

June 12, 2023

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The North Annville Township Board of Supervisors met at the Water Works Fire Hall at 7:30 p.m. on June 12, 2023 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 May 8, 2023 meeting minutes as presented in printed form. Randy 2<sup>nd</sup> the motion, motion carried. Randy then made a motion to adopt the May 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. Brian Keck questioned Starner Excavating's charge relating to the turning lane at Clear Spring Road & Route 422, to which Adam replied that the charge was for the replacement of a damaged turning lane sign. Randy questioned the invoice from P & N Excavating, to which Adam replied that the invoice was for tri-axle dump truck service for hauling hot mix asphalt used for road patching. Adam made a motion to pay all bills as read. Clyde 2<sup>nd</sup> the motion, motion carried.

For the police report, Chief Farneski stated that the Cleona Borough Police Department responded to 50 calls in North Annville during the month of May and issued 15 traffic citations during a speed detail on Clear Spring Road. More speed details will be conducted this month.

For matters pertaining to the Clear Spring Road Traffic Study, Randy stated that the cost for ELA Group to perform the study will be a minimum of \$37,500.00 and a maximum of \$42,000.00, with a second part of the study to be performed at an additional cost if required. Chanda Tshudy questioned whether or not the study includes the ability of large trucks to navigate the turn at the intersection of Clear Spring Road & Route 934, to which Randy replied that PennDOT will address those issues during the review of the roundabout plans. The study performed by ELA Group will examine roadway characteristics such as curves and culverts. Julie Kaylor questioned the second part of the study, to which Randy replied that a second part of the study will be necessary to complete a truck restriction study form and evaluate the off-site impacts of restricting truck traffic on Clear Spring Road if the supervisors decide to pursue truck restrictions based on the results of the first part of the study. Randy continued by stating that the study is expensive, but will provide beneficial information and data for present and future use. Ron Weber questioned whether or not the study will provide an overview and cost of roadway improvements, to which Randy replied that the study will provide that information in projections using five year increments. Ron continued by stating that it would be beneficial to also examine damage currently being caused by truck turning movements. Randy then read the Scope of Services in the Professional Services Agreement and stated that the Township will work closely with ELA Group during the study period. In response to a question regarding funding for recommended roadway improvements, Randy stated that improvements could be funded by means other than the Township footing the bill but it is still very possible that the Township would have to foot the bill. Brian Keck stated that the proposed roundabout project does not include any additional roadway improvements. A resident of Clear Spring Rd. stated that she had to contact the state police when her mailbox was struck, to which Randy replied that the Cleona police are on duty approx. 95% if the time. Randy made a motion to approve the Professional Services Agreement No. 1 with ELA Group. Clyde 2<sup>nd</sup> the motion, motion carried.

For an update on matters pertaining to Lebanon Solar I, LLC, Paul Bametzreider, Township Solicitor, stated that Lebanon Solar filed a principal brief with the Court on June 7,

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2023 and he received a copy of the brief via email this afternoon. The Township's responsive brief is due on or before July 10, 2023, after which Lebanon Solar will have until July 24 to file a reply brief. Paul continued by stating that oral arguments are likely to take place in August or September, after which the Judge will have as long as he deems necessary to issue a ruling.

For an update on the status of on-lot disposal system pumping violation enforcement, Randy stated that the Township has completed the pumping of tanks and Paul stated that invoices will be sent to the property owners for voluntary payment of the Township's costs.

For an update on the status of the draft gun range ordinance, Paul stated that the Township still needs to define commercial gun range, after which the ordinance can be advertised for adoption.

For the Planning Commission Report, Brian Keck, Secretary, stated that work is continuing on the proposed gun range and wind power ordinances.

