows. Motion carried unanimously. Eugene Martin of Stone Hill Village asked to address the Board and was recognized by President Moore. Mr. Martin stated that he was not aware of any requirements to appear before the HARB when he purchased a property on West Main Street several years earlier and was only contacted by the Township when he began to make repairs and improvements to it. Mr. Scott noted that since that point the Township has incorporated proactive measures in an attempt to notify property owners of the HARB requirements, while noting that the effectiveness of those measures are dependent upon timely receipt of property transfer information from the Lebanon County Tax Assessment Office. Mr. Embich noted that several members of FOOA were in attendance and, as FOOA provides grants for historically appropriate renovations of properties in the Historic District, he encouraged Mr. Milusnic to reach out to FOOA to see if such assistance might be pertinent for his situation.

At this point Mr. Milusnic left the Regular Meeting at 8:41 PM.

Wage & Salary: Nothing to report this month.

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

At this point Richard Charles left the Regular Meeting at 8:44 PM.

Spruce Street Bridge: Mr. Embich reviewed the Spruce Street Bridge Report for April 2015, a copy of which is attached hereto and made a part of these minutes. Mr. Scott asked how high the span of the bridge was expected to be as he believed there could be adequate room for a pedestrian walkway underneath it. Mr. Embich noted that the bridge engineer had advised against a pedestrian walkway but suggested that this could be revisited when the engineer presents an initial bridge design to the Township. President Moore questioned how many pedestrians currently crossed Spruce Street in that area and Mr. Scott indicated that pedestrian traffic would increase as the portion of Quittie Creek Nature Park to the east of Spruce Street is further developed. Mr. Schroeder asked to address the Board and was recognized by President Moore. Mr. Schroeder noted that the possibility of working with FOOA to see if grant funds could be used to fund this pedestrian walkway had been addressed at a previous Regular Meeting and asked if this was still a possibility. Administrator Yingst noted that the bridge design process was somewhat on hold due to a request received from South Annville Township Supervisor Donald Umberger and asked Mr. Embich if he thought it appropriate to discuss that

ANNVILLE TOWNSHIP BOARD OF COMMISSIONERS
SPECIAL COMMITTEE: INFORMATION TECHNOLOGY (J. Scott)

VI. - F

May 4, 2015

DESTINATION ANNVILLE WEBSITE

Lebanon Valley College senior Molly Gertenbach has taken Destination Annville's business survey and created an interactive map of Annville showing businesses and civic and religious institutions. The map is the centerpiece of the new Destination Annville Website, which was designed to be a more permanent and inclusive reference to complement the more dynamic presence the group has with its Facebook page. The Township site now features a link to this new site on our home page and in our business section: www.destinationannville.com.

request at this time. Mr. Embich agreed and then summarized Mr. Umberger's request, which asked that provision for the realignment of Spruce Street be considered as part of this project. Mr. Embich noted that while he appreciated Mr. Umberger's comments, after discussion with the bridge engineer and PennDOT officials, there were a number of practical and funding-related issues restricting Annville Township's ability to do what Mr. Umberger requested. **MOTION** by Mr. Yingst, second by Mr. Embich to direct Administrator Yingst to issue a letter to Mr. Umberger informing him of Annville Township's consideration of his request and the reasons why realignment of Spruce Street was not possible as part of the bridge project. Motion carried unanimously.

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

Zoning Ordinance Revision: Mr. Scott reported that the Zoning Ordinance Revision Committee is continuing to work though Article V (General Regulations) of the draft ordinance.

Fire Department: The Board noted the receipt of the April 2015 Monthly Statistical Report for the Union Hose Fire Company. Mr. Yingst reported that the next monthly meeting of the Fire Department would be held on May 7, 2015 and a merger committee meeting was anticipated toward the end of the month. The following item was then addressed:

Donation to Fire Department: Noting that Fire Department had requested that 50% of the Township's annual donation be released to it, **MOTION** by Mr. Yingst, second by Mr. Scott to release \$31,000, which is half of the Township's 2015 donation, to the Fire Department. Motion carried unanimously.

