

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

APRIL 14, 2008

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
Jan Faust, Assistant Manager
Daniel Flint, Community Development
John Eby, Planning and Zoning Coordinator
Nancy Dietel, Finance Director
Frank Williamson, Chief of Police/Public
Safety Director
Rodney Mumma, LAT Fire Chief
Dave Warren, LAT Assistant Fire Chief
Christopher Yohn, EMS Captain
Officer Michael Scarlato, LAT PD
Danna Lutes, Township Secretary
Scott Duncanson, Recreation/Parks Board
Steven P. Miner, Solicitor
Trudy Metzel, Recording Secretary

President TITZEL called the 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 Minutes of December 26, 2007 Board of Commissioners Regular Meeting

Commissioner YOUNG moved to approve the Minutes of the December 26, 2007 Board of Commissioners Regular Meeting as submitted. Commissioner CHRIST seconded the motion. Motion carried 4-0.

Approval of Minutes of the January 7, 2008 Special Meeting of the Board of Commissioners

Commissioner CHRIST moved to approve the Minutes of the January 7, 2008 Special Meeting of the Board of Commissioners as submitted. Commissioner YOUNG seconded the motion. Motion carried 4-0.

BID OPENING: JANITORIAL SERVICES FOR 2233 GETTYSBURG ROAD.

The following bids were received for janitorial services for 2233 Gettysburg Road (two year contract):

CSL Services Camp Hill, PA	BID AMOUNT:	\$ 80,382.00
Specialty Cleaning Mechanicsburg, PA	BID AMOUNT:	\$106,346.00
C. P. Loomis Enterprises, Inc. Mechanicsburg, PA	BID AMOUNT:	\$116,578.00
MEF Commercial Services Camp Hill, PA	BID AMOUNT:	\$ 86,287.00 <i>(Bid Bond applied for and will be submitted under separate cover)</i>

AUDIENCE PARTICIPATION

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 request for the removal of any item(s) on the Consent Agenda. There was no response.

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

1. Warrants Journal of March 27, 2008 in the amount of \$63,081.94 and Warrants Journal of April 10, 2008 in the amount of \$209,856.01.

2. Waiver of the requirement contained in Section 1173.04 to submit a Preliminary Plan for SLD Docket No. 2008-02, Subdivision Plan for 1993 Hummel Avenue, Parcels A and B.
3. Waiver of the requirement contained in Section 1181.09 to provide sidewalks for SLD Docket No. 2008-02, Final Subdivision Plan for 1993 Hummel Avenue, Parcels A and B, 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.
4. Waiver of the requirement contained in Section 1173.07(a)(I)V.1 to show contours on the plan. SLD Docket No. 2008-02, Final Subdivision Plan for 1993 Hummel Avenue, Parcels A and B.
5. SLD Docket No. 2008-02, Final Subdivision Plan for 1993 Hummel Avenue, Parcels A and B, contingent upon the following:
 - a. Executing the Sewer Deed of Easement and Right-of-Way with the Lower Allen Township Authority.
6. Drainage Plan DP No. 2008-01, 1605 Fox Hollow Road.
7. Executing Roadway Lighting Agreement No. 089045 with the Pennsylvania Department of Transportation for lighting on SR 0015.
8. Payment of Application #12 to Silvertip, Inc. for Plumbing Construction in the amount of \$47,383.86 for the Municipal Services Center.
9. Payment of Application #12 to Silvertip, Inc. for HVAC Construction in the amount of \$55,142.27 for the Municipal Services Center.
10. Payment of Application #11 for Electrical work from Herre Bros., Inc. in the amount of \$176,597.32.
11. Payment of Application #12 for Electrical work from Herre Bros., Inc. in the amount of \$51,744.91.
12. Payment of Application #13 to eciConstruction, LLC in the amount of \$482,300.66.
13. Payment of Application #3 to SECCO, Inc. for Telephone/Data Cabling in the amount of \$22,945.00 for the Municipal Services Center.

14. Approve **Resolution 2008-R-12**, Master Site Plan – Municipal Services Park grant with DCNR.

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

AUTHORIZE STAFF TO ADVERTISE ORDINANCE 2008-01, AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING, MODIFYING AND CHANGING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, 1997, BY AMENDING SECTION 220-87(I) TO PERMIT ACCESSORY OFFICE USES FOR NON-RELATED BUSINESSES IN THE I-1 INDUSTRIAL DISTRICT

Commissioner YOUNG moved to authorize Staff to advertise **Ordinance 2008-01**, an ordinance of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, amending, modifying and changing the Code of the Township of Lower Allen, 1997, by amending Section 220-87(I) to permit accessory office uses for non-related businesses in the I-1 Industrial District. Vice-President BUCHER 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.

Walter Lyon, 509 Albright Drive, Mechanicsburg identified himself to the Commissioners. He also introduced Ann Lyon, Charles McNutt and Dorothy Myers, all residents of Bethany Village.

As the population at Bethany Village is increasing, Mr. Lyon proposed that the Commissioners consider a resolution that would preserve the future of CorridorOne. Mr. Lyon emphasized that he was not asking the Commissioners to take a position. CorridorOne is related to a number of things of great importance to the Township: (1) air pollution; (2) global warming; and (3) traffic congestion. Commuter Traffic along CorridorOne (York County/Cumberland County/Dauphin County) going east is 60% of the traffic between Cumberland County and Dauphin County. 70% of the commuter traffic going west is from Dauphin County to Cumberland County. The ridership of CAT buses has risen 10% which is double the national average. The Keystone Amtrak system has increased four times the national average and is operating at near capacity. The income from that system has increased by \$20 million in one year.

Mr. Lyon further commented that in those communities where there are transits, the stations where the trains start have allowed for dense population and building increase so people can walk to the store, barbershop, etc. and a vehicle is less necessary.

Mr. Lyon advised the Commissioners that the plans for Norfolk Southern Railway to relocate their rail lines on the West Shore would preserve the future of CorridorOne. CorridorOne would

keep the rail on the West Shore. In order to provide the grade separation without CorridorOne would cost \$9 million. Mr. Lyon stated that PENNDOT has the money and proposed that in the resolution the Township ask that PENNDOT release the money as soon as possible. If the money is not released within the next few months, it will be the end of CorridorOne.

Commissioner CHRIST asked if the \$9 million is in PENNDOT's current budget. Mr. Lyon responded that the project has been allocated and is sitting in the bank ready to be released by PENNDOT.

President TITZEL commented that since the money has been allocated that design work has been done and asked if the design work has been completed. Mr. Lyon responded that it has not been completed. The \$9 million is for both design and construction.

Mr. Lyon thanked the Commissioners for their time.

Charlie McNutt, 5225 Wilson Lane, Mechanicsburg, identified himself to the Board. Mr. McNutt spoke in support of Mr. Lyon's proposal. He reiterated that the proposal is to request the release of funds already allocated to provide the grade change that is necessary. If the grade change does not happen, Norfolk Southern's redesign will make CorridorOne a lost cause. Mr. McNutt feels it is important to keep the option open and recommended the Commissioners give serious consideration to the proposed resolution.

Mr. McNutt thanked the Commissioners for their time.

President TITZEL advised Mr. Lyon and Mr. McNutt that the issue will be taken under consideration and thanked those in attendance for their interest.

This will be a possible agenda item for April 28, 2008.

ADMINISTRATIVE SERVICES

Discussion: Resolution 2008-R-11: Resolution Required to "Piggyback" Off the PACC (PA Capital City) Automotive and Equipment Contract

Mrs. