

August 9, 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 August 9, 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 July 12, 2021 meeting minutes as presented in printed form. Randy 2nd the motion, motion carried. Randy then made a motion to adopt the July 12 Treasurer's Report as presented in printed form. Clyde 2nd the motion, motion carried. Randy then made a motion to approve the July 26, 2021 supervisor's workshop meeting minutes. 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.

Next, Randy stated that the Township has received a clean letter from the Lebanon County Planning Department with regard to the Greater Lebanon Refuse Authority Electronics Warehouse Land Development Plan (Plan). The Plan proposes the construction of a 50' x 120' electronics warehouse building as well as stormwater management structures and features, associated parking and access onto Russell Road. The site, located at 1805 Russell Road, will be served by an on-lot sewage system and on-lot well. The Planning Commission has reviewed and approved the Plan. Aaron Miller questioned whether or not the GLRA has gone through the complete plan process, to which Randy replied that the GLRA has gone through the complete plan process and the Plan has been approved by both the County Planning Department and the North Annville Township Planning Commission. Adam made a motion to approve the Greater Lebanon Refuse Authority Electronics Warehouse Land Development Plan. Randy 2nd the motion, motion carried.

For the next item of business, Randy stated that the Township has received a request, from a North Annville Township resident, for North Annville Township to enter into an agreement with Annville Township, whereby North Annville Township residents would, for an individual \$100.00 permit fee, be permitted to utilize the Annville Township recycling and disposal facility, which is open from March-November. South Annville Township currently has such an agreement with Annville Township and Cleona Borough is also interested in establishing the same type of agreement with Annville. North Annville Township residents would be able to begin using the service next spring if North Annville and Annville are able to enter into an agreement. Larry Buffenmeyer questioned the reason for the Township having received this request, to which Randy replied that the cost of green waste disposal at the Greater Lebanon Refuse Authority is the reason for the request. Larry then questioned why he would pay a fee to take recycling to the Annville Township facility when he can take it to the GLRA facility for free, to which Randy replied that typical household recycling could still be taken to the GLRA facility for free. Julia Kaylor questioned whether or not North Annville Township ever considered operating it's own recycling facility, to which Randy replied that North Annville is not required to operate it's own recycling facility nor would it be worthwhile given North Annville's population and close proximity to the GLRA facility. Clyde also stated that a North Annville recycling facility would require constant supervision, as other municipalities have historically encountered problems with unsupervised facilities.

Next on the agenda, Randy stated that the Lebanon County Agricultural Land Preservation Board sent North Annville Township a thank you letter for this year's \$5,000.00

donation to farmland preservation. Randy went on to say that the money adds up as it is matched by the State.

For the status of the Lebanon Solar Conditional Use Hearing, Paul Bametzreider, Township Solicitor, stated that he spoke with David Jones, who stated that Lebanon Solar will submit new plans either this week or next week. The new date for the Lebanon Solar Conditional Use Hearing will be Thursday September 9th at 6:30 p.m. at the Union Water Works Fire Hall. Aaron Miller questioned whether or not the plans have changed significantly, to which Paul replied that the Township does not know. Aaron went on to say that he hopes the new plans contain a lot of detail if they are being submitted for approval. Adam stated that he will post any new information on the Township's website. Larry Buffenmeyer questioned whether or not the hearing could be held somewhere other than the Union Water Works Fire Hall, to which Randy replied that the intention is to hold the hearing in the truck garage area, which is larger than the social hall area.