For the Emergency Services Advisory Committee Report, John Bachman stated that the Committee met on June 8<sup>th</sup> and issued a total of four recommendations. John read the written recommendations, which include that the Bellegrove and Water Works Fire Cos. immediately begin discussions to merge into one fire company. The second recommendation is that the newly formed fire company would continue to be financially supported by the Township at current or increased levels. The third recommendation is that a fire tax should be levied on real estate without a referendum as soon as possible and at a millage to generate not less than \$200,000 per year in revenue. The fourth recommendation is that the Township utilize the \$263,975.76 in American Rescue Plan (ARP) funding for a purpose not related to fire companies in order to comply with time restrictions which accompany the funding. The Township should then set aside the same amount of general fund money to be used for fire company-related expenses at a future date. Paul stated that the ARP funds must be under contract by the end of 2024 and spent by the end of 2026. Randy stated that the merger of the two fire companies is a very positive step and the supervisors are willing to levy a fire tax but not without a voter referendum. Paul stated that a fire tax of up to three mills can be levied without a referendum. Tammy Blauch stated that the supervisors could end up between a rock and a hard place if a referendum does not pass but revenue still needs to be raised. Randy stated that East Hanover Township instituted a fire tax via referendum. Paul stated that referendum wording can be very tricky. Randy continued by stating that a sunset on a fire tax has been suggested and also stated that the Township could spend the ARP money elsewhere and then set aside the same amount of general fund money for future fire co. use, to which Adam agreed. Ron Weber questioned the amount of money which the merger will save, to which Tammy replied that the expectation is to consolidate facilities and equipment in order to potentially save millions of dollars on the purchase of new equipment. Ron then questioned a five or ten year plan, to which Tammy replied that the equipment replacement schedule outlines projected long term equipment expenses. Aaron Miller questioned the funding at current levels, to which Tammy replied that equipment replacement costs are currently increasing very rapidly. Annual Township fire company donation amounts were then discussed and it was clarified that the Township also pays for fire company vehicle liability insurance, worker's compensation insurance and vehicle fuel. Aaron Miller then asked for the equipment replacement schedule to be modified based on the expected outcome of the proposed merger. Randy confirmed the supervisor's support for a merger of the two companies and Paul

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stated that no vote by the supervisors is needed since the fire companies are independent and can't be controlled by the Township. Paul continued by stating that the Township must provide fire protection service for the residents. Tammy questioned whether or not the Township will pay the anticipated \$25,000 - \$30,000 in fire co. merger legal fees, to which Randy replied that the supervisors will consider it since it would be money well spent in order to save money down the road. Brian Tshudy questioned whether or not there is any pending legislation at the state level to allow for fire services to be funded through an increased income tax. Randy replied by stating that he has spoken to state legislators about the issue, but is not aware of anything currently on the table for consideration. Randy continued by stating that he would prefer to see the fire services to be funded through an income tax increase, which is the reason he would like to see a sunset provision included on the levy of a fire tax millage on real estate.

For the fire company report, Mark Blauch, Bellegrove Fire Co. Chief, stated that the Bellegrove carnivals went well.

For the road report, Randy stated that road bank mowing has been completed. Randy continued by stating that Adam obtained two quotes for microsurfacing an area of 5,130 square yards of paved surface on the Clear Spring Road curves in order to enhance friction between vehicle tires and the road surface. One quote was for \$19,250, while the other quote was for \$33,806.70. Both contractors stated that the unit prices are higher than they would be if a larger area was being covered. After discussion of all options, it was decided to not pursue the microsurfacing this year, but rather wait to see how the results of the Clear Spring Road Traffic Study will impact/address this particular issue.

No Zoning Hearing Board business was presented for discussion.

Next on the agenda, Randy stated that the Lebanon County Commissioners enacted a burn ban which went into effect on June 8<sup>th</sup>. Brian Tshudy questioned when the burn ban will be rescinded, to which Randy replied that it is in effect for a 30 day period and is set to expire on July 8<sup>th</sup>. Randy continued by stating that the Greater Lebanon Refuse Authority is hosting a free paper shredding event from 8:00 a.m.-12:00 p.m. on July 14<sup>th</sup> at the Electronics Recycling Center.

For public comment, several Water Works residents raised concerns pertaining to the recent closure of Pine Avenue by a Pine Avenue resident and the fact that this resident is telling his neighbors that the Township gave him permission to close the road. Paul stated that this is a private property owner issue and the Township cannot order the road to be reopened. Randy stated that this issue started a couple months ago when the resident contacted him regarding damage to the road and expected the Township to come and repair the damage. Randy continued by stating that the road could possibly be required to be kept open if it is used by the postal service. Paul stated that easement by prescription would be a factor if the road has been used by surrounding property owners for at least 21 years; however, the residents must seek the involvement of private attorneys. Randy stated that no one from the Township gave the resident permission to close the road.

