

July 11, 2022

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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 11, 2022 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 and stated that the supervisors will convene an Executive Session to discuss litigation immediately following the adjournment of the regular meeting. Clyde Meyer, Vice-Chairman, made a motion to approve the June 13, 2022 meeting minutes as presented in printed form. Randy 2<sup>nd</sup> the motion, motion carried. Randy then made a motion to adopt the June 13 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, Mark Hackenburg, from RGS Associates, addressed the supervisors and residents with regard to the proposed Countryside Christian Community (CCC) expansion project. Mark stated that he has been working on this particular project since 1999, as it encountered delays due to sewer issues. Mark went on to say that the CCC property is over 50 acres in size, with 20.6 acres being zoned A-1 Agricultural. The focus of CCC's expansion project is in the area of the property which is currently zoned R-1 Residential. The existing CCC facility dates back to 1959, meaning that it predates zoning laws and became a nonconforming use when zoning came into existence. Mark is currently working with Paul Bametzreider, Township Solicitor, on zoning ordinance language which would create a new, Retirement Residential (R-R) Zoning District and corresponding regulations. The draft ordinance reflects what is an existing permitted use in the R-2 Zoning District and provides for a property, which is not adjacent to public water or sewer, to be improved provided that an approved water supply can be developed and a connection to public sewer can be obtained. Mark continued by stating that CCC has acquired public sewer easement access over the Hill Farm property and would connect to the public sewer system by constructing a private, dedicated force main line which would serve only CCC. North Annville's Act 537 Plan states that a retirement community is indeed the intended use of the CCC property and CCC is now slowly walking thru the process of obtaining project approvals. The footprint of the proposed expansion would be two times the size of the existing footprint and a total of three existing driveways would be closed off, leaving one primary point of entry off of North State Route 934 and a possible secondary access point on Kauffman Rd., as it may be safer to have some traffic use Kauffman Rd. The large building would be a two-story building toward the front and a three-story building toward the rear, with the building stepping down as it goes down the hill. The existing cottages will be replaced as part of the project; however, they will be used initially. CCC has struggled due to an inability to grow and they are now trying to find the correct balance and outcome. Chanda Tshudy questioned the width of the proposed driveways, to which Mark replied that they will be 24' wide. Chanda then questioned if fire trucks will be able to access the facility, to which Mark replied that there will be internal fire suppression; however, fire trucks will be able to access the facility and he would be happy to discuss fire apparatus access with fire co. representatives. Chanda then expressed concern about density due to stormwater management and Larry Buffenmeyer questioned whether or not there will be on-site stormwater management, to which Mark replied that there will be a total of six on-site stormwater management facilities. Mark continued by stating that the lot coverage language in

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the proposed RR zone is consistent with R-2 language already in place at Hill Farm; however, he could look into revising it as he doesn't think they are close to 50%. Aaron Miller questioned why the Township would ask CCC to prepare the Zoning Ordinance revisions, to which Mark replied that Paul Bametzreider and the supervisors initiated the draft ordinance language and the request is to re-zone from R-1 to R-R. Randy stated that any revised ordinance language will go before the public for review prior to a vote and continued by stating that the intention was to zone specifically for retirement communities. Brenda Wolfe questioned whether or not the two cottages on the west side will be removed, to which Mark replied "yes." Brenda then questioned the ownership of the CCC property, to which Steve Reiter, President and CEO, replied that it is owned by StoneRidge Retirement Living Community, which was taken out of the hands of the E.C. denomination and turned into a business entity. Brian Tshudy questioned whether or not there would be satellite office space at the new facility, to which Steve replied that there would be administrative support offices, but not on a grand scale. Aaron Miller stated that North Annville residents aren't opposed to the CCC home remaining on the property; however the ordinance needs to be kept crisp and clean. Steve stated that it is impossible to run a 33 bed skilled nursing facility under today's circumstances and continued by stating that StoneRidge has 212 beds which cannot leave Lebanon County. Aaron then expressed concerns pertaining to the density, lot coverage, building height and impervious language in the proposed R-R zoning district, to which Steve replied that CCC needs to have the R-R language in order to have slight flexibility; however, they are not looking to build a skyscraper and have a desire to maintain the existing integrity of the surrounding area. Mark stated that CCC will look at increased setbacks and roll back the density percentages. Chanda stated that the term "mature resident" needs to be defined. Steve stated that CCC and StoneRidge want to be a part of the community, not the enemy and continued by stating that he is now "under the gun" from the state and has deadlines which must be met. Randy thanked Mark and Steve for attending the meeting and asked them to take the feedback they received into consideration.

