

July 12, 2021

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The North Annville Township Board of Supervisors met at the Water Works Fire Hall at 7:30 p.m. on July 12, 2021 for the purpose of a regular monthly meeting. All members were present. Also present was: see attached attendance sheet in minute book.

Randy Leisure, Chairman, called the meeting to order at 7:30 p.m. Clyde Meyer, Vice-Chairman, made a motion to approve the June 14, 2021 meeting minutes as presented in printed form. Randy 2nd the motion, motion carried. Randy then made a motion to adopt the June 14 Treasurer's Report as presented in printed form. Clyde 2nd the motion, motion carried. Adam Wolfe, Secretary-Treasurer, read all the bills for the month. Adam made a motion to pay all bills as read. Clyde 2nd the motion, motion carried.

Paul Bametzreider, Township Solicitor, reported that Kurt Yordy's petition for a solar farm conditional use was denied at the June 29 hearing due to the fact that the proposed solar farm was located in the R-1 zoning district. Randy questioned whether or not Kurt has additional avenues by which he could pursue the construction of his proposed solar farm, to which Paul replied that Kurt could file a request for variance, he could file a request for the zoning ordinance to be amended and he could also move the location of his proposed solar farm to the Agricultural zoning district. A draft ordinance to regulate net-metering solar operations is currently in front of the Planning Commission. Paul then reported that the June 24 Lebanon Solar I, LLC conditional use hearing was continued due to David Jones, Lebanon Solar's attorney, having suffered a medical emergency. Paul stated that he now needs to contact Mr. Jones in order to discuss the rescheduling of the hearing; however, the desire of the Board of Supervisors is to schedule the hearing for August 31, which is after the beginning of the new school year. Paul went on to state that the Township does not know if Lebanon Solar will be submitting new plans.

Next on the agenda, Paul stated that Governor Wolf signed Act 65 of 2021 into law on June 30. Act 65 of 2021 will require that townships post a meeting agenda a minimum of 24 hours before the start time of the meeting. The agenda must be posted on the township's website as well as at the municipal building and at the location of the meeting. Copies of the agenda must also be given to everyone in attendance at the meeting. Emergency circumstances can be acted on even if they are not included on the agenda.

Randy reported that he is meeting with DEP on Wednesday in connection with biosolids storage and spreading regulations.

For the next item of business, Adam reported that North Annville Township applied and was approved for an allocation of \$263,975.76 in American Rescue Plan funding. \$131,987.88, representing the first half of the funding, has already been received, with the second half to be received next year. Paul stated that the funds can be spent on certain types of infrastructure as well as the replacement of lost revenue due to COVID-19. Final guidance on allowable uses of the funds has not yet been issued.

Next, Adam read proposals for the replacement of the photocopier in the municipal office. Toshiba Business Solutions is proposing to furnish North Annville Township with a Toshiba e-Studio 4515AC at a cost of \$4,350.00, with a monthly service contract cost of \$7.50. Stratix Systems is proposing to furnish North Annville Township with a Ricoh IMC 400SRF at a cost of \$4,295.00, with a monthly service contract cost of \$10.63. Aaron Miller questioned the cost of toner, to which Adam replied that the cost of the toner is included in the service contract.

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Ruth Rittel expressed concern that Stratix Systems is more expensive with the cost of the service contract. Adam stated that the cost of the service contract increases every year as the machine ages and the service contract can also be cancelled at any time. Adam also stated that funds for the purchase of a replacement copier were allocated in this year's budget. Randy made a motion to purchase the Ricoh IMC 400 SRF from Stratix Systems, at a cost of \$4,295.00 for the copier plus \$10.63 per month for the service contract. Adam 2nd the motion, motion carried.

For the road report, Randy stated that guiderail spraying has been completed. Work has begun on the rescheduling of the Route 934 Roadway Safety Audit and the Township has not received any updates pertaining to the ongoing culvert replacement project on Route 934. Steve Bowman questioned the work that was done to Yordy's Bridge during the recent extended closure period, to which Randy replied that crews removed brush and debris accumulation on the upstream side of the bridge and performed underwater inspections.

