

December 11, 2023

Page 1 of 7

The North Annville Township Board of Supervisors met at the Water Works Fire Hall at 7:30 p.m. on December 11, 2023 for the purpose of a public hearing and a regular monthly meeting. All members were present. Also present was: see attached attendance sheet in minute book.

Randy Leisure, Chairman, called the public hearing for Ordinance No. 2-2023 to order at 7:30 p.m. Paul Bametzreider, Township Solicitor, stated that the publicly-advertised Ordinance will regulate commercial, but not private, shooting ranges by establishing backstop requirements as well as other protections; however, the Ordinance does not include any sound restrictions. Brian Keck questioned whether or not the Ordinance will apply to the law enforcement shooting range that is planned for construction on land owned by the Greater Lebanon Refuse Authority, to which Paul replied that the Ordinance will apply to the planned law enforcement shooting range, provided that formal land development plans have not yet been filed. Aaron Miller questioned the permitted shooting hours, to which Randy replied that the normal hours of operation shall be 8:00 a.m. to dusk, with nighttime shooting limited to specified training courses and no live fire after 9:00 p.m. Randy continued by stating that while a decibel level is hard to enforce, such a provision could be added to the Ordinance if future problems are encountered. The public hearing was adjourned at 7:36 p.m.

Randy called the regular monthly meeting to order at 7:36 p.m. and continued by stating that the supervisors will convene an Executive Session, to discuss litigation, immediately following the conclusion of the regular meeting. Clyde Meyer, Vice-Chairman, made a motion to approve the November 13, 2023 meeting minutes as presented in printed form. Randy 2nd the motion, motion carried. Randy then made a motion to adopt the November 13 Treasurer's Report as presented in printed form. 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.

For the police report, Cleona Borough Police Chief Farneski stated that the small mural, which someone painted onto the pavement at the intersection of School Creek Lane & Syner Road, is associated with a fatal accident which occurred at the intersection. The Chief continued by requesting that residents not invite unknown guest(s) into their homes, as it can turn into a major problem when the guest(s) refuses to leave. The Chief went on to say that the Township's radar speed sign was destroyed by vandals in the early morning hours of December 10th. While fingerprints were pulled from the sign, the Chief asked that anyone who witnesses a crime/unusual activity taking place call 911 immediately. Scams continue to be a problem and the Chief stated that the Cleona Police Department does not solicit. The Cleona P.D. responded to 40 calls during the month of November and a new officer will be on duty in approx. 1 week. License plate readers are currently being installed in Cleona P.D. vehicles.

Next on the agenda, Alex Kinzey, from Steckbeck Engineering, stated that the Michael & Brenda Groy Subdivision involves rearranging three tract lines on an existing 25 acre parcel, along Valley Glen Road, in order to create a new two acre parcel, where a single-family dwelling will be constructed. While the two parcels will share a driveway, the subdivision does include provisions for the two parcels to be served by separate driveways. The Lebanon County Planning Department and the North Annville Township Planning Commission have each already approved the Groy Subdivision. Clyde made a motion to approve the Groy Subdivision. Randy 2nd the

December 11, 2023

Page 2 of 7

motion, motion carried. Randy then made a motion to approve the sewage planning module, which includes primary and back-up on-lot disposal systems on the proposed lot. Adam 2nd the motion, motion carried.