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

OLD BUSINESS:

Resolution No. 20150504-002 - Revised Intermunicipal Agreement: Mr. Lamoureux provided an update on the status of the proposed revised intermunicipal agreement that would add Cleona Borough to the existing agreement with South Annville Township. He reported that Cleona Borough Council adopted an ordinance authorizing this agreement at its April 6 meeting. To that end he indicated that, according to the terms of Ordinance No. 637, Annville Township may adopt a resolution authorizing this revised intermunicipal agreement. Mr. Lamoureux then presented proposed Resolution No. 20150504-002 for this purpose, noting that that the revised intergovernmental agreement is included as part of the resolution as Exhibit "B". **MOTION** by Mr. Scott, second by Mr. Embich to adopt Resolution No. 20150504-002, authorizing an intergovernmental agreement between Annville Township, South Annville Township, and Cleona Borough as presented and authorizing the appropriate Annville Township officials to execute the intergovernmental agreement as presented. Motion carried unanimously and a copy of this resolution and intergovernmental agreement is attached hereto and made a part of these minutes.

Thomas Embich

Agenda Items: VI - G & H

Date: April 30, 2015 report for May 04, 2015 Meeting

Item VI -G SPRUCE STREET BRIDGE

- 1. Wilson Consulting Group, PC is still in the design phase of the project. Various options are being examined/tested and when that process is done we will be getting a preliminary recommended design**
- 2. South Annville Township (Don Umberger) asked about the two tight turns south of the current bridge and what realignment will occur. We have not made an "official" response, but it is not likely to happen as part of the current project; Wilson Engineering observed that taking the street east of the pump-house would be cost prohibitive and FEMA's rules currently prohibit taking part of the former Smith property to the west to widen and smooth the curve. The status of the project is being delayed to some extent while aspects of the South Annville Township (SAT) inquiry are being evaluated. As reported earlier, the property to the east of South Spruce, south of the bridge is private property, the property to the west of South Spruce south of the bridge is Annville Township property, but constrained by FEMA via the HMGP acquisition. Both PennDoT and County Planning currently lean toward separating the bridge replacement project from a road realignment project; but both recognize the future development potential in SAT. Paying for any road realignment is a key issue: Potentially SAT could use their liquid fuels money, but that question has not been fully answered. We do not have the funds in the current bridge project, so would have to file for a supplemental project to do anything, if we determine it is needed. The present curved approach slows/calms traffic as it approaches the Quittie Park crossing from the east to west parts of the Park, and the 25 mph zone at the entrance to St. Paul the Apostle Church and East Walnut St.**

ACTION ITEM:

- RESPOND TO SOUTH ANNVILLE TOWNSHIP REGARDING THE CURRENT STATUS OF THE VARIOUS ISSUES RELATED TO THEIR "REALIGNMENT" INQUIRY.**

ITEM VI - H STORMWATER MANAGEMENT

1. The next meeting of the LCCWA is to be scheduled in June. Any minutes or relevant information is available for review in the Township Office.
2. The Township received (March 19, 2015) our MS4 permit NPDES Permit No. PAG133591. Nick, Les and I met with Kent Morey of SSM, Inc. for a "mock" PA DEP/US EPA inspection review to determine where we are relative to compliance. Specific parameters and levels that we will need to meet for compliance purposes have not been established until the Total Maximum Daily Load (TMDL) for the Quittapahilla are translated into Allowable Waste Loads for each discharging permit. Nick and Les will meet on a regular basis to determine the scope and substance of the next compliance report, which appears to be due in June, 2016. We still need to determine the degree of enforcement for which Annville Township is responsible, and what is the responsibility of PA DEP. The Annville Township Authority via its NPDES permit is essentially divorced from the MS4 program. We still need to determine the status of the Boger operation, which has its own NPDES permit, in regard to our MS4 permit.
3. In the review of the six (6) Minimum Control Measures (MCMs) both our current record-keeping, which is critical for maintenance of the MS4 permit, and the sampling being done, Mr. Morey, SSM Inc., was favorably impressed based upon his reviews of many other municipalities in Berks County. Les Powell and Nick Yingst are to be commended for a well organized and well maintained process toward our compliance. The MCMs are the key for compliance of our MS4 permit. Documentation of any actions taken to assure compliance weighs in our favor when a regulatory inspection occurs.

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.

