

## MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

JANUARY 12, 2009

The following were in ATTENDANCE:

### BOARD OF COMMISSIONERS

John T. Titzel  
Lloyd W. Bucher  
Peddrick M. Young, Sr.  
Dan Christ

### TOWNSHIP PERSONNEL

Thomas Vernau, Manager  
Daniel Flint, Community Development  
John Eby, Building and Zoning Coordinator  
Nancy Dietel, Finance Director  
Frank Williamson, Chief of Police/Public  
Safety Director  
Danna Lutes, Township Secretary  
Donna Paul, Human Resources  
Steven P. Miner, Solicitor  
Trudy Metzel, Recording Secretary

President TITZEL called the January 12, 2009 Regular Meeting of the Board of Commissioners of Lower Allen Township to order at 7:30 p.m., followed by an opening prayer and the Pledge of Allegiance. He announced Proof of Publication was available for review.

Commissioner BLACK was absent with excuse.

### APPROVAL OF MINUTES

#### Approval of Minutes for October 27, 2008 Regular Meeting

Commissioner CHRIST moved to approve the Minutes for the October 27, 2008 Regular Meeting of the Board of Commissioners as corrected. Vice-President BUCHER seconded the motion. Motion carried 4-0.

#### Approval of Minutes for November 3, 2008 Special Meeting

Vice-President BUCHER moved to approve the Minutes for the November 3, 2008 Special Meeting of the Board of Commissioners as submitted. Commissioner CHRIST seconded the motion. Motion carried 4-0.

**Approval of Minutes for December 29, 2008 Special Meeting**

Commissioner YOUNG moved to approve the Minutes for the September 29, 2008 Special Meeting of the Board of Commissioners as corrected. Commissioner CHRIST seconded the motion. Motion carried 4-0.

**APPROVE RESOLUTION 2009-R-01, RECOGNIZING MARK HOFFMAN FOR 25 YEARS OF SERVICE TO LOWER ALLEN TOWNSHIP**

Commissioner YOUNG moved to approve **Resolution 2009-R-01**, recognizing Mark Hoffman for 25 years of service to Lower Allen Township. Vice-President BUCHER seconded the motion. Motion carried 4-0.

**EMPLOYEE RECOGNITION**

The following employees were recognized by the Board of Commissioners:

- Nancy Dietel: extra efforts put forth in the Finance Department while administering the refuse/yard waste program
- Kevinlee Kirsch: 2500 hours of service
- Edward Curtis: 5 years of service within the Police Department
- Mark Hoffman: 25 years of service within the Public Works Department
- Richard Tamanosky: 10 years of service within the Police Department
- Helen Hertzler: quick and decisive action in a potentially serious situation while off-duty from her position as EMT II with Lower Allen Township

**AUDIENCE PARTICIPATION: ANY ITEM ON THE AGENDA**

President TITZEL asked if anyone in the audience would like to address any item that appears on the Agenda.

There was no response.

**CONSENT AGENDA**

President TITZEL advised that any Commissioner, Staff member or anyone in attendance could request any item on the Consent Agenda be removed for further discussion and asked if there was any such request.

Commissioner CHRIST requested the adjudication in regard to Docket No. SLD 2008-08 be removed from the Consent Agenda for further discussion.

Vice-President BUCHER moved to approve the items on the Consent agenda as amended, those items being:

1. Warrants Journal of January 2, 2009 in the amount of \$51,566.71.
2. Reduction of Improvement Security for SLD Docket #2006-17, Bethany Village West Cottages, establishing a new amount of \$33,925.00 and a new expiration date of January 2, 2010.
3. **Resolution 2009-R-02**, Compensation Adjustment Resolution for four (4) Township employees.

Commissioner YOUNG seconded the motion. Motion carried 4-0.

**APPROVE ADJUDICATION IN REGARD TO DOCKET NO. SLD 2008-08 AN APPLICATION OF BHH PARTNERS FOR MODIFICATION TO THE FINAL PLANNED RESIDENTIAL DEVELOPMENT (PRD) PLAN FOR THE HEIGHTS OF BEACON HILL, PHASE 2**

Commissioner CHRIST moved to approve the adjudication in regard to Docket No. SLD 2008-08, an application of BHH Partners for modification to the Final Planned Residential Development (PRD) Plan for the Heights of Beacon Hill, Phase 2. Commissioner YOUNG seconded the motion. Motion carried 4-0.

**ANY BUSINESS PERTINENT TO THE TOWNSHIP. DISCUSSIONS WILL BE LIMITED TO FIFTEEN (15) MINUTES PER PERSON**

President TITZEL asked if anyone in the audience would like to address the Board on any business pertinent to the Township.

There was no response.

**ACCEPT LETTER FOR RETIREMENT OF ARLENE LENKER, RECORD SUPERVISOR FOR THE POLICE DEPARTMENT**

Commissioner CHRIST moved to accept the Letter for Retirement of Arlene Lenker, Record Supervisor for the Police Department effective March 31, 2009. Vice-President BUCHER seconded the motion. Motion carried 4-0.