For the next item of business, Rich Raiders, who is an environmental engineer and attorney, gave a presentation pertaining to problems associated with the storage and spreading of biosolids in North Annville Township. Rich stated that biosolids contain per- and polyfluoroalkyl substances (PFAS), which are “forever chemical” compounds that do not go away and cause environmental contamination. He went on to say that the use of biosolids as an agricultural fertilizer is the root cause of issues in rural areas. Class 2 biosolids are not to be applied where they will come in contact with the human food chain, while Class 1 biosolids are treated for metals and pathogens, but not forever chemicals. Randy stated that out-of-county and out-of-state biosolids are being applied in North Annville Township and we are worried about the effects that it is having on the human food chain. Rich stated that the Environmental Protection Agency (EPA) regulates biosolids and is currently using rules that were made 25-30 years ago. Possible approaches to enacting changes to biosolids rules involve filing a lawsuit in the D.C. Circuit Court of Appeals and appealing to senators as well as congressman. Rich went on to say that the Dept. of Environmental Protection (DEP) should also be regulating biosolids. Local governments may have the ability to regulate certain things; however, townships cannot regulate things that are already regulated by the state. According to Rich, a prevailing question is what is in the biosolids and what can be done about it. He continued by stating that he hasn't heard much about anyone pushing the issue and that leaves the question of what is going into the watersheds unanswered. Brian Tshudy stated that manure cannot be spread on frozen ground, to which Randy replied that the biosolids industry notoriously finds ways around restrictions pertaining to spreading on frozen ground. Larry Buffenmeyer questioned the spreading of biosolids in areas of no-till farming, as he sees biosolids washing away and residents should have the right to protect their wells. Larry then questioned the source of the burning sensation in eyes and throats, to which Rich replied that ammonia will cause those effects. Randy stated that we should be pressuring DEP to update permitting and testing protocols. Larry stated that DEP was contacted concerning burning eyes and throats, at which point it took several days for the biosolids to be tilled into the soil, to which Randy replied that the burning sensation is caused by either ammonia or hydrogen sulfide. In response to Brian Tshudy's question about contamination from medications, Rich stated that water in the Philadelphia area is contaminated with Prozac. In response to Randy's question of how individuals can take action, Rich stated to make Harrisburg elected officials work for the people then went on to say that lots of phone calls to lawmakers make a difference and also that complaints can be filed on the DEP website. Brian Tshudy stated that individual residents need to contact state legislators and not just rely on the township supervisors to make contacts. It was also suggested to find someone to do lobbying and also to find someone to be a talking head. Ron Weber questioned whether or not there is anything that townships can do themselves, to which Paul replied that preemption becomes an issue. Randy then stated that the issue could also be raised at the Pennsylvania State Association of Township Supervisors convention.

Next, Randy made a motion to adopt the Shooting Range Ordinance No. 2-2023. Adam 2nd the motion, motion carried.

December 11, 2023

Page 3 of 7

For an update on matters pertaining to Clear Spring Road, Randy stated that ELA Group anticipates completing the sight distance and speed limit analyses by the end of the year. The supervisors will then meet with Paul and the engineers in order to determine how best to proceed with roadway restrictions. In response to Brian Keck's question about the status of the proposed roundabout, Randy stated that line grade and elevations are being submitted; however the stormwater plan has not yet been submitted. In response to Ron Weber's question about the passage of wide loads through the roundabout, Randy stated that the issue will be raised with PennDOT. Ron then asked if PennDOT has examined the apex of the curve, as cutting the hill down would help. Randy replied by stating that the Church driveway will be uphill. Larry Buffenmeyer then questioned the possibility of a public vote on the roundabout, to which Paul replied that the outcome of such a vote would not be binding, as there is no statute for referendums pertaining to road issues. Larry then stated that the Township must pay for the maintenance of the road, to which Paul replied that it is a public road, but the Township must act within certain parameters. Brian Tshudy stated that the Township does not need to fix the road if it breaks up.

For the next item of business, Randy stated that Adam looked into the request for the installation of speed bumps on Hill Church Road and was told that Hill Church Road does not meet PennDOT criteria for the installation of speed bumps, due to the roadway speed limit and traffic counts. Adam stated that the Township can request sight distance and safety studies of the roadway. Dawn Arnold stated that the police can sit in her driveway to conduct speed enforcement. Ruth Rittel stated that she is not in favor of the installation of speed bumps, since that would be penalizing all drivers for the actions of bad drivers.

Randy made a motion to approve the submitted lists of volunteer firefighters who qualify for the year 2023 earned income tax credit. Adam 2nd the motion, motion carried.

Next, Randy stated that Resolution No. 4-2023 was brought forward to begin levying a 0.5 mill fire tax, which would provide funding for the fire services. If enacted, the levy of the fire tax would need to be renewed annually at budget time. Aaron Miller questioned the amount of revenue which would be generated by a 0.5 mill tax, to which Randy replied that it would generate approx. \$100,000.00. Randy continued by stating that while the Emergency Services Advisory Committee has devoted an extraordinary amount of time and effort to researching the future of fire service funding in North Annville, there are still a lot of unknowns, as the apparatus replacement list still contains all of the apparatus from both companies and the Township recently applied for a fire engine replacement grant. The Township thus far has agreed to most of what the Committee has suggested and the desire of the supervisors is to do the right thing at the right time. At the request of Chanda Tshudy, Randy read the Resolution out loud and stated that it, if approved, it will take effect in 2024. Ron Weber questioned the time frame for a budget from the merged fire company, to which Brion Smoker replied that the fire cos. are merging at a fast pace, working very well together and will consolidate equipment. Brion continued by stating that his insurance agent told him to expect a substantial homeowner's insurance rate increase if there are no fire companies in North Annville Township. Larry Buffenmeyer questioned whether or not both fire stations will be kept open, to which Brion replied that the funding brought in by the auxiliaries covers the costs associated with the buildings. In response to Larry's question about how many fire engines there will be in the future, Brion stated that the answer to that

