

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

May 13, 2024

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

TOWNSHIP PERSONNEL

Dean W. Villone, President

Thomas G. Vernau, Township Manager

Charles Brown

Steven P. Miner, Township Solicitor

Joseph Swartz

Rebecca L. Davis, Assistant Township Manager

David Holl, Public Safety Director

Alycia Knoll, Finance Director

Isaac Sweeney, P.E., CED Director

James Bennett, Township Planner

Nate Sterling, Administrative Secretary

Renee' Greenawalt, Recording Secretary

President Villone called the May 13, 2024 Regular Meeting of the Board of Commissioners to order at 6:13 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 noted the absence of Vice President Jennifer Caron and Commissioner Joshua Nagy, with excuse.

MEETING MINUTES:

President Villone requested a motion to approve the minutes of the April 22, 2024 Regular Meeting.

Commissioner **BROWN** moved to approve the minutes. Commissioner **SWARTZ** seconded. The motion passed 3-0.

AUDIENCE PARTICIPATION: Any item on the agenda.

President Villone advised the audience that if there were any items on that evening's agenda that they wish to comment on, to please indicate as such. There were none.

BID OPENING – Lower Allen Community Park Paving Project

President Villone requested a motion to table this item until later in the agenda, following presentations.

Commissioner **SWARTZ** offered the motion, seconded by Commissioner **BROWN**. The motion passed 3-0.

RESOLUTION 2024-R-20

President Villone requested a motion to adopt **Resolution 2024-R-20**, appointing Kenneth A. Stirling to the rank of

Corporal of the Lower Allen Township Police Department. Commissioner **BROWN** made the motion, seconded by Commissioner **SWARTZ**. The motion passed 3-0.

RESOLUTION 2024-R-21

President Villone requested a motion to adopt **Resolution 2024-R-21**, appointing Laura M. Tamanosky to the rank of Corporal of the Lower Allen Township Police Department. Commissioner **SWARTZ** made the motion, seconded by Commissioner **BROWN**. The motion passed 3-0.

PRESENTATION – Promotion of Corporals

Captain Crone presented Officers Kenneth A. Stirling and Laura M. Tamanosky for promotion to the rank of Corporal. The Honorable Judge Christopher Delozier performed the swearing-in ceremony.

BID OPENING – Lower Allen Community Park Paving

1. EK Services, Inc., 260 Old York Rd., New Cumberland. Bid **\$48,610.00**. Bid Bond is included.
2. JVI Group, Inc., 8210 C Carlisle Pike, York Springs. Bid **\$59,745.00**. Bid bond included.
3. Kinsley, PO Box 2886 York. Bid **\$50,865.00**. Bid bond included.
4. Pennsy Supply Inc., 2400 Thea Drive, Suite 3A, Harrisburg. Bid **\$66,059.75**. Bid bond is included.

President Villone passed the bids along to Solicitor Miner for review.

PRESENTATION – Pennsylvania Environmental Council

Manager Vernau introduced the item, announcing that Lower Allen Township had been named the recipient of a 2024 Governor's Award of Environmental Excellence. He described the history of the award program and reminded Commissioners the Township had been a recipient of the same award last year for stormwater projects. This year's award is in recognition of the solar energy project.

President Villone noted the honor of attending the award ceremony with the other recipients from across the state, and recognition by the Secretaries of the PA Departments of Conservation and National Resources and of Environmental Protection. He also thanked the staff for their ongoing work in pursuing these grant award opportunities and for presenting proposals that are reasonable and benefit the environment.

PRESENTATION – Building Safety Month

Mr. James Bennett led the presentation in recognition of May as Building Safety Month. He provided some background information about the program. Additionally, he recognized the building inspectors, and reviewed the volume of permits and inspections conducted within the Township. He also reviewed the awareness activities related to community engagement and education.

President Villone thanked Mr. Bennett for the presentation and his work on behalf of the Township.

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, they could do so at that time. There were none.