Brian Keck reported that the Planning Commission is working on revisions to Ordinance No. 2-2019, also known as the Solar Farm Ordinance. The Planning Commission is recommending that a 50 decibel noise limit, as measured at the property lines, be included in the Ordinance.

For the next item of business, amendments to Ordinance No. 2-2019 were discussed. Paul stated that he has completed a rough draft of a revised ordinance and that the supervisors will be holding a workshop meeting on July 26 at 7:00 p.m. Paul continued by stating that he has defined the word "lot" as already defined in the Zoning Ordinance. Cori Summers questioned whether or not the word "implement" has been defined, to which Paul replied that it has not yet been defined; however, it should be defined. The word "implement" currently includes anything related to the system. Currently defined setbacks include those from a residentially zoned lot, public right-of-way and a substation setback from occupied residential structures. Larry Buffenmeyer questioned whether or not switching station setbacks are included, to which Paul stated that they currently are not but he will include them. Kurt Yordy questioned whether or not the net-metering solar ordinance will be a "sister" ordinance to the Solar Farm Ordinance, to which Paul replied that the draft net-metering solar farm ordinance is in front of the Planning Commission. Mark Bachman stated that the 150' setback from a residentially zoned lot or occupied structure should also include a 150' setback from a zoning line dividing R1 and Agricultural zoning within an existing lot. Randy stated that a 100' setback from regular property lines should be included as well. With regard to the permanent evergreen buffer, Paul stated that he will include the buffering requirements from the cell tower ordinance. Randy stated that he is concerned about the ongoing maintenance requirements of the buffer and Mark Bachman questioned the repercussions for either allowing the buffer to die or not properly maintaining it. Paul stated that fines and penalties are a part of the Zoning Ordinance. Randy stated that he would like to see a requirement that an annual report, detailing how much power is being generated, be submitted to the Township. Randy went on to say that he would like to see a provision allowing a township engineer or designated representative to perform an annual inspection of the solar farm. Kurt Yordy questioned whether or not the 50% maximum lot coverage applies to individual farms, to which Paul and Randy replied that it will apply to individual lots. In response to a question about the liability insurance coverage limits, Paul replied that the amounts currently shown are standard amounts. Randy stated that an annual

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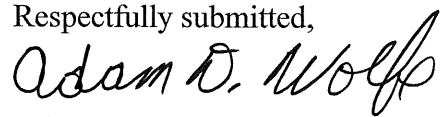
review provision should be included in the bond section. Kurt Yorby questioned whether or not the insurance amount would apply to each lot, to which Paul replied that it would indeed be the required amount for each lot. Randy stated that the commencement for decommissioning should be defined as when the solar farm is no longer selling any power to the grid. Adam then suggested including language to address mitigating glare from the solar panels. Adam also suggested including to language to protect cemeteries located on private land, to which Paul replied that he will research whether or not any existing state laws would already protect cemeteries. Lastly, Adam questioned whether or not farms where solar farms are constructed should be removed from the Township's Agricultural Security Area (ASA). Monica Bydeley stated the intent to promote agriculture, to which Adam replied that he is only referring to the portion of a farm where a solar farm would be constructed. Paul explained that the ASA protects farmers from things such as nuisance lawsuits. Kurt Yorby questioned the timeframe for adoption of a new ordinance, to which Paul replied that it will be this fall. Paul also explained the Pending Ordinance Doctrine, which would stipulate that rules/regulations contained in a pending ordinance would be effective after the ordinance has been advertised. Ruth Rittel questioned the definition of a net metering solar installation, to which Paul replied that it is a smaller size solar installation, designated primarily for farmers to install on their land and generate their own power, with any excess power being sold to the grid. Two megawatts is defined as the maximum output of a net-metering solar installation. Cori Summers questioned whether or not the existing Solar Farm Ordinance could be rescinded, to which Paul replied that rescinding the Ordinance would not be a good idea because then the solar farms could be constructed anywhere. Aaron Miller stated that there was discussion about enacting a zoning overlay for solar farms. Kurt Yorby suggested reducing the lot coverage to a percentage that would be unattractive to solar developers. Randy stated that the giant transmission line running through the middle of North Annville Township is the driving force behind all of the currently proposed solar farm development. Clyde stated that grant money is also a driving force because the grant money will disappear unless it is reauthorized by Congress.

