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The North Annville Township Board of Supervisors met at the Water Works Fire Hall at 7:30 p.m. on December 13, 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 November 8, 2021 meeting minutes as presented in printed form. Randy 2<sup>nd</sup> the motion, motion carried. Randy then made a motion to adopt the November 8 Treasurer's Report as presented in printed form. Clyde 2<sup>nd</sup> 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 2<sup>nd</sup> the motion, motion carried.

Next, Marty Brandt and Frank Yeager presented the details of the Annville Free Library's (Library) expansion project, which will allow the Library to adapt to the changing needs of the community. Currently, 946 North Annville Township residents have library cards and the Library is too small, causing them to have to turn people away. The Library was originally constructed in 1950, with an addition being constructed in 1990. The Library needs a place for children, middle age school kids and adults. Local residents urged the Library not to leave Annville, so the Library was able to purchase the duplex next door. An adaptive reuse will be performed on the duplex next door and the existing Library will be rehabilitated. There will also be an addition between and behind the two buildings, which will result in a complex of three structures with 1,000 square ft. of meeting space and 4,000 more square ft. available for library use. The current Library building is hard for individuals with disabilities to access. The basement area of the new facility will be for children and there will be a focus on STEM education. The needs of the Library and community have been studied for several years, resulting in a determination that large spaces are needed for activities and residents want a community center. The Library was ready to begin the project in March 2020; however, the COVID-19 pandemic necessitated a delay. The Library has applied for a \$750,000 Keystone Grant through the Department of Education, which is funded by the realty transfer tax. They have already raised 50% of the required funding and will find out in March if they will receive the Keystone Grant, which would put them at 75% of the required funding. The land development plan is ready to submit, they have an architect and bid specifications are being prepared. Groundbreaking is scheduled for June, as they have raised enough money to build the annex. The Library is asking North Annville Township to consider donating to the capital campaign, as the Township donated \$10,000 to the capital campaign for the 1990 expansion project. The Library currently has multiple additional fundraisers scheduled to take place. Glenn Forney questioned the amount of money needed to satisfy the remaining 25% of fundraising, to which Marty replied that an additional \$1 million is needed. Marty went on to say that the townships of Annville and South Annville have already decided to donate to the project. Grady Summers questioned the total square footage of the new facility, to which Marty replied that the new facility will be 12,000 square ft. Marty continued by stating that the Library can maintain programming without hiring more staff. The Library is currently open 54 hours/week, with public presentations every month. Bill Herr questioned the operating hours, to which Marty replied that the Library is open from 10:00 a.m.-8:00 p.m. Monday-Thursday and 10:00 a.m.-5:00 p.m. Friday and Saturday. Randy thanked Marty and Frank for making their presentation.

For the next item of business, Paul Bametzreider, Township Solicitor, stated that the



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supervisors held an Executive Session on November 23, where it was decided to enter into a Tolling Agreement with Lebanon Solar and reschedule the Conditional Use Hearing for January 25 & 26, 2022. Paul went on to say that Lebanon Solar's Complaint in Mandamus remains open; however, he does not think it will have much value, if it ever did. Grady Summers questioned the reason for the hearing having been rescheduled, to which Paul replied that the Board sits in a quasi-judicial role and must ensure that all sides receive a fair hearing in accordance with the Ordinance. Paul continued by stating that Lebanon Solar would not have been able to have all of their witnesses present for the November 23 hearing. Sue Forney questioned whether or not Lebanon Solar was given the required hearing notice, to which Paul replied "yes"; however, they requested more time. Sue then questioned why Lebanon Solar was granted an extension, to which Paul replied because they requested it. Paul went on to state that the Board must take a fair and open approach. Glenn Forney stated that the Township gave Lebanon Solar exactly what they wanted. Sue questioned why Lebanon Solar's request to reschedule the June 24 hearing was initially denied but the request to reschedule the November 23 hearing was granted, to which Paul replied that there is a lot of water under the bridge since June, including the Complaint in Mandamus, which remains in play. Brian Keck questioned if Lebanon Solar's original application will be considered under the original Ordinance, to which Paul replied "yes." Brian then questioned the procedure if Lebanon Solar submits new plans, to which Paul replied that the new plans could come in under the new Ordinance. Glenn Forney questioned if the rescheduling of the hearing was all to the benefit of Lebanon Solar, to which Paul replied "no," as the Complaint in Mandamus will have less value after a hearing has taken place.

Regarding the 2022 budget, Adam stated that the budget was publicly advertised after the November meeting, with no public comment having been received and no changes having been made to the preliminary budget. Randy made a motion to adopt the 2022 budget as presented. Clyde 2<sup>nd</sup> the motion, motion carried. See budget for details.

