

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

May 22, 2023

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

TOWNSHIP PERSONNEL

Dean W. Villone, President

Erin G. Trone, Assistant Township
Manager

H. Edward Black, Vice President

Steven P. Miner, Township Solicitor

Jennifer Caron – via teleconference

David Holl, Public Safety Director

Joshua Nagy

Richard A. Grove, Finance Director

Charles Brown

Rebecca Davis, Public Works Director

Nathaniel Sterling, Administrative
Secretary

Renee' Greenawalt, Recording Secretary

President Villone called the May 22, 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. He noted that Commissioner Caron was participating via teleconference and retained voting privileges.

MEETING MINUTES:

President Villone requested a motion to approve the minutes of the May 8, 2023 Regular Meeting.

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

PRESENTATION: Governor's Award for Environmental Excellence

Director Davis presented the award and plaque that was awarded to the Township by the Pennsylvania Department of Environmental Protection for the project she initiated which consisted of water sampling and analysis of the Yellow Breeches Creek and Cedar Run. Over 100 samples were collected and analyzed over a thirty-day period as part of the project, in addition to education and outreach measures for the sampling locations. A GIS story map of the project was created to share with the community. Director Davis thanked the Yellow Breeches Watershed Association and the Pennsylvania State Extension for partnering with the Township on the project. She also thanked fellow staff and volunteers for their participation and partnership.

President Villone and other members of the Board expressed their pride in the Township being selected to receive the Governor's Award and appreciation to Director Davis for the project, noted it as an example of how the Township is a leader in the region. They also complimented the GIS story map which presents a visual representation of the project.

PRESENTATION: Lower Allen Township's Stormwater Program

Director Davis presented a comprehensive update on the Municipal Separate Storm Sewer System (MS4). She noted a presentation is given annually to the Board of Commissioners as part of the permit requirement for outreach programs. She provided a detailed explanation of the MS4 program, including the infrastructure that makes up the system which discharges into commonwealth waters via the Cedar Run and the Yellow Breeches Creek, into the Susquehanna River, and eventually into the Chesapeake Bay. She described the characteristics and background of the program, providing examples of how the Township meets the requirements of the program in six different areas. Lower Allen Township has been a permit holder since 2003. The intent of the program is to reduce pollutants that enter commonwealth waters and is enforced by the Environmental Protection Agency and The PA Department of Environmental Protection. The permit is issued for 5 years, and each cycle has new requirements. Ms. Davis described how the MS4 permit works through pollution control measures and pollution reduction plans. The Township must submit a report annually to the state on how the status has changed or improved. The current permit to discharge into the Chesapeake Bay was extended until 2025.

Vice President Black noted that the Best Management Practices employed by the Township are contemporary stormwater designs.

President Villone complimented the work and what he described as a service-based approach to operating the program, noting positive engagement with residents and property owners with respect to MS4 issues. He also confirmed that the current permit requirements would remain in place until the permit is renewed and asked Ms. Davis about the restrictions on residential car washing, which has been in place since September 2022. She noted that educational outreach material on the issue had been shared in MS4 newsletters and would continue to be distributed, adding that residents could wash cars on lawns if the water is not discharged into an inlet that enters the stormwater system.

President Villone encouraged the community to participate in the Yellow Breeches Watershed Association clean up event scheduled for July 23, 2023 and noted the membership drive taking place on August 18, 2023 at Liberty Forge. Additional details will be available on their website.

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. Mr. Joe Swartz indicated a potential interest in speaking on items 11A and 13A.

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 April 2023 for Community Development, Fleet Maintenance, Public Works, and Public Safety.
- b. Check Register of May 19, 2023 in the amount of \$463,809.04.
- c. 2023 Fire Apparatus Needs Assessment report prepared by Fast Attack Fire Services Training & Consulting.
- d. **Resolution 2023-R-16** proclaiming May 21-27 Emergency Medical Services Week with the EMS Theme, "EMS: Where Emergency Care Begins".
- e. **Resolution 2023-R-17** accepting dedication of Cona Road as a public street.

