

October 11, 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 October 11, 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. Randy made a motion to amend the meeting agenda to include an Executive Session, to be held prior to the start of the regular meeting, for the purpose of discussing litigation which was filed against North Annville Township today. Clyde Meyer, Vice-Chairman, 2nd the motion, motion carried. Aaron Miller questioned if the purpose of the lawsuit could be publicized, to which Paul Bametzreider, Township Solicitor, replied that Lebanon Solar filed a Complaint in Mandamus against North Annville Township today. Paul went on to say that he is still reviewing the Complaint and has no further comment at this time.

Clyde made a motion to approve the September 13, 2021 meeting minutes as presented in printed form. Randy 2nd the motion, motion carried. Randy then made a motion to adopt the September 13 Treasurer's Report as presented in printed form. Clyde 2nd the motion, motion carried. Adam Wolfe, Secretary-Treasurer, made a motion to adopt the minutes of the September 23, 2021 Commercial Solar Use Ordinance No. 1-2021 Public Hearing. Clyde 2nd the motion, motion carried. Adam read all the bills for the month. Brian Keck questioned the purchase of anti-skid stone and whether it was to be used on Clear Spring Rd., to which Adam replied that anti-skid is the same as 1/4" stone and it was purchased for the Kauffman Rd. pipe replacement project. Adam made a motion to pay all bills as read. Clyde 2nd the motion, motion carried.

Next, Paul stated that Ordinance No. 1-2021, the Commercial Solar Use Ordinance, has been advertised in compliance with the Second Class Township Code for consideration at tonight's meeting. A public hearing for the proposed Ordinance was held on September 23, 2021 and changes as discussed at the hearing, as well as formatting changes, have now been incorporated into the final draft of the Ordinance. Adam made a motion to adopt Ordinance No. 1-2021. Clyde 2nd the motion, motion carried.

For the status of the Lebanon Solar Conditional Use Hearing, Paul stated that his last conversation with Dave Jones, attorney for Lebanon Solar, was approx. 10 days ago. Paul inquired with Mr. Jones regarding new potential dates for a hearing, to which Mr. Jones replied that he was attempting to contact Lebanon Solar to get new potential dates from them. Based on the Complaint filed this afternoon, Paul stated it is possible that a hearing may not occur. Aaron Miller questioned why Lebanon Solar filing a Complaint would prevent a hearing from taking place, to which Paul replied that he will review the matter and discuss with the Board in Executive Session. Aaron proceeded to question if the residents will need to wait another four weeks to receive an update on the matter, to which Paul replied that it is possible. Aaron continued by stating that he still expects the conditional use ordinance to be followed to the letter. Julie Kaylor asked him to elaborate, to which he replied that handbooks and laws must be followed. Paul stated that he is advising the Board not to comment and stated that the Township will follow the ordinance.

Next on the agenda, Randy stated that a \$6,550.00 contract to furnish and install a propane-fired heater in the garage area of the municipal building was awarded to Karl L. Keath in December 2020; however, due to supply issues, Karl Keath is unable to obtain the heating unit that he quoted in his proposal. As a result, Adam has obtained two new quotes as follows: N. S.

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Johnson is proposing to furnish and install a 150,000 BTU propane-fired heater at a cost of \$6,644.00, while Tillet, Inc. is proposing to furnish and install a 150,000 BTU propane-fired heater at a cost of \$9,507.90. Randy made a motion to award the contract for furnishing and installing a 150,000 BTU propane-fired heater in the garage area of the municipal building to N. S. Johnson, at a cost of \$6,644.00. Adam 2nd the motion, motion carried.

Randy stated that a Spotted Lanternfly Field Day will be held at the Quittapahilla Wetland Preserve on Saturday October 16th from 10:00 a.m.-2:00 p.m. The first 150 Lebanon County residents will receive a free circle trap. The information is available at the sign-in table and is also posted on the Township website.