For the next item of business, Randy read the proposed year 2022 schedule of meeting dates, times and locations. The supervisors will reorganize at 6:30 p.m. on January 3<sup>rd</sup> at the Union Water Works Fire Hall. The supervisors regular monthly meetings will continue to be held the second Monday of every month at 7:30 p.m. at the Union Water Works Fire Hall. The Planning Commission will continue to meet the first Monday of every month at 7:30 p.m. at the Union Water Works Fire Hall, with the exception being July and September, when the meeting will be held the first Tuesday of the month. The auditors will meet to reorganize on January 4<sup>th</sup> at 7:00 p.m. in the township office. Randy made a motion to approve and advertise the proposed year 2022 meeting dates. Adam 2<sup>nd</sup> the motion, motion carried. Grady Summers questioned what takes place at the reorganization meeting, to which Randy replied that all annual appointments are decided at the reorganization meeting.

Adam made a motion to approve the tax year 2021 Act 172 Volunteer Firefighter Tax Credit lists as submitted by the Belle Grove and Union Water Works fire companies. Clyde 2<sup>nd</sup> the motion, motion carried.

Next, Randy stated that the Township has received notification that the Texas Eastern pipeline has submitted a Chapter 105 permit application to DEP, for the purpose of installing a cathodic system consisting of 1,200 ft. of buried anodes on line 12. The notification did not include project maps; however, the Township can request them if there is interest.



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Next on the agenda, John Shaver stated that on November 9<sup>th</sup>, he had a cordial conversation with Jeffrey Young pertaining to the vulgar signs/banners located on Mr. Young's property. John said that he explained to Jeffrey that the primary issue with the signs is that the vulgar words are completely spelled out and he has not returned since. Randy thanked John for his efforts on behalf of the community. Paul stated that the language being displayed on the signs and banners is considered political speech which townships cannot regulate due to a 1971 Supreme Court ruling. Julie Kaylor stated that she thought the Township has an ordinance, to which Paul replied that Supreme Court rulings override township ordinances. Julie then questioned the removal of political signs within a certain time period after an election has taken place, to which Brian Tshudy replied that the signs/banners in question do not pertain to an election, but rather are a means by which to vent political frustration. Ruth Rittel questioned if a political sign can be left up if located on private property, to which Paul replied "not necessarily," as allowing the sign to remain up could be a violation of the Zoning Ordinance. Randy stated that a political speech sign on personal property is considered as protected speech and cautioned that if the Township utilizes the Zoning Ordinance to require political sign removal, then everyone in the entire Township is going to have to remove his or her political sign(s). Ruth Rittel stated not to punish everyone such as takes place in a kindergarten classroom. Mark Blauch stated that Perry County is experiencing the same problem. Randy stated that if the Township enforces the Sign Ordinance by stating that the sign is 3 inches too large, then the Township is picking on the property owner. Julie Kaylor questioned if the Township has a Sign Ordinance, to which Randy replied "yes," it is part of the Zoning Ordinance. Randy stated that he will review the Zoning Ordinance, at which point enforcement will be up to the Zoning Officer.

For the next item of business, Joe Murray stated that the Lebanon County Police Combat Pistol Club is moving forward with planting 200 trees for the purpose of absorbing the sound of gunfire. Additionally, there will be one Sunday a month where there will be no Club rentals and the new hours have been established. Banks are also being elevated in order to cut down on sound.

For the Planning Commission report, Brian Keck stated that the Commission is working on an update to the non-conforming structure language in the Zoning Ordinance.

For the police report, Chief Farneski stated that Syner Rd. in the area of Laurel Grove Rd. will be closed for 140 days in order to allow for replacement of the bridge over the Quittapahilla Creek. The Chief continued by stating that a woman has been observed following an Amazon van on Thompson Avenue and stealing packages. The Cleona Police Department will be posting a picture of the woman. Catalytic converters are also being stolen off of vehicles. The Chief also stated that the Lebanon County Police Combat Pistol Club is doing a good job of notifying the Cleona Police Department of scheduled shoots at the Club. Steve Bowman questioned the cost of a radar speed sign, to which the Chief replied that the one in use by the Cleona Police Dept., which collects data and contains GPS for use if the sign is stolen, cost \$4,000. Steve stated that he thought perhaps the Township could purchase one to help slow traffic down. Grady Summers stated that perhaps the Township could look into locating a radar speed sign at the Township building. Brian Keck asked the Chief if there are any updates on the use of radar by local police, to which the Chief replied that our local state representatives unfortunately do not support the use

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of radar by local police.

For the road report, Randy stated that the second day of the Road Safety Audit was held, with a large number of comments having been received. The next step is for the consultants to write a report and submit it to PennDOT as well as the municipalities. Randy continued by stating that a hard copy of the Clear Spring Logistics Park Transportation Impact Study is available for sign-out from the Township office. Adam will also be posting the Study on the website. Doug Buffenmeyer questioned whether or not a roundabout is going to be constructed at the intersection of North State Route 934 and Clear Spring Rd., to which Randy replied that is not a certainty; however, roundabouts are currently PennDOT's preferred intersection improvement method. DHL is currently trying to obtain a \$3-\$4 million multimodal grant for improvements to the intersection.

