

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

March 11, 2024

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

TOWNSHIP PERSONNEL

Dean W. Villone, President

Thomas G. Vernau, Jr., Township Manager

Jennifer Caron, Vice President

Steven P. Miner, Township Solicitor

Joshua Nagy

Rebecca Davis, Public Works Director

Joseph Swartz

David Holl, Public Safety Director

Richard A. Grove, Finance Director

James Bennett, Township Planner

Nate Sterling, Administrative Secretary

Renee' Greenawalt, Recording Secretary

President Villone called the March 11, 2024 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. President Villone announced that Commissioner Brown was absent with excuse.

MEETING MINUTES:

President Villone requested a motion to approve the minutes of the February 26, 2024 Regular Meeting. Commissioner NAGY moved to approve the minutes. Vice President CARON seconded. The motion passed 4-0.

BID OPENING

President Villone opened and announced the bids received for the project:

Company Name	Company Address	Bid Bond Enclosed	Bid Amount
EK Services	260 Old York Rd. New Cumberland, PA	X	\$629,995 Part A
			\$170,154 Part B
Kinsley Construction	1110 E. Princess St. PO Box 2886, York, PA	X	\$549,400 Part A
			\$128,524 Part B
Pennsy Supply Inc.	2400 Thea Dr. Suite 3A, Hbg., PA	X	\$673,696 Part A
			\$186,254 Part B
JVI Group	8210 C Carlisle Pike, York Springs, PA	X	\$566,886 Part A
			\$159,298 Part B

## **PRESENTATION**

### **RTP Grant Project Plans**

Mr. Chris Bauer with Bowman Traffic Engineers presented information about two pedestrian projects in the Township which were determined as part of the Township's Pedestrian and Bike Plan that was adopted in 2019 . He explained the funding source for the Regional Transportation Plan are a mix of county and local funds and come through the Harrisburg Area Transportation Study (HATS). He provided details about each of the projects. The first, located at Hummel Avenue and 18th Street, involves construction of ADA ramps and installation of piano key pavement markings for improved visibility. The purpose is to provide safe crossing of Hummel at a preferred location, reduce vehicle trips and to provide a safe alternative to vehicle-based trips. The second project is located at Wesley Drive and Royal Drive. The project scope includes pedestrian pedestals and push buttons placed at both sides of the crosswalks crossing, piano key pavement marking, rectangular rapid flashing beacons along the pedestrian crossing signs placed at either side of Wesley Drive, and construction of an overhead flashing beacon mounted on a mast arm. The purpose is to provide a safe pedestrian crossing of Wesley Drive.

Commissioner Swartz asked about the timeframe for the project. Mr. Bauer explained that the project would be bid and let through PennDOT systems, and that it was likely to be completed as a winter 2024-spring 2025 project.

President Villone noted his participation in the Pedestrian Bike Study, expressing his opinion that it was well done and garnered significant community interest and participation.

Commissioner Swartz indicated that some residents had requested some consideration be given to changes in the light timing at the intersections. It was noted that this project does not contemplate light timing but would be part of a larger project to coordinate the entire system after the upgrades are completed.

### **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. Diego Chacon, resident at 7 Elmhurst Road, offered comment on Agenda Item #5, and expressed concern regarding the light timing at the intersection located at 18<sup>th</sup> and Hummel streets. Mr. Vernau noted that a PennDOT would be

undertaking a traffic study of the corridor as part of the upcoming improvement project and would analyze the signal timing to consider further improvements.

#### **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. Check Register of March 8, 2024 in the amount of \$162,490.99.
- b. Awarding the 2024-01 Bethany Village Basin Retrofit Project to Kinsley Construction, LLC, the lowest responsible bidder at \$223,230.20.
- c. Awarding the 2024-02 BJ's Wholesale Basin Retrofit Project to Kinsley Construction, LLC, the lowest responsible bidder at \$73,310.20.
- d. Awarding the 2024-03 Weis/United Methodist Home Basin Retrofit Project to Kinsley Construction, the lowest responsible bidder at \$650,135.00.
- e. Awarding the 2024-2025 Landscape Maintenance Best Management Practices to Land Studies, Inc., the lowest responsible bidder at \$34,900.00.
- f. Resolution 2024-R-08, a Resolution of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, authorizing the sale of Township personal property valued over \$2,000.

Vice President **CARON** moved to approve the items on the Consent Agenda. Commissioner **NAGY** seconded. With no further discussion the consent agenda was approved by a vote of 4-0.

#### **EXECUTIVE SESSION**

President Villone announced a meeting recess to executive session at 6:22 PM to discuss two items: 1) lawsuit update and 2) employee hiring.

The meeting was reconvened at 6:49 PM.

#### **PRESIDENT**

##### **Manual Check Register**

President Villone requested a motion to approve a manual Check Register of February 28, 2024 in the amount of \$125.00 to Eckert, Seamans, Cherin & Mellott.

Commissioner **SWARTZ** made the motion, seconded by Commissioner **NAGY**. The motion passed 3-0 with one abstention by Vice President Caron.

##### **Assistant Manager Appointment**

President Villone requested a motion to approve **Resolution 2024-R-09**, A Resolution of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, appointing Rebecca L. Davis as Assistant Township Manager and providing compensation thereof, effective March 1, 2024.