- f. **Resolution 2023-R-18** accepting dedication of Longview Road as a public street.
- g. **Resolution 2023-R-19** accepting dedication of Market House Lane as a public street.
- h. **Resolution 2023-R-20** accepting dedication of a portion of Mission Hill Road as a public street.
- i. **Resolution 2023-R-21** accepting dedication of Mollys Run as a public street.
- j. **Resolution 2023-R-22** accepting dedication of Rocky Way as a public street.
- k. **Resolution 2023-R-23** accepting dedication of Ruth Way as a public street.
- l. **Resolution 2023-R-24** accepting dedication of Saxton Way as a public street.

Commissioner **NAGY** moved to approve the items on the Consent Agenda, and highlighted the fact that it was EMS Awareness Week. Commissioner **BROWN** seconded. The motion carried 5-0.

PRESIDENT VILLONE:

2023 Infrastructure Repair and Paving Project

President Villone requested a motion to award the 2023 Infrastructure Repair and Paving Project to Kinsley Construction, who was the lowest responsible bidder for the project, in the amount of \$1,909,886.

Commissioner **NAGY** made the motion to award the project to Kinsley Construction. Commissioner **BROWN** seconded. The motion carried 5-0.

Resolution 2023-R-25

President Villone requested a motion to adopt **RESOLUTION 2023-R-25** promoting Alex J. Milletics to the rank of Corporal in the Lower Allen Township Police Department, effective May 22, 2023.

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

Resolution 2023-R-26

President Villone requested a motion to adopt **RESOLUTION 2023-R-26** appointing Julie A. Koranda to the position of Accounting Specialist in the Finance Department, effective June 5, 2023.

Commissioner **BROWN** made the motion. Commissioner **CARON** seconded. 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. There were none.

FINANCE DIRECTOR

Payment of lease down payment of \$500,000 to Solar Renewable Energy

Director Grove presented the item for discussion and consideration to approve the payment of a lease down payment of \$500,000 to Solar Renewable Energy for the solar energy generation system. Mr. Grove reminded members of the project and the payment plan that was approved previously. The down payment of the up-front amount requires permission by the Board to pay the bill.

Commissioner Nagy asked whether the amount had been included in the 2023 budget. Mr. Grove noted that the project had been delayed due to COVID-related materials availability and the timing was unpredictable, so while it was not included in the budget, the funds have been specifically earmarked for this purpose. He explained that payments over the first five years are lease payments, as the company owns the solar panels until the fifth year. Payments continue for 35 years at no more than approximately \$81,000. The savings, estimated at \$2.3 million, will amount to more than what is paid for the debt service and eventual maintenance.

Commissioner Caron asked if the agreement was borrowing. Mr. Miner explained that while it is a financing device, there is no debt financing and no bond issues. The financing structure is with the solar company which receives the tax savings credit for the first five years until the Township takes ownership of the panels in year six. There is no debt obligation other than the initial \$500,000 payment which comes from the general fund.

President Villone acknowledged that some of the newer Board members had not had the benefit of the initial information and discussions. He referred to the lengthy prior discussions about the project and noted the due diligence of the staff. The issue for consideration is essentially a housekeeping item to pay the bill for the payment already committed.

Director Grove noted the invoice, dated May 18, 2023 was to be paid upon receipt. President Villone suggested delaying the decision for two weeks to allow for new Board members to have the opportunity to work with staff to learn more about the project and the prior discussions. Staff will send copies of the meeting minutes from those discussions which outline how the decision to approve the program was made.

Commissioner **CARON** moved to defer approval of the payment until the next meeting. Commissioner **NAGY** seconded and the motion passed 5-0.

PUBLIC WORKS

Changes to refuse service RFP

Director Davis introduced the topic for discussion, reminding Board members of their prior discussion regarding the upcoming expiration of the municipal refuse contract with Penn Waste and the need to issue an RFP for services. Next, she reviewed each of the proposed options for consideration to be included in the bid documents. These included the elimination of the unlimited item provision, low flow options, consisting of smaller totes and bi-weekly pick-ups, and changes in billing functions. Regarding the low flow options, these would be offered as a choice for residents to select their preference. There was also discussion regarding the additional cardboard collection points throughout the Township.

