

## MINUTES

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### BOARD OF COMMISSIONERS

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### LOWER ALLEN TOWNSHIP

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### REGULAR MEETING

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April 24, 2023

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The following were in ATTENDANCE:

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### BOARD OF COMMISSIONERS

### TOWNSHIP PERSONNEL

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Dean W. Villone, President

Erin Trone, Assistant Township Manager

H. Edward Black, Vice President

Steven P. Miner, Township Solicitor

Joshua Nagy

David Holl, Public Safety Director

Jennifer Caron

Richard Grove, Township Finance Director

Charles Brown

Rebecca Davis, Public Works Director

Leon Crone, Police Captain

Nate Sterling, Administrative Secretary

Renee' Greenawalt, Recording Secretary

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President Villone called the April 24, 2023 Regular Meeting of the Board of Commissioners to order at 6:00 PM. He announced that Proof of Publication for the meeting was available for review. This was followed by a prayer and the Pledge of Allegiance.

### MEETING MINUTES:

President Villone requested a motion to approve the Minutes of the April 10, 2023 Regular Meeting.

Commissioner **BROWN** made the motion to approve the minutes. Vice President **BLACK** seconded. The motion carried 5-0.

### AUDIENCE PARTICIPATION: Any item on the agenda.

President Villone advised the audience that if there were any item on that evening's agenda that they wish to comment on, to please indicate as such. Chris Hoover of Hoover Engineering indicated his intent to speak on Agenda Item 9, SLD Plan for Kindt Properties.

### CONSENT AGENDA:

President Villone stated that any Commissioner, staff member, or anyone in attendance who would like to have an item on the Consent Agenda removed for further discussion, he could do so at that time. There were none.

Items on the Consent Agenda:

a. Department Reports for the month of March for Community Development, Fleet Maintenance, Facility Maintenance, Public Works, Public Safety (February and March); and Tax Collector.

b. Check Register of April 21, 2023 in the amount of \$315,440.03.

President Villone requested a motion to approve the items on the Consent Agenda. Commissioner **NAGY** moved to approve the items on the Consent Agenda. Commissioner **CARON** seconded. The motion carried 5-0.

### PRESIDENT VILLONE:

President Villone requested a motion to approve moving Nathaniel C. Sterling from probationary to regular full-time status

effective April 25th, 2023, following successful completion of his six-month probationary period.

Commissioner **NAGY** offered the motion, seconded by Vice President **BLACK**. The motion carried 5-0.

President Villone requested a motion to approve moving Helen R. Grundon from probationary to regular full-time status effective April 25<sup>th</sup>, 2023, following successful completion of her six-month probationary period.

Commissioner **NAGY** offered the motion, seconded by Commissioner **CARON**. The motion carried 5-0.

#### **ANY BUSINESS PERTINENT TO THE TOWNSHIP:**

President Villone noted that if anyone wished to speak at that time, there would be 10 minutes allotted per person to speak at the podium.

Mr. Joe Swartz first thanked the Board for appointing him to the Frederickson Library Board of Trustees and noted his enthusiasm for participating. Next, he referenced discussion from the prior meeting related to challenges surrounding staffing and suggested the Board consider revisiting Resolution 2020-R-07, the Fund Balance Policy for a possible amendment, to determine the availability of funding to address the need for additional staffing resources.

President Villone noted that the Board would likely assess staff needs in the next budget season and determine from there if there is any need to revisit the relevant resolution.

#### **PUBLIC WORKS**

##### **Payment to Chemung Supply Corporation**

Director Davis presented the item for discussion and consideration to approve payment to Chemung Supply Corporation for stormwater piping for the 2023 stormwater infrastructure replacement project in the amount of \$372,015.00. The project location is in the lower end of Highland Park and Allendale neighborhoods and was approved by the Lower Allen Township Stormwater Authority (LATSA). She noted that the invoice was for the pipe material only, and that pre-purchasing the materials through COG enabled cost savings even though the overall cost was higher than originally budgeted. Approval for installation will be considered separately.

It was noted that LATSA had approved the payment through the quarterly transfers, which refund the General Fund out of the stormwater fees. LATSA acts as a financing authority. The fees fund the stormwater projects and grant awards offset the amounts paid.

Commissioner **NAGY** moved to approve the payment. Commissioner **BROWN** seconded. The motion carried 5-0.