Next on the agenda, Randy stated that the Franchise Agreement between North Annville Township and Comcast Cable expired this past April. Cohen Law Group is now proposing to negotiate a better deal between Comcast and North Annville as part of the Franchise Agreement renewal. The normal franchise fee is 5%; however, Comcast is not audited and there is often additional monies which can be obtained after conducting a franchise fee audit. Randy questioned the idea of "universal access," as Comcast currently won't extend their lines beyond a certain distance, resulting in a considerable number of residents not having access to Comcast services. Michael Light, substituting for Paul Bametzreider, stated that Cohen Law Group would look into the issue of providing service to currently unserved areas. The agreement with Cohen Law Group would be a three-year agreement. Chanda Tshudy questioned if the Franchise Agreement with Comcast is an exclusive agreement, to which Adam replied that there is nothing stopping other providers from coming into the Township. Clyde questioned the cost of using Cohen Law Group's services, to which Michael replied that the table in the proposal shows a cost of \$5,520 for a township with a population of under 3,000. Randy made a motion to enter into the agreement with Cohen Law Group for the purpose of negotiating a new Franchise Agreement with Comcast. Clyde 2<sup>nd</sup> the motion. Julie Kaylor questioned what Agreement we are currently operating under, to which Michael replied that we are currently operating under the old

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Agreement. Brent Kaylor questioned the source of the pressure on Comcast to enter into a new Agreement, to which Michael replied that the money is the pressure. Julie stated that it would be nice to have a deadline for when the new Agreement must be complete and in place. Randy questioned Comcast's competition, to which Ben Bow replied that he has satellite internet at his farm on Clear Spring Rd. There being no further cable discussion, the motion to enter into an agreement with Cohen Law Group carried.

Next, Randy stated that the Greater Lebanon Refuse Authority will host a free paper shredding event on July 14 and read the relevant information which is posted on the Township's website.

No business was presented for the Planning Commission report.

For the police report, Chief Farneski stated that the Cleona Borough Police Dept. responded to 55 calls in North Annville during the month of June, including one investigation for seven stolen guns. There were also four DUI arrests, three of which were drug-related. Larry Buffenmeyer stated that the speed checks in Bellegrove are working well, to which the Chief replied that they have also been conducting speed checks on Hill Church Rd. & Clear Spring Rd. Aaron Miller questioned if there have been any illegal dumping calls, to which the Chief replied "no."

For the road report, Randy stated that the sealcoating project is complete. Sweeping of the sealcoated roads will take place next week, after which line painting will be performed.

For the next item of business, Randy read a letter, from the South Londonderry Township Chief of Police, requesting the services of the Bellegrove & Water Works Fire Police at the Mount Gretna Outdoor Art Show on August 20<sup>th</sup> and 21<sup>st</sup>, 2022. Randy made a motion to approve the request. Clyde 2<sup>nd</sup> the motion, motion carried.

No business was presented for the fire company report.

For the Zoning Hearing Board report, Randy stated that the written decision from the Pennsy Supply hearing has been issued and is posted on the Township's website. Chanda Tshudy requested that supervisor and Zoning Hearing Board meetings not be held concurrently.

For public comment, Kevin Dobbs stated that he and Christine Dobbs bought a house on Boltz Lane two years ago, at which point they removed an arborvitae bush and erected a vinyl fence. Since that time, they have been experiencing problems with a neighbor putting things on the fence and mowing grass on the Dobbs' side of the property line. Kevin continued by stating that they have tried addressing the issue with the neighbor; however, the neighbor tells them to go away and the neighbor's husband states "that's how she is." Michael Light stated that it is an issue of defiant trespass and recommended that the Dobbs either call the police or sue the neighbor. Julie Kaylor suggested putting their requests for the neighbor to stay off their property in writing and then using surveillance cameras to monitor activity on the property line. Julie went on to suggest that perhaps someone from the Township should contact the neighbor. Adam stated that he would not recommend for a supervisor to contact the neighbor due to the nature of the issue.

For additional public comment, Joe Murray stated that the range at the Lebanon County Police Combat Pistol Club has been turned and the Club has been doing a lot of work for the past two weeks.