December 11, 2023

Page 4 of 7

question is not yet known. Ruth Rittel stated that it would be best to keep both fire stations maintained. Randy stated that if the fire tax is not approved, the Township can transfer \$100,000 from the general fund as well as the American Rescue Plan money up front to the fire service and the implementation of a fire tax can be delayed until outstanding questions are answered. He said that the supervisors are trying to support the fire cos. while also respecting the taxpayer. In response to a question about fire company grant availability, Aaron Miller stated that the fire companies will still be able to individually apply for grants after they are merged. Randy asked if there was a motion to adopt Resolution No. 4-2023, at which point no motion was made. Paul stated that there is no need for a vote, since the Resolution now dies and is tabled.

For the Emergency Services Advisory Committee Report, John Bachman stated that it is expected that merged bylaws will be submitted to the Township early next year. Randy stated that the supervisors greatly appreciate all the effort being put forth by the Committee and the fire cos.

For the Fire Company Report, Keith Blauch stated that two Bellegrove Fire Co. (BFC) members recently completed Essentials of Firefighting Training. Keith continued by stating that the BFC recently applied for 15 grants and was approved for two, one of which was for bottled water and one of which was used to purchase fire truck tires.

Next, Adam opened and read aloud Starnar Excavating's years 2024 & 2025 bid for road maintenance labor and equipment rental with operator. Starnar's line items total \$130,900 for each of the two years. Adam stated that the Township does not necessarily utilize all of the line items or the full amount of each line item during the course of the year. Randy made a motion to award the contract for years 2024 & 2025 for road maintenance labor and equipment rental with operator to Starnar Excavating. Clyde 2nd the motion, motion carried.

For the next item of business, Randy read the Greater Lebanon Refuse Authority letter pertaining to the reappointment of Brent McFeaters as North Annville Township's representative to the GLRA Board. Randy made a motion to appoint Brent McFeaters as North Annville Township's representative to the GLRA Board for a five-year term, beginning January 1, 2024 and concluding on December 31, 2028. Adam 2nd the motion, motion carried.

Randy proceeded to read the list of year 2024 meeting dates, times and locations. The Planning Commission will continue to meet at 7:30 p.m. on the first Monday of the month at the Union Water Works Social Hall, the exception being January and September, when the meeting will be the first Tuesday. The supervisors will continue to meet at 7:30 p.m. on the second Monday of the month at the Union Water Works Social Hall, with reorganization to be held the first Tuesday at 6:30 p.m. The auditors will meet to reorganize on the first Wednesday at 7:00 p.m. in the Township office. Randy made a motion to approve the year 2024 meeting dates, times and locations. Clyde 2nd the motion, motion carried.

Next, Adam read the 2024 budget, which calls for a beginning general fund balance of \$1,125,000, general fund receipts of \$555,822, disbursements of \$847,072 and an ending balance of \$833,750. The projected state fund beginning balance is \$631,000, with receipts of \$147,529.21, disbursements of \$67,500 and an ending balance of \$711,029.21. The projected public sewer fund beginning balance is \$38,500, with receipts of \$37,250, disbursements of \$39,500 and an ending balance of \$36,250. The beginning fire service capital fund balance is \$0.00, with projected receipts of \$383,250.00, disbursements of \$0.00 and an ending balance of

December 11, 2023

Page 5 of 7

\$383,250.00. See budget for further details. Adam made a motion to approve the budget as read. Clyde 2nd the motion, motion carried.

For an update on the renewal of the Comcast Cable Franchise Agreement, Paul stated that he received an updated draft of the new Agreement, which he will forward to the supervisors. In response to Randy's question about the audit of the franchise fee disbursement amounts, Paul stated that he will look into it.