##### **Extended timeframes for alternate parking restrictions due to leaf collection services**

Director Davis presented the item for discussion and consideration of extending the months for which the Township imposes alternate parking restrictions on various roads for the purpose of leaf collection, by adding November and April to the extended schedule. She noted the goal would be to provide improved services to residents and additional time for public works staff.

Vice President Black commented on the year-round difficulties which exist in navigating some of the roads when there are cars parked on both sides, particularly for public safety vehicles.

Commissioner Caron asked if there was any detriment in leaving the leaves in the street, to which Director Davis replied there was, since they end up in the storm drains.

Commissioner Brown expressed concern about restrictions having potential negative impact on the parking availability and causing hardship to residents.

Mr. Joe Swartz, resident at 1706 Letchworth Road, asked that consideration be given to the public safety and the traffic calming nature of allowing two-sided parking, noting that cars must travel more cautiously due to limited space. He added that switching sides is at times inconvenient but is worth the benefits of leaf removal.

Responding to an inquiry related to public safety access, Captain Crone stated his preference would be year-round restrictions on parking.

President Villone acknowledged the public safety considerations, but reminded everyone that the issue for consideration was for a definitive timeframe within the context of the leaf collection service provided by the Public Works Department. He asked staff to develop a presentation on two different scenarios, both full restriction and extended timeframe restrictions, for future consideration.

Director Davis noted that the extended timeframe worked well from a public works perspective. She stated that there will be costs associated with altering signs and advertising ordinances, so if consideration was to be given to further restrictions to address public safety concerns, it would be most cost effective to make changes once. President Villone agreed and asked that cost estimates be included in the information presented on both options. He also asked Captain Crone to consider suggestions on alternative traffic calming devices besides having parking on both sides of the street. Director Holl also suggested conducting driving tests of the public safety vehicles through the streets that might be affected.

### **Cumberland County Local Small Bridge Inspection Program**

Director Davis presented the item for discussion and consideration for the Township to enroll in the Cumberland County Local Small Bridge Inspection Program, noting the bridge on Orchard Road would be eligible for the program. The program provides for a county inspector to inspect the bridge at no cost and report deficiencies and make it eligible for funding for repairs. She added that the bridge had never been inspected.

Commissioner **CARON** made a motion to approve enrollment into the program, seconded by Commissioner **NAGY**. The motion passed 5-0.

### **Inspection of Tree along Lisburn Road**

President Villone asked if Ms. Trone could pull up a view on the monitor of the area of Lisburn Road just past Society Hill Apartments. There is a tree on the right side that looks like it is dying and leaning toward the road. He asked if staff could look into it and see whose property the tree is on and look into having the tree removed. Director Davis said that she would look into it.

## **COMMUNITY AND ECONOMIC DEVELOPMENT**

### **Subdivision and Land Development Plan for Kindt Properties**

Assistant Manager Trone presented the item for discussion. She stated the purpose of the plan is to combine six lots into a consolidated lot, propose a new storage building and document a non-conforming building located at 1111 Primrose Avenue which was demolished and reconstructed without proper permitting from the Township and account for all non-conformities on the consolidated lot. The plan also seeks to gain compliance of several outstanding issues on the numerous Kindt properties. The consolidation removes some of the setback issues. Landscaping and plantings will be used to help provide separation and buffering of the residential properties from the commercial properties. The plan shows parking counts for each primary use building. It provides a stormwater plan. Rather than issuing zoning violations for these long-standing issues, Township staff elected to work with the property owner through this plan submission of a newly proposed storage building to correct the problems.

Chris Hoover of Hoover Engineering presented details for the proposed 5,000 square foot addition to the manufacturing warehouse building and accessory building. Addressing several zoning issues, he noted the transitional area of the Township, which includes both residential and commercial mixed use, and he reviewed the applicant's requested waivers relative to curbing, sidewalks and street widening.

Commissioner Villone requested additional details about the proposed use. The applicant, Mr. Barry Kindt, explained the business engages in prefabrication for electrical construction.

Commissioner Villone addressed the sidewalk waivers, noting that while there is no current need to have a sidewalk pass through that area, as redevelopment occurs, and adherence to the connectivity concept grows, it is an area where the Township would ask that sidewalks be installed in the future. Assistant Manager Trone noted that the Board could issue a deferral on the sidewalks rather than grant a waiver.

Vice President Black expressed his discomfort with the extent of the comments on the Land Development Plan, especially comment #1 related to permitting, "The unauthorized building identified as existing commercial building 1 on sheets 2 and 3 becomes properly permitted, inspected, and addressed by Lower Allen Township staff."