Vice President **CARON** made the motion, seconded by Commissioner **NAGY**. The motion passed 4-0. Vice President Caron expressed congratulations to Director Davis.

##### **Finance Director Appointment**

President Villone requested a motion to approve **Resolution 2024-R-10**, A Resolution of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, appointing Alycia J. Knoll as Finance Director, effective March 25, 2024.

Vice President **CARON** made the motion, seconded by Commissioner **SWARTZ**. The motion passed 4-0.

#### **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.

Ms. Jessica Miller from the Frederickson Library expressed appreciation to the commissioners and the Township for their ongoing support. She provided an update about resident utilization of library resources and announced upcoming activities and events happening at the library. President Villone thanked Ms. Miller for the update.

Next, Manager Vernau introduced Mr. James Bennett, who was recently hired as the Township's Planner. Commissioners welcomed Mr. Bennett.

### **PUBLIC WORKS DIRECTOR**

#### **Infrastructure and Paving Project**

Director Davis presented the item for discussion and possible action, to consider approval of Estimate No. 4 – Final payment in the amount of \$78,000 to Kinsley Construction, LLC. Director Davis reported that the project was completed at the end of 2023, however the Township was waiting on the necessary paperwork to certify the ADA ramps were built in accordance with PennDOT standards. This requirement has been completed and staff recommends the action for approval.

Commissioner Swartz asked if there were any other outstanding issues. Director Davis indicated that there were not. With no further discussion, Commissioner **NAGY** made the motion to approve the payment, seconded by Vice President **CARON**. The motion passed 4-0.

### **COMMUNITY AND ECONOMIC DEVELOPMENT**

#### **Financial Security Reduction Request**

Mr. Bennett introduced the item for discussion and possible action, to approve reduction in financial security for 2450 Gettysburg Road in the amount of \$135,993.94 leaving a financial security balance of \$31,998.06 and a new expiration date of March 11, 2025. Staff recommends approval.

Vice President **CARON** made the motion to approve the payment, seconded by Commissioner **NAGY**. The motion passed 4-0.

#### **Issuing an RFP for a Solicitor for the Zoning Hearing Board**

Manager Vernau presented the item for discussion, explaining that the current solicitor would be retiring this year. A draft RFP was reviewed by Mr. Miner and has been distributed to commissioners for consideration and feedback.

President Villone requested clarification that the RFP is for a professional service and does not require bidding. Mr. Miner confirmed and noted the intent to seek a solicitor with Zoning Hearing Board experience.

### **MANAGER**

#### **Amendment to Lark Meadows Declaration**

Mr. Vernau introduced the item for discussion and possible action, to consider an amendment to the Lark Meadows.

Declaration to address maintenance of retaining walls that were not included in the recorded plan for the project. Mr. Miner explained the Township has collaborated with the developer to avoid going back through the planning process, but the Township will not maintain the retaining walls, therefore the documents in the declaration require an amendment that assigns the responsibility for maintenance and insurance for the retaining wall to the homeowners' association. He noted the need to monitor the situation going forward.

Commissioner Swartz identified a typo on page 3 of the draft declaration, which Mr. Miner indicated would be corrected.

Vice President **CARON** moved to approve the amended Homeowners' Association Declaration as corrected. Commissioner **SWARTZ** seconded. The motion passed 4-0.

#### **PA Supreme Court decision in Barris v. Stroud Township**

Manager Vernau referenced the case and a letter from Mr. Miner dated 2/22/24 and noted it changes understanding relevant to municipal regulations of firearms. In 2014 there was language removed from a Township ordinance regulating the discharge of firearms. He noted that it now appears the provision can be returned to the Township code if that is the desire of the Board.

#### **Junior Commissioner Program**

Manager Vernau introduced the item for discussion, noting it was at the request of Vice President Caron. He referenced the materials related to the Hampden Township Junior Commissioner Program which include a description of the program and an application. He noted that the Township could adopt a similar program, customizing it for their preferences with respect to participant expectations, guidelines, etc.

Mr. Miner discussed Act 153 and the issue of necessary background checks for Township staff depending on the specifics of the program.

Commissioners expressed support for the program and agreed to provide feedback on the guidelines to the manager who will compile a program outline to be considered at a future meeting.

### **COMMISSIONERS REPORTS**

President Villone announced that the meeting would adjourn to Executive Session for an update on the Community and Economic Development Director position.

Director Davis announced the upcoming Easter Egg Hunt to be held at Lower Allen Community Park on March 23 at 10:00 am, as well as the Electronics Recycling Event from 9 am – Noon at the Public Works Building.

Commissioner Nagy reported attending the Lower Allen Fire Banquet, celebrating 91 years of dedication and service to the Township and its residents.

Commissioner Swartz congratulated Director Davis on her promotion to Assistant Manager. He also thanked Lower Allen Fire Company for their hospitality at their banquet and for their ongoing service to the community.

Vice President Caron congratulated Director Davis.

President Villone expressed gratitude to all the fire company volunteers. He also thanked all staff for their efforts.

### **ADJOURNMENT**

The meeting was adjourned at 7:32 PM.