For the police report, Officer Henning stated that one part-time Cleona Borough Police Department officer resigned to accept a full-time position with the Lancaster County Sheriff's Dept. Cleona is now seeking to hire two part-time officers. Officer Henning then urged everyone to contact state representatives to voice support for approval of the use of radar guns by municipal police.

For the fire company report, Randy made a motion to authorize the Union Water Works Fire Police to participate in upcoming events in the City of Lebanon. Clyde 2nd the motion, motion carried.

No Zoning Hearing Board business was presented for discussion, nor was any additional Planning Commission business. Adam made a motion to adjourn the meeting, 2nd by Clyde. Motion carried.

Respectfully submitted,



Adam D. Wolfe, Secretary

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Treasurer's Report:

Balance in State Fund June 14, 2021		\$537,064.44
Receipts: Fulton Bank (FB) MMA Interest	\$12.84	
FB GIC Interest	0.30	
PLGIT Interest	0.03	
PLGIT Reserve Interest	<u>0.12</u>	<u>\$13.29</u>
Balance after receipts:		\$537,077.73
Disbursements: none		
Balance in State Fund July 12, 2021		\$537,077.73

Balance in General Fund June 14, 2021		\$631,468.68
Receipts: Comm. of PA- ARP Funds	\$131,987.88	
Recorder of Deeds	1,322.58	
District Court	35.42	
FB MMA Interest	11.73	
FB GIC Interest	7.41	
PLGIT Interest	0.15	
PLGIT Reserve Interest	0.03	
Keystone Municipal Collections	<u>13,897.16</u>	<u>\$147,262.36</u>
Balance after receipts:		\$778,731.04

Disbursements:

CK#: 5664	Gaye DeShong	\$140.00	
5665	Union Water Works Auxiliary	140.00	
5666	Penn State Health	3,875.00	
5667	Pennsylvania American Water	39.97	
5668	Kathy J. Sheffy	100.00	
5669	Leffler Energy	124.58	
5670	DeAngelo Bros., LLC	1,165.00	
5671	Borough of Cleona	6,300.68	
5672	Reilly, Wolfson Law Offices	3,944.00	
5673	MediaOnePA	57.52	
5674	Keystone Municipal Collections	72.84	
5675	Randall Leisure	87.88	
5676	Clyde Meyer	87.88	
5677	Adam Wolfe	1,283.53	
5678	Starner Excavating	530.00	
EFT	Fulton Bank	53.00	
EFT	Met-Ed	43.08	
EFT	Comcast Cable	129.67	
EFT	PA Department of Revenue	159.70	
EFT	IRS	<u>453.67</u>	<u>\$18,788.00</u>
Balance in General Fund July 12, 2021			\$759,943.04

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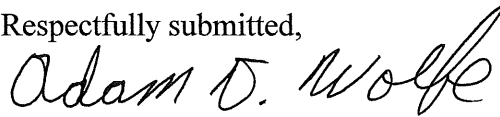
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Balance in Public Sewer Fund June 14, 2021		\$19,770.98
Receipts: FB SMIC Interest	<u>0.18</u>	<u>\$0.18</u>
Balance after receipts:		\$19,771.16
Disbursements:		
CK#: 169 Annville Township Authority	<u>\$6,230.92</u>	<u>\$6,230.92</u>
Balance in Public Sewer Fund July 12, 2021		\$13,540.24

Summary:

State Fund	\$537,077.73
General Fund	759,943.04
Escrow Acct.	3,402.65
Public Sewer Fund	<u>13,540.24</u>
Total all Funds:	\$1,313,963.66

Respectfully submitted,



Adam D. Wolfe, Treasurer