For the status of the Lebanon County Police Combat Pistol Club noise issue, Kerry Walters, President, apologized to the gentleman who came to the range to express concern about the level of noise being generated. Kerry went on to state that a new rental agreement and policy is being put into place. The new policy will allow for nighttime shooting to be led by trained individuals from dark until 9:00 p.m. from mid-October thru mid-March. Kerry continued by stating that the Club does not want to be a nuisance to the neighbors and community. Brian Keck questioned the overall noise levels, to which Kerry replied that they will look into it and will be planting additional trees to absorb sound. Brian then questioned if they could cease shooting on Sundays, to which Kerry replied that the Club did get ahead of itself with the amount of shooting taking place; however, they do need to generate enough revenue to make their mortgage payments. Kerry continued by stating that they do perform lead reclamation on the Club premises. In response to questions about drugs and alcohol, Kerry stated that both drugs and alcohol are strictly forbidden on Club property. Non-members are permitted to use the Club property if they are escorted by members. Kerry went on to state that the Club is in the process of increasing membership and said that 365 members is sufficient to make the mortgage payments. He concluded by stating that nothing larger than .308 caliber firearms are in use at the Club. Some individuals are using loud compensators on their firearms; however, the Club will be policing that issue. Randy thanked Kerry for attending the meeting and taking steps to mitigate noise emanating from the Club.

For the next item of business, Randy stated that the Township sent the owner of the property located at 2005 Yordy's Bridge Rd. a letter giving her until November 8 to have the property cleaned up before the Township intervenes. Randy continued by asking Paul what constitutes an abandoned property, to which Paul replied that it is a matter of fact and factors such as whether or not the utilities and mail delivery are cut off must be taken into consideration. Just because no one is living on a property does not mean it is abandoned. Julie Kaylor questioned the course of action if the property is not cleaned up by November 8, to which Randy replied that the Township will hire a contractor to perform the cleanup work and then invoice the property owner, with the potential for a lien against the property if the bill goes unpaid.

Next, Randy stated that the Township has obtained an engineering services proposal for design work associated with regrading several curves on Clear Spring Rd. The curves in question are notorious for becoming slippery when wet and have been roughed up for increased traction in the past. The current intention is to perform the engineering services in 2022 with paving to be done in 2023. Aaron Miller questioned whether or not the South Annville Township warehouse developer(s) will have to improve the road, to which Randy stated that they

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are currently looking at improving the intersection of Clear Spring Rd. & Route 934.

No Planning Commission business was presented for discussion.

For the road report, Randy stated that PennDOT is correcting road sign issues which were raised at last month's meeting. Concerning the ongoing closure of Yordy's Bridge, the debris has been removed from the water and Wilson Consulting is now in the process of performing inspections before the bridge can be reopened. Wilson Consulting has advised that it is only a matter of time before the bridge will be permanently closed to traffic. The Kauffman Rd. culvert pipe replacement has been completed and line painting is scheduled for this month. Randy continued by stating that PennDOT appears to be initiating a project for improving the intersection of Hill Church Rd. & Thompson Ave., as an engineering company recently contacted the Township for information pertaining to the intersection. Road viewing was scheduled for Saturday October 30th at 7:30 a.m. Dalinda Bohr questioned the status of the Syner Rd. bridge replacement project, to which Randy replied that the project was delayed due to COVID-19 and the Township has not yet received a project timeline. Ruth Rittel questioned whether or not there will be increased truck traffic as a result of the four warehouses planned for construction in South Annville Township. Randy replied by stating that the trucks are going to want to get to I-81 and the warehouse developers are currently in talks with engineers about improvements to the intersection of Clear Spring Rd. & 934. Ruth continued by stating that noise from engine brake retarders is unbearable and the Township needs to do something about it. Randy replied that the supervisors agree about the effects of engine brake retarder noise; however, PennDOT regulations do not allow for engine brake retarder restrictions on slopes of more than 4%. Randy continued by stating that the underlying noise issue is not the engine brake retarder device, but rather the practice by some truck owners/drivers of cutting the muffler(s) out of the exhaust system. The supervisors have spoken with state representatives concerning a law to forbid the practice of modifying exhaust systems and will continue working on the issue. Bill Herr questioned whether or not the State can condemn preserved farmland for highway projects, to which Paul replied that the State can indeed. Randy stated that PennDOT does not want to install a conventional traffic signal at the intersection of Clear Spring Rd. & Route 934 as there will still be alignment issues even if a traffic signal is installed. Ruth questioned why trucks are permitted to use Clear Spring Rd., to which Randy replied that there is a big push to keep trucks out of Annville.

For the police report, Chief Farneski stated that the Cleona Borough Police Department responded to 50 calls in North Annville during the month of September. The Chief continued by stating that the Department recently hired a female officer and also stated that no representatives from Lebanon County support the bill for allowing local police to use radar. He then asked that local residents contact their state representatives and ask them to support the radar bill. Larry Buffenmeyer questioned whether or not radar would benefit this area, to which the Chief replied that it would indeed. The Chief explained that VASCAR is very difficult to use, as it requires the use of lines painted on the road and three officers.

