

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

November 27, 2023

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

TOWNSHIP PERSONNEL

Dean W. Villone, President

Thomas G. Vernau, Township Manager

H. Edward Black, Vice President

Erin G. Trone, Assistant Manager

Jennifer Caron

Steven P. Miner, Township Solicitor

Joshua Nagy

Rebecca Davis, Public Works Director

Charles Brown

David Holl, Public Safety Director

Richard Grove, Finance Director

Nate Sterling, Administrative Secretary

Renee' Greenawalt, Recording Secretary

President Villone called the November 27, 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 October 16, 2023 Budget Meeting. Commissioner **BROWN** made the motion to approve the minutes with corrections. Vice President **BLACK** seconded. The motion passed 5-0.

PRESENTATION NRG Sustainability Award

Manager Vernau showed a 30-second video announcing that Lower Allen Township received an Excellence in Energy Award from NRG for our solar energy project, which generates 95% of the MSC's electricity needs. The Township was selected for demonstrating innovation, dedication to reducing costs, and supporting community needs with sustainability initiatives.

President Villone congratulated Mr. Vernau on the award and noted the significant potential savings that will be realized through the solar arrays.

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.

- Ms. Julie Echterling indicated the intent to comment on Agenda Item 10A.
- Mr. Brian Ariano and Mr. Joe Swartz both indicated intent to comment on Agenda Items 10A and 10B.

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 could do so at that time. There were none.

Items on the Consent Agenda:

a. Department Reports for the month of October for Community Development, Fleet Maintenance, Facility Maintenance, Public Works, and Public Safety.

b. Tax Collector's Monthly Report for October 2022.

c. Check Register of November 17, 2023 in the amount of \$1,542,206.57.

d. Advertising of the 2024 Meeting Schedule for Boards, Commissions, and Authorities.

e. Entering into an Easement Agreement between Highpoint Neighborhood Association, Arcona Master Association, Inc, and Lower Allen Township for declaration of the landscape island located on Market House Lane as a controlled facility and assumption of maintenance of the island by the Arcona Master Association.

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

PRESIDENT VILLONE:

Brewbaker Retirement

President Villone requested a motion to accept the retirement of Jeffrey Brewbaker, Maintenance Specialist in the Public Works Department, effective January 2, 2024.

Commissioner **BROWN** made the motion. Commissioner **CARON** seconded. The motion carried 5-0. President Villone wished Mr. Brewbaker well in his retirement and expressed gratitude for his service to the Township and residents.

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.

PUBLIC WORKS

Full-time Maintenance Specialist

Director Davis presented for discussion and possible action, to advertise for a full-time maintenance specialist in the Public Works Department, to replace the position being vacated due to Mr. Brewbaker's retirement.

Commissioner **CARON** made the motion and recognized that the position is included in the 2024 budget. Vice President **BLACK** seconded. The motion carried 5-0.

PUBLIC SAFETY

Changes to Proposed Ordinance 2023-06 and Advertisement

Director Holl introduced the item for discussion, noting that meetings had been held with both fire companies to review the recommended changes to the proposed ordinance. He noted specifically the remaining issue regarding the hiring of a Fire Chief, which cannot take place without the new ordinance in place.

Mr. Miner also noted that the Township's current ordinance does not give the Board the authority to appoint a Fire Chief. Therefore, enactment of the new ordinance is necessary to move forward with the hiring of that position.

Commissioner Brown expressed appreciation to Director Holl and representatives of the fire companies, noting the many updates to the ordinance. He asked Director Holl to summarize the proposed chain of command. Director Holl explained that it creates a process that is like what is currently in place, with the Director of Public Safety responsible for overseeing the departments of Police, EMS, and Fire Services. A Fire Chief will be hired to lead the fire services division, with district and assistant chiefs reporting to the Fire Chief, following the incident command structure. It merges the volunteer fire companies and Township professional staff.