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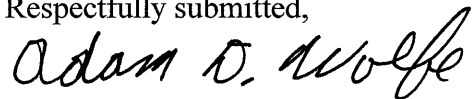
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For road-related public comment, Larry Buffenmeyer stated that the speed limit on North State Route 934 should be 35 mph from the proposed roundabout at Clear Spring Rd. & 934 to the intersection of Yorty's Bridge Rd. & 934. Julie Kaylor questioned whether or not Routes 934 & 422 have been evaluated as an alternate South Annville Township mega-warehouse truck route instead of the trucks using Clear Spring Rd. Randy replied that the desire for the trucks to use Clear Spring Rd. arises from the difficulty that trucks encounter when attempting to navigate turning movements at the intersection of 934 & 422. Adam stated that traffic volume problems will still be encountered at the intersection of 934 & Clear Spring Rd. even if the trucks use Routes 934 & 422 instead of Clear Spring Rd. Julie then questioned whether or not the landowners whose land abuts the proposed roundabout are aware of what's coming, to which Randy replied that he has received calls from them. Randy continued by stating that the grant for the construction of the roundabout went to Exel, not to North Annville Township.

Julie Kaylor questioned the purpose of the Executive Session at the conclusion of the regular meeting, to which Adam replied that it involves potential litigation relating to a stormwater issue on private property. Brent Kaylor stated that discussions pertaining to draft ordinance language should take place at the Planning Commission meetings.

There being no further business, Adam made a motion to adjourn the regular meeting and convene an Executive Session for the purpose of discussing litigation at 9:27 p.m. Clyde 2<sup>nd</sup> the motion, motion carried.

Respectfully submitted,



Adam D. Wolfe, Secretary

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Treasurer's Report:

Balance in State Fund June 13, 2022		\$625,803.80
Receipts: Fulton Bank (FB) MMA Interest	\$12.19	
FB GIC Interest	1.00	
PLGIT Interest	2.28	
PLGIT Reserve Interest	<u>5.23</u>	<u>\$20.70</u>
Balance after receipts:		\$625,824.50
Disbursements:		
CK#: 442 Russell Standard	<u>\$45,573.57</u>	<u>\$45,573.57</u>
Balance in State Fund July 11, 2022		\$580,250.93
Balance in General Fund June 13, 2022		\$780,363.51
Receipts: District Court	\$35.38	
Recorder of Deeds	1,032.09	
Cleona Borough	266.34	
FB MMA Interest	16.66	
FB GIC Interest	0.81	
PLGIT Interest	11.81	
PLGIT Reserve Interest	1.30	
Keystone Municipal Collections	<u>11,560.83</u>	<u>\$12,925.22</u>
Balance after receipts:		\$793,288.73
Disbursements:		
CK#: 5897 Gaye DeShong	\$120.00	
5898 Leffler Energy	940.36	
5899 State Workers Insurance Fund	618.00	
5900 Pennsylvania American Water	39.38	
5901 Penn State Health	3,875.00	
5902 Jonestown Ag Supply	52.98	
5903 Borough of Cleona	6,733.38	
5904 Buck's Welding	675.00	
5905 911 Rapid Response, LLC	1,476.60	
5906 Reilly, Wolfson Law Offices	1,080.00	
5907 Adam Wolfe	63.59	
5908 EMC Insurance Company	1,500.00	
5909 Starner Excavating	2,035.00	
5910 Union Water Works Auxiliary	70.00	
5911 Randall Leisure	43.93	
5912 Clyde Meyer	43.93	
5913 Adam Wolfe	1,265.01	
EFT Fulton Bank	53.00	
EFT Comcast Cable	275.24	
EFT Met-Ed	86.89	
EFT IRS	<u>452.75</u>	<u>\$21,500.04</u>

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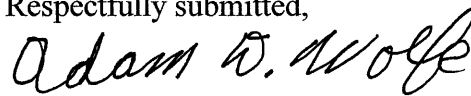
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Balance in General Fund July 11, 2022		\$771,788.69
Balance in Public Sewer Fund June 13, 2022		\$16,498.57
Receipts: none		
Disbursements:		
CK#: 181 Annville Township Authority	<u>\$5,976.61</u>	<u>\$5,976.61</u>
Balance in Public Sewer Fund July 11, 2022		\$10,521.96

Summary:

State Fund	\$580,250.93
General Fund	771,788.69
Escrow Acct.	3,402.65
Public Sewer Fund	<u>10,521.96</u>
Total all Funds:	\$1,365,964.23

Respectfully submitted,



Adam D. Wolfe, Treasurer