For the fire company report, Mark Blauch, Bellegrove Fire Co. Chief, stated that they recently sponsored a youth ATV class in partnership with Pat & Son Service Center. The class had 20 attendees and 911 Rapid Response presented gifts to all who participated. A soup and sandwich sale will take place at the Bellegrove Social Hall on Election Day.

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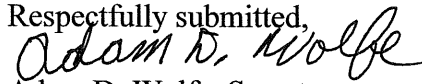
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No Zoning Hearing Board business was presented for discussion.

No further public comment was presented for discussion.

There being no further business, Adam made a motion to adjourn the meeting. Clyde 2nd the motion, motion carried.

Respectfully submitted,



Adam D. Wolfe, Secretary

Treasurer's Report:

Balance in State Fund September 13, 2021		\$537,096.11
Receipts: Fulton Bank (FB) MMA Interest	\$4.28	
FB GIC Interest	0.05	
PLGIT Interest	0.03	
PLGIT Reserve Interest	<u>0.12</u>	<u>\$4.48</u>
Balance after receipts:		\$537,100.59
Disbursements: none		
Balance in State Fund October 11, 2021		\$537,100.59

Balance in General Fund September 13, 2021		\$784,782.88
Receipts: Recorder of Deeds	\$3,013.50	
District Court	70.84	
AMG Resources	172.50	
Commonwealth of PA-PURTA	318.53	
Commonwealth of PA-Fire Relief	15,269.75	
Greater Lebanon Refuse Authority	1,035.00	
FB MMA Interest	4.73	
FB GIC Interest	1.69	
PLGIT Interest	0.15	
PLGIT Reserve Interest	0.03	
Cleona Borough	211.18	
Keystone Municipal Collections	<u>9,805.15</u>	<u>\$29,903.05</u>
Balance after receipts:		\$814,685.93

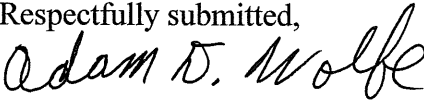
Disbursements:

CK#: 5711	Pennsy Supply	\$2,839.78
5712	MediaOnePA	230.08
5713	P & N Excavating	90.00
5714	Leffler Energy	273.32
5715	Leffler Energy	347.92
5716	Pennsylvania American Water	39.38
5717	Daniel Krieg	71.90
5718	Gaye DeShong	140.00
5719	Jonestown Ag Supply	1,056.40
5720	Lebanon Building Supply	653.30

5721 Ben Gearhart	110.00	
5722 Penn State Health	3,875.00	
5723 Annville Fire Relief Assoc.	15,269.75	
5724 Union Water Works Auxiliary	105.00	
5725 Greater Lebanon Refuse Auth.	49.68	
5726 Cleona Borough	6,217.76	
5727 Reilly, Wolfson Law Offices	3,536.00	
5728 Leb. Dept. of Emergency Serv.	1,666.70	
5729 Highway Materials	1,219.02	
5730 Starner Excavating	11,041.15	
5731 Keystone Munic. Collections	90.06	
5732 Randall Leisure	87.88	
5733 Clyde Meyer	87.88	
5734 Adam Wolfe	1,283.53	
5735 N. S. Johnson, Inc.	3,322.00	
5736 Adam Wolfe	489.06	
EFT Met-Ed	108.70	
EFT Comcast Cable	129.61	
EFT PA Dept. of Revenue	209.99	
EFT PA U. C. Fund	0.86	
EFT IRS	<u>538.82</u>	<u>\$55,180.53</u>
Balance in General Fund October 11, 2021		\$759,505.40
Balance in Public Sewer Fund September 13, 2021		\$10,299.26
Receipts: FB SMIC Interest	<u>0.10</u>	<u>\$0.10</u>
Balance after receipts:		\$10,299.36
Disbursements:		
CK#: 172 Annville Township Authority	<u>\$6,381.47</u>	<u>\$6,381.47</u>
Balance in Public Sewer Fund October 11, 2021		\$3,917.89

Summary:

State Fund	\$537,100.59
General Fund	759,505.40
Escrow Acct.	3,402.65
Public Sewer Fund	<u>3,917.89</u>
Total all Funds:	\$1,303,926.53

Respectfully submitted,

Adam D. Wolfe, Treasurer