Director Davis noted that staff anticipated issuing an RFP in late June or early July and requested permission from the Board to move forward with the RFP.

Members suggested the RFP include options to implement the suggested changes as well as keeping the services the same, for comparison purposes.

Commissioner **BROWN** moved to authorize staff to move forward with the RFP as discussed, including the proposed changes as well as an option to keep services as is. The motion was seconded by Vice President **BLACK** and passed 5-0.

PUBLIC SAFETY

Patrol Officer Position

Director Holl introduced the item for discussion and possible action, for approval to extend a conditional offer of employment to Donovan Glasser for the position of Patrol Officer. Mr. Glasser was on the civil service list and recommended for hiring. He must be enrolled in the Academy to start in July.

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

COMMUNITY AND ECONOMIC DEVELOPMENT

Resolution 2023-R-27

Assistant Manager Trone presented the item for discussion and possible action to adopt **RESOLUTION 2023-R-27**, updating the Township's Municipal Records Disposition Schedule resolution. Ms. Trone noted that the proposed resolution adopts the schedule set by the Pennsylvania Historical and Museum Commission. Township staff are engaged in an ongoing effort to digitize old files, which costs money and time. Adopting the schedule will allow for clean up and disposal of old files that are no longer needed.

Township resident, Mr. Joe Swartz, asked whether the Township document retention policies would remain in effect in addition to this schedule. Ms. Trone replied that the proposed resolution would be the minimum requirement.

Commissioner **NAGY** made a motion to adopt **RESOLUTION 2023-R-27**. Commissioner **BROWN** seconded, and the motion passed 5-0.

Chick-fil-A Financial Security Release

Assistant Manager Trone presented the item for discussion and possible action by the Board to consider the request from Chick-fil-A to release their financial security in the amount of \$35,247.00, which is the full amount held. She noted that the remaining items were tree planting and that an "as built" landscape plan has been inspected. Staff recommends approval of the release.

Commissioner **NAGY** made a motion to approve the request for financial security release. Vice President **BLACK** seconded. The motion was approved 5-0.

COMMISSIONERS REPORTS

President Villone noted that following reports, the Board of Commissioners would adjourn to executive session for discussion of one item and that no action would be taken.

Captain Crone thanked the Board for their approval of personnel actions.

Mr. Nathaniel Sterling reported that the audio function on the livestream had not been successful.

Director Grove followed up on his earlier report, saying that year 8 would be the break even point for the solar panel project.

Commissioner Nagy praised the efforts by the Public Works and Public Safety staff and highlighted EMS Week, thanking these employees for their all-weather, around-the-clock efforts in providing services and keeping residents safe.

Commissioner Brown noted his attendance at the Highland Estates pocket park party and thanked the staff who participated and provided the planning and programming, noting the demonstrations presented by the Fire and EMS departments. He also shared his observations of the difficulties the emergency vehicles had in navigating the streets in that area, referencing prior discussion on parking regulations.

Vice President Black commented on a presentation sponsored by UPMC on the future of cancer care in Central PA area, which left a positive impression on him. UPMC has purchased a building on Technology Parkway where a significant amount of cancer care programming will be headquartered, with 35 infusion beds and plans for cancer research activities.

President Villone echoed earlier sentiments shared regarding the recognition of public safety disciplines for their dedication and services. He also reported on the most recent Planning Commission meeting, where plans were moved forward for Interstate Towing on St. Johns Road for a maintenance building and Trinity High School partnering with a community member to construct two auxiliary buildings to be used for athletics. He also noted his request to staff to have the language changed to deferral rather than a complete waiver for issues related to sidewalks, as the Township could ask property owners to install sidewalks in the future.

EXECUTIVE SESSION

With no further business to address, President Villone announced adjournment to executive session for discussion regarding the Triple Crown lawsuit appeal.

ADJOURNMENT

The meeting was adjourned at 7:34 PM.