Items on the Consent Agenda:

- a. Check Register of May 3, 2024 in the amount of \$441,173.90.
- b. Check Register of May 10, 2024 in the amount of \$71,662.18.
- c. Moving Jared Gorman, Maintenance Specialist in the Public Works Department, from probationary to regular full-time status effective April 25, 2024.
- d. Accepting the resignation of Molly Feldman from the position of Police Records Specialist for the Police Department effective April 26, 2024.
- e. Accepting the resignation of Benjamin Schearer from the position of Paramedic for the Emergency Medical Services Department effective April 29, 2024.
- f. Adopting **Resolution 2024-R-22**, proclaiming the week of May12, 2024 as "National Police Week 2024" in Lower Allen Township.
- g. Adopting **Resolution 2024-R-23**, proclaiming the week of May19, 2024 as "Emergency Medical Services Week" with the theme "EMS: Honoring Our Past. Forging Our Future."

Commissioner **BROWN** moved to approve the items on the Consent Agenda. Commissioner **SWARTZ** seconded. With no further discussion the consent agenda was approved by a vote of 3-0.

PRESIDENT

Manual Check List

President Villone requested a motion to approve a Manual Check List of May 3, 2024, in the amount of \$150.00 for payment to Eckert Seamans Cherin & Mellott.

Commissioner **SWARTZ** made the motion, seconded by Commissioner **BROWN**. The motion passed 3-0.

Appointment of Police Records Specialist

President Villone requested a motion to approve **Resolution 2024-R-24**, appointing Nancy Hughes to the position of Police Records Specialist in the Police Department, effective May 14, 2024.

Commissioner **BROWN** made the motion, seconded by Commissioner **SWARTZ**. The motion passed 3-0.

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.

COMMUNITY AND ECONOMIC DEVELOPMENT

SLD 2024-01 Preliminary/Final Land Development Plan

Director Sweeney introduced the item for discussion and possible action, to consider SLD 2024-01 Preliminary/Final Land Development Plan for Trinity High School Band Room Addition. The addition is comprised of 2000 square feet, with an increase to impervious coverage of approximately 170 square feet. No public improvements are associated with the plan and no financial security is required. The plan was recommended for approval by the Planning Commission.

Mr. Grant Anderson from Site Design Concepts, Inc. and Mr. Mike Manning, Chair of the Trinity High School Board, provided additional details, demonstrating a rendering of the plan, and describing the modifications requested.

Following the presentation, Commissioner Brown noted the ongoing flooding issues occurring at nearby Pete's Field that appear to be exacerbated by the stormwater coming from the Trinity High School property. He expressed concern about the need for additional stormwater management and mitigation related to the site. Director Davis explained this plan was exempt from stormwater management requirements.

Commissioners discussed the situation recognizing that the current stormwater regulations did not exist when the school was built in the 1960s. Director Davis suggested consulting with PennDOT since Gettysburg Road is a state road, noting the existing inlets are unable to manage the flow of stormwater.

President Villone asked the representatives from Trinity to consider future mitigation solutions. Mr. Manning expressed a willingness to have a conversation about potential solutions.

Action on SLD 2024-01

Commissioner **BROWN** made a motion to approve waiver of Section 192-30.A requiring the submission of a preliminary plan. Commissioner **SWARTZ** seconded. The motion passed 3-0.

Commissioner **BROWN** made a motion to approve waiver of Section 192-57.B.2.h.2 requiring the widening of the right-of-way and cartway widths along all road frontages. Commissioner **SWARTZ** seconded. The motion passed 3-0.

Commissioner **SWARTZ** made a motion to approve waiver of Section 192-57.C.9 requiring sidewalks to be provided along Simpson Ferry Road and St. John's Church Road, and added, until such a time the Township deems them necessary. Commissioner **BROWN** seconded. The motion passed 3-0.

Commissioner **SWARTZ** made a motion to approve waiver of Section 182-58.C requiring the installation of street trees along Lower Allen Drive and Simpson Ferry Road. Commissioner **BROWN** seconded. The motion passed 3-0.

Commissioner **SWARTZ** made a motion to approve SLD 2024-01 Preliminary/Final Land Development Plan for Trinity High School Band Room Addition with the following conditions:

1. All remaining comments listed on Rettew's letter dated April 1, 2024 be addressed.
2. All remaining comments listed on the Cumberland County Planning Department letter dated March 1, 2024 be addressed.
3. All certificates need to be completed prior to recording the plan.