For the Planning Commission (PC) report, Brian Keck stated that the PC reviewed the proposed draft commercial solar use ordinance (ordinance) and forwarded comments to the supervisors. Randy questioned the reason for the PC amending the 5th "whereas" statement in the ordinance, to which Brian replied that it was to encourage more outreach by the solar companies, protect adjoining property values and also to begin establishing the framework for a zoning overlay. Paul advised to avoid things that are discretionary, as this is a stopgap ordinance and the overlay ordinance will take more time and be done at a later date. Mark Bachman stated that the wording for a 150' setback from a residentially zoned area is unclear. He stated that it should specify 150' from a residentially zoned property line or residentially zoned area. Randy stated that existing buildings should be removed from the lot coverage, since total impervious coverage is defined separately. Aaron Miller then presented a map showing what Township-wide solar coverage could look like at 50% lot coverage and also presented a map showing what Township-wide solar coverage could look like at 25% lot coverage. Brian Tshudy questioned whether or not a stormwater management plan will be required, to which Randy replied that a stormwater management plan will indeed be required. Tonya Nagle questioned the potential need for an additional workshop meeting since there weren't enough copies of the ordinance for everyone at the meeting. Randy stated that commercial solar developers require a certain acreage for establishment of their operations. Aaron stated that 25% lot coverage would prevent resident's houses from being surrounded by the solar operation. Eric Wolfe stated that a draft of the original commercial solar use ordinance only allowed solar panels to cover 35% of the overall lot. Larry Buffenmeyer questioned whether or not North Annville Township can effectively ban solar farms, to which Paul replied "no" because the Courts have established that every Township must provide for every possible type of land use. If North Annville were to ban solar farms, the Court will order that solar farms could be established anywhere. Larry stated that for the last 40-50 years, the supervisors have tried to protect agricultural land and questioned why the lot coverage cannot be established at 25%. Sue Forney stated that her review of the Municipalities Planning Code revealed multiple references to the preservation of agricultural land. She proceeded to read the agricultural protection language from North Annville's Zoning Ordinance. Jeff Bohn stated that he has lived in North Annville for 35 years, dating back to a time when the farms all had young people who were interested in taking over the operation in the future. Now,

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in the present, a farmer on one side of him is spending millions of dollars on industrial chicken houses while a farmer on another side of him is in the business of importing biosolids and spreading it on his land. He went on to state that change is coming to North Annville, the question is how is that change going to happen? He continued by stating that families who desire to lease/sell their land to Lebanon Solar are being ostracized, with no consideration being given to them. Randy stated that 300 homes and town homes are in the process of being built in South Annville Township. Aaron stated that the 50% lot coverage restriction is haphazard and the Township needs to take back control. Keith Bohr questioned the purpose of North Annville's participation in the Annville-Cleona Regional Comprehensive Plan, to which Randy replied that when the R1 land in South Annville runs out, developers will search for somewhere else to build. Larry stated that there are better places to construct solar installations. Chanda Tshudy stated that agricultural land should be preserved for food production and went on to say that her son's research indicates that solar uses could ultimately occupy all of Pennsylvania's farmland. Steve Bowman stated that farms can be sold or leased. Ruth Rittel asked if farmers are able to construct chicken and hog houses, to which Randy replied "yes," as long as they follow the rules. The construction of chicken and hog houses is also not a conditional use. Brent Kaylor stated that 25% lot coverage will create solar sprawl and went on to state that a solar use doesn't kill farmland. He stated that he can be paid by the Dept. of Agriculture to take his farm out of production. Julia Kaylor asked if the Township can specify a certain percentage of available farmland which can be converted into a solar use. Randy stated that the ordinance we are working on is a stopgap ordinance. Randy questioned the consensus of the supervisors with regard to lot coverage and stated that he would be willing to do 35% coverage. Adam stated that he is in favor of 25% coverage. Clyde stated that he is also in favor of 25% coverage. Jeff Bohn stated that 25% coverage will create solar sprawl, to which Adam replied that he believes that sprawl will take place regardless of whether lot coverage is regulated at 50% or 25%. Brent Kaylor stated that 25% lot coverage is restricting solar development, to which Adam replied that 25% lot coverage still allows solar development and does not ban it. Randy stated that all the farms on the preservation list should be preserved with the State's rainy day fund. Brain Tshudy stated that we need to push back against state regulators. Julia Kaylor questioned what we are solving by setting maximum lot coverage at 25%, to which Aaron Miller stated that we are trying to put the Township back in control. Kurt Yordy stated that 25% lot coverage might make solar development unprofitable for the solar developers, while Brian Tshudy stated that 25% lot coverage will help to alleviate storm water runoff issues. Tammy Blauch questioned the origin of the insurance limits in the ordinance, to which Randy and Paul spoke about standard insurance amounts. An unidentified individual questioned the frequency of bonding review and who is responsible for the review. Paul replied that the bonding will be reviewed every five years, with the solar operator being responsible for the cost of the review. The individual then questioned whether or not the bond could be tied to inflation rates, to which Randy replied that the bond could be either indexed or tied to inflation rates. Randy stated the conditional use procedure is misplaced, to which Paul replied that he will clean it up. Paul stated that he read the cemetery statute and didn't see any protections other than in York County. Randy questioned whether or not we need to do anything, to which Paul replied that we could require a 150' setback as well as an access easement. Brenda Wolfe questioned whether or not glare from