Ms. Trone explained the process and timeline for obtaining proper permits and inspections. She noted the Board had options to either approve or deny the plan, or to request an extension.

Several Board members expressed concern about the comments related to the permits, and the setting of precedent for potential future violations.

Mr. Hoover said the applicant was willing to offer a 60-day extension, and in the meantime would submit the required application for the appropriate permits.

Commissioner **NAGY** moved to accept the offered 60-day extension on the LDP for Kindt Properties. Vice President **BLACK** seconded. The motion carried 5-0.

## **Final Land Development Plan for Interstate Towing and Recovery**

Assistant Manager Trone presented the item for discussion and possible action. The applicant had offered to grant a 30-day extension for the final LDP for Interstate Towing and Recovery, located at 1120 Saint Johns Road.

Commissioner **NAGY** moved to accept the 30-day extension. Commissioner **BROWN** seconded. The motion carried 5-0.

## **PUBLIC SAFETY DIRECTOR**

### **Local Law Enforcement Support Grant award**

Director Holl reported that the Police Department had applied for the Local Law Enforcement Support Grant award from the Pennsylvania Commission on Crime and Delinquency (PCCD) for two eligible program activities and expenses. The first was to support a non-recurring personnel cost for officer retention, called "Hero Pay", which provided for one-time payments of \$1,200 to officers. The grant was awarded in the amount of \$31,200. The second was to upgrade technology and information systems improvements and add three additional mobile license plate readers. The amount awarded for the first year of the grant was \$38,850 and the second year \$6,930. This is a reimbursement grant which requires the Township to pay the funds and then be reimbursed. Staff are seeking approval from the Board to accept the award and begin the process of implementing the terms of the Grant Agreement with PCCD.

Mr. Rick Grove confirmed that funds were available to make the payments without incurring any hardship. Director Holl also noted that the mobile license plate readers had been ordered, and since staff did not know they would be receiving the grant at budget time, it would be included as a revenue item for 2023.

Commissioners extended their congratulations to Director Holl on the awards. Commissioner **CARON** offered the motion to accept the grant. Vice President **BLACK** seconded. The motion carried 5-0.

## **FINANCE DIRECTOR**

### **Non-Uniformed Defined Benefit Pension Plan**

Director Grove introduced the item for discussion, regarding a possible amendment to the Non-Uniformed Defined Benefit Pension Plan. The Pension Committee recommends enactment of Ordinance 2023-03 at a future meeting, which would amend the plan by changing the "average compensation" calculation to the last 60 months of employment, instead of the current calculation which is based on average of the 5 highest consecutive calendar years within the last 10 calendar years. He noted the existing plan was unusual and the goal of the amendment is to incentivize retirement delays and to avoid clustering of retirements early in the year.

Commissioners discussed the value of the change as part of the benefits package to employees and one that is comparable to neighboring municipalities. President Villone encouraged commissioners to contact staff if there were further questions.

## **COMMISSIONERS REPORTS**

Director Davis announced the upcoming Gardner's Gathering to be held on Saturday, April 29<sup>th</sup> from 10-1, and will include a presentation on non-point source pollution, rain barrel workshop, foraging, and a plant swap. She also announced the award presentation for having been chosen to receive a Governor's Award for Environmental Excellence would be held later in the week at the Hilton in Harrisburg.

Assistant Manager Trone noted that there would be no action taken at the executive session.

Captain Crone announced participation in the upcoming Cumberland County DA's Office Victim's Rights Rally and Walk to be held in downtown Carlisle on Wednesday, 4/26 at 6 PM.

Director Holl reported that the power to the MCS would be turned off on 4/29 for the purpose of transferring to the solar power system, and that EMS and fire services would be operating out of Station 2.

Commissioner Caron announced that Cumberland County Commissioners had declared National Library Week and noted she was looking forward to the upcoming Board breakfast at the Frederickson Library.

Vice President Black acknowledged several recent saves for EMS and public safety personnel.

President Villone reported that he and Vice President Black had attended the PSATC Executive Committee meeting and would be participating in the upcoming legislative breakfast. He also thanked Public Safety for their efforts in providing a recent educational session to the staff at Spring Gate, noting the importance of the event as a public relations opportunity.

## **ADJOURNMENT**

The meeting was adjourned to executive session at 7:57 PM.