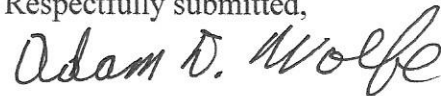
For the fire company report, business as usual was reported by representatives of both the Bellegrave and Union Water Works fire companies.

No Zoning Hearing Board report was presented.

For public comment, John Shaver questioned who will make the determination of what Ordinance Lebanon Solar's proposed project will fall under if Lebanon Solar submits a revised plan, to which Paul replied that it is the Board's decision and could be an issue which is subject to appeal. Julie Kaylor questioned what comparison the Board will use to make this determination, to which Paul replied that if Lebanon Solar's plan is changed, then there is a possibility the new plan will come under the new Ordinance. Factors such as whether or not the change to the application is so great that it constitutes a new application will need to be considered; however, Paul stated that he does not want to opine about what may or may not be, since it is purely speculation. John stated that his question is that Lebanon Solar did already submit a plan, to which Paul replied "yes." Grady Summers questioned if the Zoning Ordinance on the Township's website could be made more user friendly by making it a searchable document, to which Adam replied that he will look into it.

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

Respectfully submitted,



Adam D. Wolfe, Secretary



## Treasurer's Report:

Balance in State Fund November 8, 2021		\$537,105.22
Receipts: Fulton Bank (FB) MMA Interest	\$4.28	
FB GIC Interest	0.05	
PLGIT Interest	0.05	
PLGIT Reserve Interest	<u>0.15</u>	<u>\$4.53</u>
Balance after receipts:		\$537,109.75
Disbursements: none		
Balance in State Fund December 13, 2021		\$537,109.75
Balance in General Fund November 8, 2021		\$784,953.68
Receipts: Recorder of Deeds	\$1,452.85	
District Court	80.57	
County of Lebanon	2,381.00	
PA State Police Fines	863.66	
Lexis Nexis	15.00	
FB MMA Interest	5.76	
FB GIC Interest	0.63	
PLGIT Interest	0.24	
PLGIT Reserve Interest	0.04	
Cleona Borough	155.66	
Keystone Municipal Collections	<u>23,747.25</u>	<u>\$28,702.66</u>
Balance after receipts:		\$813,656.34
Disbursements:		
CK#: 5754 Leffler Energy	\$226.72	
5755 MediaOnePA	57.52	
5756 Leffler Energy	271.42	
5757 Pennsylvania American Water	39.38	
5758 Henry & Beaver	400.00	
5759 South Annville Township	393.73	
5760 Starner Excavating	3,413.50	
5761 Woodland Contractors	2,160.00	
5762 Union Water Works Auxiliary	70.00	
5763 PSATS	1,020.00	
5764 Royer's Flowers & Gifts	79.48	
5765 N. S. Johnson, Inc.	3,597.00	
5766 Jonestown Ag Supply	71.28	
5767 Bowman's Insurance Agency	1,272.00	
5768 Borough of Cleona	6,670.28	
5769 Alpha Space Control Co., Inc.	15,454.56	
5770 Adam Wolfe	765.00	
5771 Reilly, Wolfson Law Offices	5,816.14	
5772 Randall Leisure	43.93	

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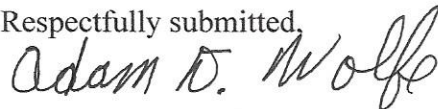
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5773 Clyde Meyer	43.93	
5774 Adam Wolfe	1,239.58	
5775 Stratix Systems	3,682.64	
EFT Met-Ed	52.60	
EFT Comcast Cable	128.96	
EFT IRS	<u>430.72</u>	<u>\$47,400.37</u>
Balance in General Fund December 13, 2021		\$766,255.97
Balance in Public Sewer Fund November 8, 2021		\$2,764.45
Receipts: H. R. Weaver Family Realty	\$15,614.64	
Hill Farm Estate	5,258.43	
Country Lane Furniture	1,937.67	
FB SMIC Interest	<u>0.09</u>	<u>\$22,810.83</u>
Balance after receipts:		\$25,575.28
Disbursements:		
CK#: 174 Annville Township Authority	<u>\$1,204.34</u>	<u>\$1,204.34</u>
Balance in Public Sewer Fund December 13, 2021		\$24,370.94

Summary:

State Fund	\$537,109.75
General Fund	766,255.97
Escrow Acct.	3,402.65
Public Sewer Fund	<u>24,370.94</u>
Total all Funds:	\$1,331,139.31

Respectfully submitted,



Adam D. Wolfe, Treasurer