Commissioner **BROWN** seconded. The motion passed 3-0.

Chapter 65 Animals and Chapter 220-151 Non-intensive Agricultural Uses

Director Sweeney introduced the item for discussion, to consider a proposed ordinance to amend Chapter 65 Animals and Chapter 220-151 Non-intensive Agricultural Uses and deferred to Mr. Miner to provide additional details. Mr. Miner explained the proposed ordinance is to provide for the keeping of domestic chickens as a permitted accessory use in all zoning districts, and authorization to forward to the Lower Allen Township Planning Commission and Cumberland County Planning Commission for review and comment. Mr. Miner explained that the current Chapter 65 ordinance had originally been drafted with a focus on feral cats and did not address non-intensive agriculture. The zoning section is not intended to burden residents who keep chickens but instead address it as a permitted activity. He noted the goal was not to make onerous regulations but to regulate reasonably and maintain consistency with neighboring municipalities.

The proposed ordinance is modeled after Cumberland County regulations. Board members discussed the context of the complaints that have been made related to both sides of the issue, related to noise and zoning regulations. They also discussed the importance of providing clear guidance to residents on parameters, the potential administrative and enforcement burden, and practical options related to permit fees. Manager Vernau explained that the proposed fees are to inspect the related structures and were applicable to residents in the R1 residential district.

Manager Vernau asked that Board members communicate their ideas to staff for recommended changes to the proposed ordinance. President Villone requested the item be added to a future agenda with revisions to the draft before taking action to advertise an ordinance change.

PUBLIC SAFETY

Director Holl introduced the item for discussion and possible action, to approve advertisement for a full-time paramedic to replace a vacancy. The position is included in the budget. Commissioner **BROWN** made the motion, seconded by Commissioner **SWARTZ**. The motion passed 3-0.

Director Holl introduced the item for discussion and possible action, to accept the Police Officer Eligibility list submitted by the Civil Service Commission. Commissioner **BROWN** made the motion, seconded by Commissioner **SWARTZ**. The motion passed 3-0.

Director Holl introduced the item for discussion and possible action, to approve a conditional offer of employment to officer candidate Nathan McDowell, from the eligibility list. Commissioner **BROWN** made the motion, seconded by Commissioner **SWARTZ**. The motion passed 3-0.

MANAGER

Junior Commissioner Program

Manager Vernau introduced the item for discussion and possible action, to implement the proposed Junior Commissioner Program for the 2024-2025 school year. The proposed plan was updated with the changes recommended by the Board. Commissioner Brown expressed support but asked for clarification on eligibility for both juniors and seniors.

Commissioner **BROWN** made a motion to implement the program for the 2024-25 school year for both juniors and seniors. Commissioner **SWARTZ** seconded. The motion passed 3-0.

Smoking Prohibition Ordinance in Township Parks

Manager Vernau introduced the item for discussion, to consider three options for a no smoking ordinance and policy for the Township parks. Commissioners engaged in some discussion about defining the tobacco products to be included. Commissioner Swartz offered to make additional suggestions relevant to the discussion for further consideration at the next meeting.

COMMISSIONERS REPORTS

President Villone announced that the meeting would adjourn to Executive Session for discussion of a PHRC complaint.

Mr. Miner reported that all the bids opened earlier in the meeting were responsive and that awarding of the project was deferred to the next meeting.

Manager Vernau provided an update on the status of the Post Traumatic Stress Injury legislation.

Captain Crone expressed appreciation to the Board for their action on Public Safety agenda items.

Commissioner Swartz shared sentiments to wish residents a Happy Mother's Day.

Commissioner Brown expressed congratulations to staff for earning the grant funds for the Creekwood Park boat access. He also mentioned news related to PFAS and the potential impact it might have on the Township.

President Villone thanked staff for their work in preparing and organizing information for the meetings.

EXECUTIVE SESSION

Hearing nothing further, President Villone announced a meeting adjournment to executive session.

ADJOURNMENT

The meeting was adjourned at 8:03 PM.