**APPROVE MOVING OFFICER DONALD COFFEY TO REGULAR FULL-TIME STATUS**

Commissioner YOUNG moved to approve moving Officer Donald Coffey to regular full-time status, as he has successfully completed his 12-month probationary period. Commissioner CHRIST seconded the motion. Motion carried 4-0.

**APPOINT ANN EVERTTS TO THE LOWER ALLEN TOWNSHIP ZONING HEARING BOARD**

Commissioner YOUNG moved to appoint Ann Evertts to the Lower Allen Township Zoning Hearing Board for a term of three years, beginning January 1, 2009. Commissioner CHRIST seconded the motion. Motion carried 4-0.

**APPOINT DENNIS SHATTO, ESQ., OF THE LAW FIRM OF CLECKNER & FEAREN, AS SOLICITOR TO THE LOWER ALLEN ZONING HEARING BOARD**

Commissioner CHRIST moved to appoint Dennis Shatto, Esq., of the law firm of Cleckner & Fearen, as Solicitor to the Lower Allen Zoning Hearing Board for a term of three years, beginning January 1, 2009. Vice-President BUCHER seconded the motion. Motion carried 4-0.

**APPOINT JEAN M. DYSZEL TO THE LOWER ALLEN TOWNSHIP PLANNING COMMISSION**

Commissioner YOUNG moved to appoint Jean M. Dyszel to the Lower Allen Township Planning Commission for a term of five years, beginning January 1, 2009. Commissioner CHRIST seconded the motion. Motion carried 4-0.

**APPOINT JAMES KAISER TO THE LOWER ALLEN TOWNSHIP RECREATION AND PARKS BOARD**

Commissioner YOUNG moved to appoint James Kaiser to the Lower Allen Township Recreation and Parks Board for a term of five years beginning January 1, 2009. Vice-President BUCHER seconded the motion. Motion carried 4-0.

**APPOINT ROBERT M. PELLES TO THE LOWER ALLEN TOWNSHIP RECREATION AND PARKS BOARD**

Commissioner CHRIST moved to appoint Robert M. Pelles to the Lower Allen Township Recreation and Parks Board for a term of five years, beginning January 1, 2009. Commissioner YOUNG seconded the motion. Motion carried 5-0.

**PUBLIC SAFETY**

**Discussion: 2008 and 2009 Police Department and Goals and Objectives**

Mr. Williamson reviewed the Police Department's 2008 and 2009 goals and objectives.

**Discussion: Act 93 Intrastate Mutual Aid and Committee Appointment**

Mr. Williamson advised the Commissioners Act 93 was signed into law by the Governor in October and calls for a committee to be formed to help implementation in a number of areas.

Mr. Williamson further advised that his name was put forward by the PA Chiefs of Police's representative to the committee. Appointments are planned to be completed by February 2009. Discussion ensued.

**Discussion: Hiring Process for Clerical Supervisor Position**

Mr. Williamson advised the Commissioners that the job requirements are being reviewed and a draft will be discussed at the next Board of Commissioners meeting.

**Discussion: Pearce Final Inspection**

Mr. Williamson advised the Commissioners that if they are interested in going to Pearce on the final inspection trip they should let him know. It will be a three day trip.

**Discussion: Draft Press Release**

Mr. Williamson advised the Commissioners that they will be provided with a draft press release regarding the closing of Lower Allen Drive on January 20, 2009. Lower Allen Drive must be open before the 2009 holiday shopping season.

**COMMUNITY DEVELOPMENT**

**Zoning Hearing Board**

Mr. Eby advised the Commissioners that at last month's Zoning Hearing Board meeting the following dockets were considered:

1. Docket 2008-08 – Michael Manning, 1520 Slate Hill Road

This docket was for signs at an Alpaca Farm at 1520 Slate Hill Road. Instead of one two-sided sign, the applicant wanted two one-sided signs. The two one-sided signs would be less square footage than permitted, and one sign would be placed on the existing fence, within the required sign setback.

Both requests were approved.

2. Docket 2008-09 – Woods at Cedar Run, 824 Lisburn Road

This docket was a request to challenge Mr. Eby's decision requiring additional parking. The applicant alternatively requested a reduction in the parking space requirement as a special exception. Mr. Eby prepared a parking analysis memo for the ZHB. The case was heard and Mr. Eby's determination was upheld.

The appeal of Mr. Eby's decision was not granted.

A special exception to reduce the required number of parking spaces to a total of 91 was granted.

Mr. Eby further advised the Board that the following dockets would be considered at the January 15, 2009 Zoning Hearing Board meeting:

3. Docket 2009-01 – Michael Haas, 1299 Letchworth Road

This is a variance request to allow widening of the driveway into the required 5-foot setback from the property line. In this instance there is a peculiar circumstance. Between Mr. Haas' property and the neighbor's property is a 10-foot wide pedestrian easements in Highland Park. Mr. Haas could have his driveway up to the lot line and still have a 10-foot setback from his neighbor's property line.

Staff did not recommend Solicitor participation.