the solar panels will affect helicopters, to which Randy replied that it shouldn't. Brenda then questioned whether or not any storm water facilities would need to be removed at the end of the project life, to which Randy replied "yes" and went on to state that the extent of required storm water controls will ultimately be a battle between engineers. Aaron Miller questioned the time frame for advertising and adoption of the ordinance, to which Paul replied that he will need to do a clean draft then send it to the Lebanon County Planning Department, who will have 30 days to review and comment on the proposed ordinance. Paul went on to say that the Pending Ordinance Doctrine would allow the Township to advertise the ordinance and set a public hearing date while the ordinance is still being reviewed by County Planning. Jeff Bohn questioned whether or not there are other companies seeking to construct solar installations in North Annville, to which Clyde replied that he received a letter in the mail from another company seeking to construct a solar installation on his land. Brent questioned the new "Whereas" paragraph in the proposed ordinance and stated that it should be struck and replaced with the 5th "Whereas" paragraph from the last revision of the ordinance. Paul stated that he will get the supervisors a clean draft for review, with a hearing to be advertised to take place after the 30 day County Planning comment period.

For the road report, Randy stated that Travis will cut down trees at the intersection of Syner Rd. & Palmyra-Bellegrove Rd. Randy went on to state that Calvin Hostetter has said he will begin mowing road banks this week. Route 934 is scheduled to reopen by the end of this week. Aaron Miller asked if the State will repair damage to the guide rail at the intersection of Route 934 & Harrison Drive/Palmyra-Bellegrove Rd., to which Randy replied "yes." Randy then read an email, from Ashley Zombro, requesting the installation of "School Bus Stop Ahead" signs at 2111 Heilmandale Rd. Adam and Clyde both examined the approach roadway and are in agreement that the requested signs would be warranted. As Heilmandale Rd. is a State road, Adam will contact PennDOT and request that a traffic study be conducted. Randy stated that the Roadway Safety Audit is coming up, with intersections, including the intersection of Hill Church Rd. & Thompson Avenue, to be examined and improved.

Next, Eric Wolfe stated that a warehouse company seeking to build in South Annville Township recently gave a presentation at the Annville-Cleona School Board meeting. Eric then questioned whether or not the warehouse company has contacted North Annville, to which Randy replied "no," but there are upcoming meetings pertaining to warehouse development in South Annville.

For the police report, Chief Farneski stated that the Cleona Borough Police Department responded to 93 incidents in North Annville during the month of July. They are currently short staffed, with two new officers in training. Officer Maldonado will be returning to the Annville-Cleona High School upon the start of the new school year. One officer recently left the Department with only three days notice. Bekah Sanders questioned whether or not there is a notification system which could be used to notify residents in instances such as when law enforcement is in pursuit of an armed individual. The Chief stated that such situations often unfold very quickly, but recommended checking the Department's Facebook page. He went on to say that there was a man who was high on drugs and running around the Township last week. The Department does release information on missing persons and they are also trying to hire additional staff.

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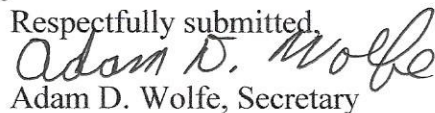
For the fire company report, Mark Blauch, Bellegrove Fire Co. Chief, stated that they have been busy.

No Zoning Hearing Board business was presented for discussion.

For public comment, Dalinda Bohr questioned the outcome of the biosolids meeting which Randy attended. Randy stated that the Department of Environmental Protection (DEP) is seeking to change the phosphorus and nitrogen indexes. DEP also wants to restrict the amounts of biosolids being stored on farms. Dalinda questioned whether or not the phosphorus index affects the quality of the soil, to which Randy replied that the phosphorus level may affect what can be applied to the soil. DEP is also going to start testing for a couple PFAs; however, they are not sure what to do with their findings other than stopping the PFAs at the source.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Adam D. Wolfe, Secretary

Treasurer's Report:

Balance in State Fund July 12, 2021		\$537,077.73
Receipts: Fulton Bank (FB) MMA Interest	\$13.27	
FB GIC Interest	0.31	
PLGIT Interest	0.03	
PLGIT Reserve Interest	<u>0.13</u>	<u>\$13.74</u>
Balance after receipts:		\$537,091.47
Disbursements: none		
Balance in State Fund August 9, 2021		\$537,091.47
Balance in General Fund July 12, 2021		\$759,943.04
Receipts: Comcast Cable	\$7,848.63	
Recorder of Deeds	4,248.30	
District Court	77.75	
FB MMA Interest	14.25	
FB GIC Interest	8.59	
PLGIT Interest	0.17	
PLGIT Reserve Interest	0.03	
Cleona Borough	364.96	
Keystone Municipal Collections	<u>41,467.32</u>	<u>\$54,030.00</u>
Balance after receipts:		\$813,973.04
Disbursements:		
CK#: 5679 Stratix Systems	\$644.25	
5680 State Workers Insurance Fund	1,656.00	
5681 Leffler Energy	293.23	
5682 Leffler Energy	225.06	
5683 Pennsylvania American Water	39.38	
5684 Stephenson Equipment, Inc.	502.62	

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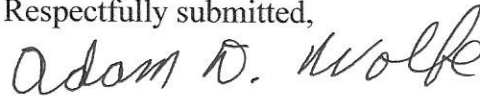
5685	Borough of Cleona	6,360.53	
5686	Reilly, Wolfson Law Offices	2,771.00	
5687	Starner Excavating	4,098.00	
5688	Union Water Works Auxiliary	140.00	
5689	Randall Leisure	87.88	
5690	Clyde Meyer	87.88	
5691	Adam Wolfe	1,283.53	
EFT	Met-Ed	48.60	
EFT	Comcast Cable	129.69	
EFT	IRS	<u>453.67</u>	<u>\$18,821.32</u>
Balance in General Fund August 9, 2021			\$795,151.72

Balance in Public Sewer Fund July 12, 2021			\$13,540.24
Receipts: FB SMIC Interest	<u>0.16</u>		<u>\$0.16</u>
Balance after receipts:			\$13,540.40
Disbursements:			
CK#: 170	Annville Township Authority	<u>\$1,686.10</u>	<u>\$1,686.10</u>
Balance in Public Sewer Fund August 9, 2021			\$11,854.30

Summary:

State Fund	\$537,091.47
General Fund	795,151.72
Escrow Acct.	3,402.65
Public Sewer Fund	<u>11,854.30</u>
Total all Funds:	\$1,347,500.14

Respectfully submitted,



Adam D. Wolfe, Treasurer