RESOLUTION NO. 20150504-002

A RESOLUTION OF THE TOWNSHIP OF ANNVILLE, LEBANON COUNTY, PENNSYLVANIA, ADDING CLEONA BOROUGH TO THE INTERGOVERNMENTAL COOPERATION AGREEMENT WITH SOUTH ANNVILLE TOWNSHIP

WHEREAS, the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, entered into an Intergovernmental Cooperation Agreement with the Township of South Annville which is attached hereto, made a part hereof, and marked as Exhibit "A"; and

WHEREAS, the Board of Commissioners of the Township of Annville, Lebanon County, Pennsylvania, are authorized to allow other municipalities to become parties to the Intergovernmental Cooperation Agreement; and

NOW, THEREFORE, BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted by the Board of Commissioners of the Township of Annville as follows:

1. The Township of Annville hereby includes the Borough of Cleona into the Intergovernmental Cooperation Agreement already existing with the Township of South Annville.

2. The Township of Annville will provide municipal services to the Borough of Cleona, including collection of leaf waste and weed control, as agreed to between them.

3. A true and correct copy of the Amended Intergovernmental Cooperation Agreement, which includes the Borough of Cleona, is attached hereto, made a part hereof, and marked as Exhibit "B".

4. The Board of Commissioners of the Township of Annville hereby affirmatively includes the Borough of Cleona within the Intergovernmental Cooperation Agreement and amends that Agreement to reflect the inclusion of the Borough of Cleona.

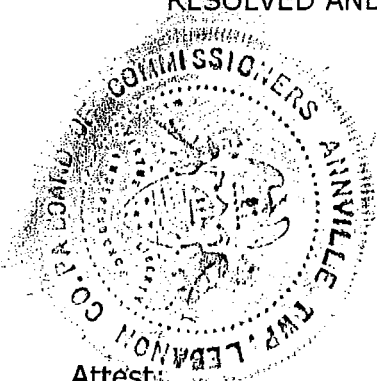
RESOLVED AND ENACTED this 4th day of May, 2015.

ANNVILLE TOWNSHIP

By: _____

Rex Moore, President
Annville Township Board of Commissioners

Attest:


Nicholas T. Yingst
Nicholas T. Yingst
Township Secretary

DEP Recycling Grant: Noting that Solicitor Sheffey had reviewed the recycling grant agreement and recommended its approval and execution, **MOTION** by Mr. Scott, second by Mr. Embich to approve the Municipal Recycling Program Grant Agreement with the Pennsylvania Department of Environmental Protection (DEP) in the amount of \$245,253 as presented and to authorize its execution by the appropriate Township officials. Motion carried unanimously.

NEW BUSINESS:

Authorization of Loan Draw Request No. 42/Requisition No. 42 (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. 42 from the Sewer Construction Fund in the amount of \$5,608.50 and to approve Requisition No. 42 authorizing payment to Gannett Fleming for engineering services in the amount of \$5,608.50. Motion carried unanimously.

Establishment of Fire Escrow Account: Administrator Yingst reported that a fire loss insurance proceeds escrow check was received from Erie Insurance Exchange pertaining to a recent garage fire at 34 West Sheridan Avenue. It was further noted that, in accordance with Township Ordinance No. 612 and applicable state laws, the Township Treasurer notified the property owner at 34 West Sheridan Avenue that the check was received and a bank account was established at Fulton Bank for these escrow funds until the restoration work on the garage has been completed. **MOTION** by Mr. Lively, second by Mr. Scott to ratify the establishment of a fire escrow account pertaining to 34 West Sheridan Avenue and to ratify the authorization of the Township Treasurer and the Township Secretary as signatories for that account. Motion carried unanimously.

Refuse and Recycling Collection Contract Bids: Administrator Yingst noted that the current refuse and recycling collection contract expires on August 31, 2015 and provided the Commissioners with a draft of the contract specifications for their consideration. **MOTION** by Mr. Embich, second by Mr. Scott to authorize the preparation of and advertisement for bids for a new refuse and recycling collection contract for both a two-year and a three-year term and to approve the contract specifications for same. Motion carried unanimously.

Motion to Intervene with the Federal Energy Regulatory Commission (FERC): Administrator Yingst reported that the Township Solicitor's office filed a motion to intervene with FERC regarding the Atlantic Sunrise Natural Gas Pipeline project. It was noted that doing so means the Township will receive all documents pertaining to a case and allows it to appeal a FERC decision. **MOTION** by Mr. Scott, second by Mr. Lively to ratify the filing of a motion to intervene with the Federal Energy Regulatory Commission regarding the Atlantic Sunrise Natural Gas Pipeline project. Motion carried unanimously.