Commissioner Brown also asked for clarification that the statements of policy will remain part of a working document. Director Holl affirmed that some of the items previously contained in the proposed ordinance were removed and instead included in the standard operating guidelines (SOG). He added that these policy items were dynamic and would fluctuate with the need for implementation of best practices.

Commissioner Brown asked for clarification about the command staff with authority at emergency scenes and asked what happens if there are not command staff present. Director Holl noted there is a chain of command process to handle that situation, with the senior person on the call in that role. Commissioner Nagy referenced duty chiefs and the establishment of a system to ensure the ability for a volunteer officer to take command. Director Holl asserted that a Duty Chief schedule would be established.

Commissioner Nagy characterized the meetings held with the fire companies as discussions about how specific policies would work and that clarifications and language changes were recommended to address concerns.

President Villone asked if the District Chiefs would have the opportunity to provide input about the selection of a Fire Chief. Director Holl said that, like the current operation, open staff meetings would be held with a goal of consensus on issues. He said the goal was to have a solid, best practice focused fire service where there is transparency and open input.

Public Comments

Ms. Julie Echterling noted a correction to change the words “Board of Directors” to “Executive Board”. She also expressed concern about interpretation of allowable participation in activities by the volunteers, and clarified the intent was directed towards participation with apparatus. After some discussion of this issue, there was a recommendation to add the words, “with Township resources” to items A) and B) in section 21-6 of the Ordinance. Lastly, Ms. Echterling asked about the ability for the fire companies to have a part in selecting the Fire Chief and to have input about disciplinary procedures. Director Holl referred to a policy addressing the selection of leadership, professionalizing the process with a selection panel that would include representatives from the fire companies. He also noted a policy on discipline that enables parallel investigations and incorporates a code of conduct.

Mr. Brian Ariano expressed some concern about two issues. The first was language contained in the ordinance referring to “only command staff” on the scene of an incident. He acknowledged it was clarified in the explanatory memo, but noted the language remained unchanged in the ordinance. Director Holl noted the intent was for appointed command staff to have command authority and that fire ground command should be credentialed. It was agreed that the word “only” be removed and changed to “Approved command staff”.

Mr. Ariano also asked if there had been any additional discussion or decision about the implementation plan and the effective date. There was discussion about having the volunteer chiefs in place for now until the Fire Chief is appointed by the Board, and to implement the ordinance with the existing volunteers in place. Director Holl noted the effective dates could be January 2, 2024 but would be implemented and institutionalized throughout 2024. He noted that enacting the ordinance provides authority to the Director of Public Safety to begin to effect the changes.

Mr. Miner recommended that an effective date be included in the ordinance. Mr. Vernau suggested adding to the end of the ordinance, the words, “effective 30 days from the enactment of this ordinance.”

Commissioner Nagy expressed his opinion that meetings should continue with the fire company members to provide an ongoing forum for discussion.

There was also some discussion about upcoming elections at the fire companies and the potential impact the results of those elections may have on the structure and aligning with implementation of the ordinance.

Mr. Ariano also noted that the fire companies would need to update their by-laws to align with the ordinance, which would take some time. Mr. Miner agreed that the bylaws should be consistent, noting that the ordinance is the law of the Township. President Villone said it was important for the Township to offer guidance to the fire companies in changing their bylaws.

Commissioner Brown requested that the job descriptions for the Fire Chief and District Chiefs be provided to the fire companies.

Mr. Joe Swartz complimented Director Holl on his efforts to draft the ordinance and asked for clarification about the meaning of “command staff”. Director Holl explained that it is generally anyone with authority to issue command decisions. They are defined in the SOGs.