Continuing with public comment, Jerry Young stated that neighbors of the property located at 1742A Thompson Avenue asked him to express concern over the condition of an abandoned mobile home on the property and ask that the supervisors take the lead in either having the structure condemned or brought up to current requirements. Jerry continued by

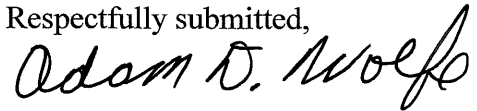
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stating that the mobile home in question has been vacant for 4-5 years, has no heat or electric and is being inhabited by wild animals. Paul stated that he would suggest contacting the Zoning Officer to request that an investigation be conducted to determine if any zoning violations are present. Paul continued by stating that the structure could also possibly be considered a nuisance which would be abatable under the Township's Nuisance Ordinance. Aaron Miller cited a relevant section of the Zoning Ordinance, at which point Randy stated that the supervisors will talk to the Zoning Officer concerning the situation.

There being no further business, Adam made a motion to adjourn the meeting at 8:35 p.m. Clyde 2<sup>nd</sup> the motion, motion carried.

Respectfully submitted,

A handwritten signature in black ink that reads "Adam D. Wolfe". The signature is written in a cursive style with a large, stylized "W".

Adam D. Wolfe, Secretary

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Treasurer's Report:

Balance in State Fund May 8, 2023		\$688,250.25
Receipts: Fulton Bank (FB) GIC Interest	\$101.29	
PLGIT Interest	14.28	
PLGIT Reserve Interest	<u>2,286.55</u>	<u>\$2,402.12</u>
Balance after receipts:		\$690,652.37
Disbursements: none		
Balance in State Fund June 12, 2023		\$690,652.37

Balance in General Fund May 8, 2023		\$1,023,158.55
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Receipts: Recorder of Deeds	\$1,747.83	
Lebanon Co. Probation Services	71.88	
District Court	5.00	
Cleona Borough	81.84	
State Police Fines	703.84	
FB GIC Interest	103.36	
PLGIT Interest	123.52	
PLGIT Reserve Interest	3,660.91	
Keystone Municipal Collections	<u>39,908.36</u>	<u>\$46,406.54</u>
Balance after receipts:		\$1,069,565.09

Disbursements:

CK#:	6105	Miller & Bixler Auto Parts	\$154.55
	6106	Bauman's Septic Tank Cleaning	210.00
	6107	Bauman's Septic Tank Cleaning	210.00
	6108	Bauman's Septic Tank Cleaning	210.00
	6109	Bauman's Septic Tank Cleaning	210.00
	6110	Leffler Energy	478.11
	6111	P & N Excavating, Inc.	1,149.12
	6112	State Workers Insurance Fund	631.00
	6113	MediaOnePA	61.20
	6114	Pennsylvania American Water	40.60
	6115	Penn State Health	3,875.00
	6116	Barley Snyder LLP	1,232.08
	6117	Jonestown Ag Supply	839.66
	6118	Union Water Works Auxiliary	160.00
	6119	Borough of Cleona	7,402.71
	6120	Lebanon Co. Emerg. Serv. Dept.	2,720.40
	6121	Lebanon Co. Planning Dept.	30.00
	6122	Lebanon Co. Planning Dept.	30.00
	6123	Lebanon Co. Planning Dept.	30.00
	6124	Lebanon Co. Planning Dept.	30.00
	6125	PSATS	240.00
	6126	Agriteer	352.44


6127	Stratix Systems	72.49	
6128	Stephenson Equipment, Inc.	3,276.84	
6129	Starner Excavating	4,747.50	
6130	Highway Materials, Inc.	3,603.76	
6131	Randall Leisure	43.93	
6132	Clyde Meyer	43.93	
6133	Adam Wolfe	1,317.74	
EFT	Comcast Cable	136.23	
EFT	Met-Ed	59.40	
EFT	IRS	<u>461.93</u>	<u>\$34,060.62</u>
Balance in General Fund June 12, 2023			\$1,035,504.47

Balance in Public Sewer Fund May 8, 2023			\$23,076.41
Receipts:	Hill Farm Estate	\$4,483.37	
	Lebanon Valley College	<u>\$556.41</u>	<u>\$5,039.78</u>
Balance after receipts:			\$28,116.19
Disbursements:			
CK#:	192 Annville Township Authority	<u>\$1,451.36</u>	<u>\$1,451.36</u>
Balance in Public Sewer Fund June 12, 2023			\$26,664.83

Summary:

State Fund	\$690,652.37
General Fund	1,035,504.47
Escrow Acct.	3,444.14
Public Sewer Fund	<u>26,664.83</u>
Total all Funds:	\$1,756,265.81

Respectfully submitted,



Adam D. Wolfe, Treasurer