

**LOWER ALLEN TOWNSHIP
BOARD OF COMMISSIONERS**

REGULAR MEETING

May 11, 2009

7:30 PM

AGENDA

- 1. Call to Order by President Titzel. Proof of Publication.**
- 2. Opening Prayer and Pledge of Allegiance.**
- 3. Audience Participation: Any item on the agenda.**
- 4. Presentation: Transportation Improvement Districts by Trans Associates.**
- 5. CONSENT AGENDA**
Any Commissioner, Staff member, or anyone in attendance who would like to have an item on the Consent Agenda removed for further discussion can request so now. Is there a request for the removal of an item(s) on the Consent Agenda?

Accept motion to approve the items on the Consent Agenda, which are listed as follows:

- a. Awarding a contract in the amount of \$274,106.72 to Handwerk Materials, Division of Haines and Kibblehouse, Inc. for the 2009 Street Pavement Recycling, Reclamation and Resurfacing Project.
- b. Adopt **Administrative Policy 2009-01**, Editorial Policy for Township publications.
- c. **Resolution 2009-R-08**, a resolution to recognize Lower Allen Baseball Association as a civic non-profit organization to qualify them for a small games of chance license.
- d. Tax Collector's Monthly Report to Taxing Districts for the month of April 2009.
- e. Waiver of the requirement contained in Section 1181.09 to provide sidewalks along the Lisburn Road and Yetter Court frontages for SLD Docket No. 2008-09, Revised Final Land Development Plan for Yetter Court Warehouse, until such time as the installation of same has been deemed necessary by the Township for the health, safety or welfare of the general public. These improvements shall be made at the owner's expense. This is a covenant running with the land, which shall bind the owners, their successors, heirs and assigns.

- f. Waiver of the requirement contained in Section 1181.07 to provide curbs along the Lisburn Road frontage for SLD Docket No. 2008-09, Revised Final Land Development Plan for Yetter Court Warehouse, until such time as the installation of same has been deemed necessary by the Township for the health, safety or welfare of the general public. These improvements shall be made at the owner's expense. This is a covenant running with the land, which shall bind the owners, their successors, heirs and assigns.
- g. Waiver of the requirement contained in Section 1177.02(a)(8) to provide fill-in paving along the Lisburn Road frontage for SLD Docket No. 2008-09, Revised Final Land Development Plan for Yetter Court Warehouse, until such time as the installation of same has been deemed necessary by the Township for the health, safety or welfare of the general public. These improvements shall be made at the owner's expense. This is a covenant running with the land, which shall bind the owners, their successors, heirs and assigns.
- h. Waiver of the requirement contained in Section 1177.02(k)(3)F that limits the number of driveways to one per street frontage, to allow two driveways along the Yetter Court Frontage for SLD Docket No. 2008-09, Revised Final Land Development Plan for Yetter Court Warehouse.

These waivers are not contrary to the public interest, and they maintain the purpose and intent of the Subdivision and Land Development Ordinance.

- i. SLD Docket No. 2008-09, Revised Final Land Development Plan for Yetter Court Warehouse, contingent upon the following:
 - 1. Providing a copy of the easement agreement to allow grading on the adjacent property.
 - 2. Providing a signed copy of the Developer's Agreement, modified to require that financial security be provided for improvements at the time that a construction permit application is submitted.
 - 3. Providing a signed copy of the Standard Stormwater Management Facilities and BMP Maintenance and Monitoring Agreement.

6. Any business pertinent to the Township. Discussions will be limited to fifteen (15) minutes per person.

7. PRESIDENT TITZEL

- a. Accept a motion to enact **Ordinance 2009-06**, an ordinance authorizing Lower Allen Township, Cumberland County, Pennsylvania, to join with other political subdivisions as a member of the Municipal Utility Alliance, a power purchasing cooperative.

- b. Accept a motion to authorize staff to execute a Joinder Agreement to participate in the Intergovernmental Agreement with the Municipal Utility Alliance.
- c. Accept a motion to approve or disapprove **Ordinance 2009-07**, an ordinance of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, amending the Codified Ordinances of Lower Allen Township, 1997, to create a new chapter 156 Pension Committee to delegate pension regulation to a committee by action of the Board of Commissioners.
- d. Accept a motion to approve or disapprove **Ordinance 2009-09**, an ordinance of the Board of Commissioners of the Township of Lower Allen determining to incur debt in the principal amount of \$9,000,000; determining that such debt shall be incurred as lease rental debt in the form of a Guaranty Agreement with respect to a Guaranteed Sewer Revenue Note to be authorized and issued by the Lower Allen Township Authority; briefly describing the project for which said debt is to be incurred and specifying the realistic estimated useful life of said project; and authorizing and directing proper officers of this Township to prepare, execute, verify and file, as appropriate, necessary documents required by the Local Government Unit Debt Act of the General Assembly of the Commonwealth of Pennsylvania; establishing a Sinking Fund and appointing a Sinking Fund depository with respect to said guaranty; and providing for and authorizing proper officers of this Township to take all other required, necessary or desirable related action in connection with said Guaranty Agreement.
- e. Accept motion to approve or disapprove authorizing and directing proper officers of this Township, upon receipt of approval of the Pennsylvania Department of Community and Economic Development, to execute, attest and deliver, as appropriate, a Guaranty Agreement with respect to the said Authority's Guaranteed Sewer Revenue Note
- f. Accept a motion authorizing the execution of the Commitment Letter from Orrstown Bank on Lower Allen Township Authority's \$9,000,000 Sewer Revenue Note.
- g. Accept a motion to approve or disapprove Warrants Journal of May 7, 2009 in the amount of \$125,176.59.
- h. Accept a motion to approve or disapprove **Adjudication: Docket No. SLDA 2009-01** in the matter of the Lower Allen Township Amendment of Subdivision and Land Development Ordinance Section 1177.10(b)(2) with regard to the minimum dedication for recreational land.
- i. Accept a motion to approve or disapprove **Ordinance 2009-05**, an ordinance of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, amending, changing, and modifying the Subdivision and Land Development Ordinance of Lower Allen Township, 1986, by amending section

1177.10(b)(2) to revise the amount of land required to be provided for recreational purposes in residential subdivisions and land developments.

8. ADMINISTRATIVE SERVICES

- a. Discussion: **Resolution 2009-R-12**, a resolution of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, authorizing execution and delivery of a Master Equipment Lease/Purchase Agreement with Suntrust Leasing Corporation, Towson, Maryland, and related instruments, and determining other matters in connection therewith.

9. COMMUNITY DEVELOPMENT

- a. Discussion: Zoning Hearing Board Dockets
- b. Discussion: Items from April 28, 2009 ZOA Public Hearing
- c. Discussion: Expanded scope and additional funding for the Village of Lisburn Neighborhood Study.
- d. Discussion: Services Agreement with Hampden Township for Stormwater Management Review.
- e. Discussion: Application to Pennsylvania American Water Company for installation of a Public Fire Hydrant on Chelten Circle.

10. MANAGER

- a. Discussion: **Resolution 2009-R-10**, recognizing resident Kathryn Clark for receiving her Girl Scout Gold Award. Katie's Gold Award program was the Butterfly Garden at the Lower Allen Community Park.
- b. Discussion: **Resolution 2009-R-11** appointing a member to the Cumberland County Tax Collection Committee, pursuant to Act 32 of 2008.

11. Executive Session: Legal.

- a. Lower Allen Township vs. Freeman

12. Adjourn.