Discussion: Standard Operating Guidelines (SOG)

Director Holl referred to the series of policies (Fire Department Statement of Policy Manual) and noted that changes had been made based on discussion with the fire companies. He noted the policies remain dynamic and subject to change. Once the command structure is in place, the policies will be reviewed for additional changes. President Villone noted that the SOGs are completely focused on the Township fire service side and have no impact on the non-profit organizations. Commissioner Caron clarified that the policies would be implemented and effective in tandem with the ordinance. Director Holl noted that the SOGs codify the best practices, most of which are currently in place.

Public Comments

Mr. Ariano raised questions that focused on the intent and purpose. First, he noted that the terms for command staff structure were inconsistent with the terms used by Cumberland County Communications. Director Holl agreed the terms should be updated to be consistent. Next, Mr. Ariano asked if PSO staff would be eligible for command staff positions. Director Holl said there was no intent to do so. Third, Mr. Ariano asked if there would be expiration dates on command officer positions based on age. Director Holl said that positions would be evaluated based on competency. Finally, Mr.

Ariano asked about the appointment of command staff positions in the absence of a Fire Chief. Director Holl noted those discussions had not yet occurred but noted the likelihood of temporary appointments.

Ms. Echterling expressed concern about the possibility of apparatus being utilized for lunch pickups due to issues surrounding liability. Director Holl said that the Township would address the concern.

Following the discussion, Board Members reviewed a revised copy of **Ordinance 2023-06**, with the following changes having been incorporated:

- 21-3(I) – changed “Board of Directors” to “Executive Board”
- 21-6(A) and (B) added “with Township Resources”
- 21-8(E) removed the word “only”
- Addition of “effective 30 days after enactment of this Ordinance” to the end of the document

President Villone summarized the potential action options to either table the issue or to authorize it for advertisement, and then enact it at the next meeting or later. Commissioner Nagy and Vice President Black confirmed they were comfortable with the red line changes.

Vice President BLACK offered a motion to advertise **ORDINANCE 2023-06**. Commissioner NAGY seconded the motion. The motion passed 5-0.

MANAGER

2024 Fee Schedule

Mr. Vernau referenced the proposed fee schedule, noting it was under review by each department for suggested changes and would appear on a future agenda. He also noted that cost recovery would be the reason to increase any fees. President Villone asked specifically about the proposed increase to the Zoning Hearing Board fee. Director Trone noted the current fee fell significantly lower than the costs associated for resources such as the solicitor, stenographer and required advertising.

COMMISSIONERS REPORTS

President Villone noted that members would adjourn to Executive Session following Commissioners Reports to discuss legal matters. He said no action would be taken.

Director Trone announced that it was her last meeting, as she has accepted another position out of state. She noted it had been her honor to serve the Township and the residents.

Director Holl expressed his thanks to everyone who had participated in the fire services transition efforts.

Manager Vernau wished Ms. Trone the best in her new position and said that she would be very missed.

Commissioner Nagy thanked all the volunteers for their participation and input. He mentioned his opportunity to tour the Fleet Maintenance office and noted the impressive organizational system for vehicles and parts. He also noted the ingenuity and ability of maintenance staff to build and improvise, which had saved the Township significant costs. He also thanked Ms. Trone for her time, effort, and dedication.

Commissioner Brown thanked everyone who had talked with him about the fire service. He wished the best to Ms. Trone.

Commissioner Caron expressed her thanks to the fire service volunteers and noted what an asset Ms. Trone had been to the Township with her forward thinking and wished her the best of luck.

Vice President Black congratulated Commissioner Brown, Commissioner Caron, and Mr. Swartz on their election victories. He also wished the best to Ms. Trone and highlighted her success with the Lower Allen Commons project.

President Villone noted he had filled in at the most recent CapCOG meeting, noting some of the items discussed. He also expressed his appreciation and best wishes to Ms. Trone and thanked everyone who had participated in the fire service ordinance changes. Lastly, he congratulated Commissioner Brown, Commissioner Caron, and Mr. Swartz and noted the reorganization would be held on January 2, 2024.

ADJOURNMENT

The meeting was adjourned to an Executive Session at 8:43 PM.