Application for County Liquid Fuels Funds: Administrator Yingst presented an application requesting \$4,767 in Lebanon County Liquid Fuels funds. **MOTION** by Mr. Yingst, second by Mr. Embich to authorize the signing of an application for Lebanon County Liquid Fuels funds in the amount of \$4,767 for line and crosswalk painting and marking; erection of street name signs and traffic directing signs; repair parts for road maintenance vehicles; repair parts for the street

sweeper; minor equipment for road maintenance; and crack sealant for roads. Motion carried unanimously.

Parking Signs: Mr. Scott shared a photograph of a sign mounted on a traffic signal pole in Derry Township directing drivers to downtown parking areas. Noting the requests of some in the community for additional signage regarding public parking areas in Annville, Mr. Scott suggested investigating if a sign mounted on a traffic signal pole would be a possibility. Mr. Yingst noted that PennDOT would likely need to be consulted before the Township takes such an action. Administrator Yingst agreed and noted that he would contact PennDOT regarding this, while informing the Board that the traffic signal poles at the square in Annville are owned by the Township.

Municipal Map and Directory: Mr. Embich noted that the Annville Township municipal map and directory has been completed, received, and distributed to residents and businesses. He suggested that a thank you note be submitted to the publisher for its work and Administrator Yingst agreed to do so. Mr. Scott also recommended that citizens view the online map created by Destination Annville for additional information on businesses not specifically identified on the municipal map and directory.

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

Uniform Construction Code (UCC) Audit: Administrator Yingst reported that in March 2015 the Pennsylvania Department of Labor & Industry (L&I) conducted a reassessment audit of the administration and enforcement of the UCC in Annville Township. He noted receipt of the report issued by L&I for that audit indicating that the Township was found to be in compliance with the UCC and successfully completed the review.

Lebanon Valley College Commencement: Administrator Yingst informed the Board that the Township has received an invitation from Lebanon Valley College to attend the college's 146th commencement ceremonies on May 8 and 9.

Municipal Recycling Recognition: Administrator Yingst informed the Board that the Township has been invited to the Greater Lebanon Refuse Authority (GLRA) annual municipal recycling recognition and achievement awards program to be honored for outstanding recycling efforts in 2014. He noted that the event will be held at 7:00 PM on June 2, 2015 at the GLRA Maintenance Facility and he encouraged any Commissioners interested in attending to let him know so that he may inform the GLRA accordingly.

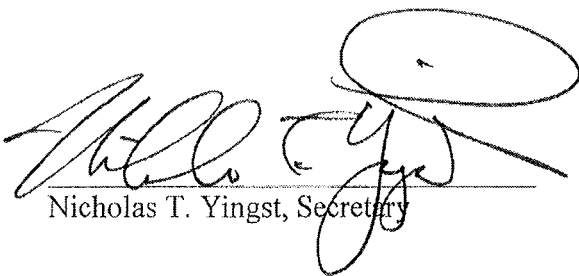
Correspondence from Williams Partners: Mr. Schroeder asked if new information had been received from Williams Partners regarding the route of the proposed Atlantic Sunrise natural gas pipeline. Administrator Yingst responded that he did not recall receiving any new information since the Township was notified of Williams Partners' recent filing to FERC regarding alternate pipeline routes. There was then a brief discussion concerning Williams Partners' expressing to various entities its desire to use the westernmost of these routes that would avoid the Township and its WWTP altogether.

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.

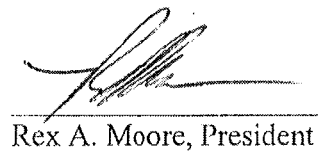
RECESS FOR EXECUTIVE SESSION: President Moore called a recess for an Executive Session and the room was cleared of the public at 9:14 PM. The Regular Meeting was reconvened at 9:33 PM with the five Commissioners, Administrator Yingst, Solicitor Sheffey, and Mr. Lamoureux present.

HOR-SHAA Lien: MOTION by Mr. Yingst, second by Mr. Scott to authorize the Township Solicitor to pursue an execution on the first HOR-SHAA lien. Motion carried unanimously.

ADJOURNMENT: There being no further business to come before the Board, **MOTION** by Mr. Embich, second by Mr. Lively to adjourn the Regular Meeting. Motion carried unanimously and the meeting was adjourned at 9:34 PM.



Nicholas T. Yingst, Secretary



Rex A. Moore, President