Next on the agenda, Paul suggested consulting with the Lebanon Co. Planning Dept. before deciding whether or not to defer the BlueScope Building expansion plan review to Annville Township. The proposed project straddles the borderline between Annville and North Annville and the runoff water will flow toward and into Annville Township.

For the status of Nuisance Ordinance violation enforcement, Paul stated that he sent a notice of violation to a property owner along School Creek Lane. The property owner has 30 days from the date of Paul's letter to bring the property into compliance before further enforcement action can be taken by the Township.

For the Road Report, Randy stated that Nolt Paving will be removing the graffiti which was painted onto the asphalt at the intersection of School Creek Lane & Syner Rd. Randy continued by stating that six of the eight Clear Spring Rd. snow emergency signs have been installed and also stated that the radar speed sign was heavily damaged by vandalism.

For the Planning Commission Report, Brian Keck, Secretary, stated that all Planning Commission business has already been covered.

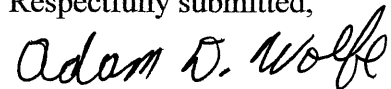
No Zoning Hearing Board business was presented for discussion.

For public comment, Brian Keck, in response to a resident's question, stated that Hill Farm Estate is currently under contract and the interested party is checking into the availability/feasability of public water. Randy stated that the contract involves a 90-day hold period.

There being no further business, Clyde made a motion to adjourn the meeting at 9:11 p.m. Randy 2nd the motion, motion carried.

The supervisors then convened an Executive Session to discuss litigation.

Respectfully submitted,



Adam D. Wolfe, Secretary

December 11, 2023

Page 6 of 7

Treasurer's Report:

Balance in State Fund November 13, 2023		\$625,959.88
Receipts: Fulton Bank (FB) GIC Interest	\$34.03	
PLGIT Interest	15.19	
PLGIT Reserve Interest	<u>2,429.20</u>	<u>\$2,478.42</u>
Balance after receipts:		\$628,438.30
Disbursements: none		
Balance in State Fund December 11, 2023		\$628,438.30

Balance in General Fund November 13, 2023		\$1,096,145.14
Receipts: Cleona Borough	\$161.70	
Recorder of Deeds	3,939.60	
County of Lebanon	2,267.00	
State Police Fines	848.15	
FB GIC Interest	126.67	
PLGIT Interest	228.48	
PLGIT Reserve Interest	3,790.24	
Keystone Municipal Collections	<u>16,819.06</u>	<u>\$28,180.90</u>
Balance after receipts:		\$1,124,326.04

Disbursements:

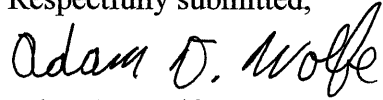
CK#: 6212 Miller & Bixler Auto Parts	\$66.36	
6213 State Workers Insurance Fund	631.00	
6214 PA American Water	40.60	
6215 Barley Snyder LLP	3,708.00	
6216 Daniel B. Krieg	288.45	
6217 ELA Group, Inc.	5,689.70	
6218 Borough of Cleona	7,000.00	
6219 Stratix Systems	57.99	
6220 Cohen Law Group	920.00	
6221 Union Water Works Auxiliary	240.00	
6222 Adam Wolfe	725.60	
6223 Starner Excavating	1,560.00	
6224 Randall Leisure	43.93	
6225 Clyde Meyer	43.93	
6226 Adam Wolfe	1,317.74	
6227 MediaOnePA	700.16	
EFT Comcast Cable	139.05	
EFT Met-Ed	67.18	
EFT PA Dept. of Revenue	20.86	
EFT IRS	<u>461.93</u>	<u>\$23,722.48</u>
Balance in General Fund December 11, 2023		\$1,100,603.56

Balance in Public Sewer Fund November 13, 2023		\$39,348.17
Receipts: none		
Disbursements:		
CK#: 197 Annville Township Authority	<u>\$717.64</u>	<u>\$717.64</u>
Balance in Public Sewer Fund December 11, 2023		\$38,630.53

Summary:

State Fund	\$628,438.30
General Fund	1,100,603.56
Escrow Acct.	3,444.14
Public Sewer Fund	<u>38,630.53</u>
Total all Funds:	\$1,771,116.53

Respectfully submitted,



Adam D. Wolfe, Treasurer