4. Docket 2009-02 – Matthew Asper, 6 Sussex Circle

This is a special exception request to establish home occupation with a sign not to exceed 6-square-feet.

The applicant wants to establish a one chair beauty salon as a home occupation. There is a parking situation on the circle; however, it is part of the burden of proof in a special exception to demonstrate how they adequately address the off-street parking requirements for both the residents and the business.

Staff did not recommend Solicitor participation.

**Update: Improvement Security for SLD Docket No. 2002-06, Manor at Fair Oaks, Phase 1**

Mr. Flint advised the Commissioners that at the second meeting in December, the Commissioners authorized Staff to take action on the Improvement Security if necessary.

The Improvement Security did not expire and was replaced with new security so there was no need to take action.

**Discussion and Possible Action: Time Extension for SLD Docket No. 2008-10, Land Development Plan for Vertical Properties**

Mr. Flint advised the Commissioners that the 90-day deadline for action on SLD Docket No. 2008-10 is January 19, 2009. The Plan has been to the Planning Commission and was tabled. The Applicant is interested in a time extension.

Judy Ketterdale, H. Edward Black and Associates, identified herself to the Board and advised that they represent Vertical Properties. The property under discussion is crossed by PPL, major gas line and sewer. Approval for the sewer extension has been received; however, in order to connect they must go under Norfolk Southern Railroad. All approvals take time to negotiate. Ms. Ketterdale requested a 6-month extension to finish discussions with all entities.

Commissioner CHRIST moved to approve a 6-month time extension for SLD Docket No. 2008-10, Land Development Plan for Vertical Properties, running to July 12, 2009. Commissioner YOUNG seconded the motion. Motion carried 4-0.

**Discussion: Adopting Revised FEMA Floodplain Regulations, Affecting the Zoning (Chapter 220) and Floodplain Management (Chapter 110) Sections of the Township Ordinances**

Mr. Flint advised the Commissioners that new Floodplain Mapping from PEMA has been received. These maps will replace the one in use since 1977.

These maps are currently in preliminary form. The changes must be advertised. The maps will become official in March 2009.

In order for the Township to remain eligible in the National Flood Insurance Program, ordinances need to reflect the requirements in the federal program.

Action will be required within the next several months.

**Discussion: Executing an Agreement with Cumberland County for Use of the Pictometry Program and Database**

Mr. Flint advised the Commissioners that an agreement has been received from Cumberland County for the new program called Pictometry that the county has begun using with their GIS database and aerial rural photography.

By executing an agreement with the county, the Township would have use of the program at no cost.

Discussion ensued.

This will be an agenda item for January 26, 2009.

**APPROVE PLAN FOR SUB-DIVISION DOCKET NO. 2008-08, BHH PARTNERS FOR MODIFICATION TO THE FINAL PLANNED RESIDENTIAL DEVELOPMENT (PRD) PLAN FOR THE HEIGHTS OF BEACON HILL, PHASE 2**

Commissioner YOUNG moved to approve the Plan for Sub-Division Docket No. 2008-08, BHH Partners for modification to the Final Planned Residential Development (PRD) Plan for the Heights of Beacon Hill, Phase 2. Commissioner CHRIST seconded the motion. Motion carried 4-0.

**MANAGER**

**Discussion: Request by the Cumberland County Assessor to use Gorgas Hall as an Informal Appeals Site**

Mr. Vernau advised the Commissioners that the County is undergoing its county reassessment. Informal appeals will follow receipt of notices by property owners.

A letter has been received by the Township that formally requests the use of Township space.

This will be an agenda item for January 26, 2009.

**Discussion: Request by the Family of Raymond Martin to use LACP for Parking During a Public Auction at 1500 Main Street, Lisburn**

Mr. Vernau advised the Commissioners that the family of Raymond Martin has requested the use of Lower Allen Community Park for parking during a public auction at 1500 Main Street, Lisburn on June 20, 2009.

The family is willing to hiring Lisburn Fire Police to direct traffic if the Township feels it necessary.

Discussion ensued.

It was the consensus of the Commissioners to permit parking during the auction on June 20, 2009.

### **OTHER BUSINESS**

Commissioner YOUNG inquired as to the status of the acoustical issue. Mr. Vernau responded that he spoke was informed that the dollar amount listed per square-foot did not include installation. Prices being received from contractors are reasonable. The low bid was \$6,975.00. Notice to Proceed has been sent to the low bidder.

Mr. Flint reminded the Commissioners of the Zoning Public Hearing on Thursday, January 22, 2009 at 7:00 p.m.

Mr. Flint also reminded the Commissioners of the public meeting regarding the Village of Lisburn Neighborhood Study. This meeting will be held at the Lisburn Fire Hall at 7:00 p.m.

Mr. Eby reminded the Commissioners of the Public Hearing during their Regular Meeting regarding the request of Charter Homes to rezone the Leshner property.

### **ADJOURN**

The Regular Meeting of the Board of Commissioners adjourned at 9:37 p.m.

### **ATTENDANCE REGISTER**

An Attendance Register is made part of this record.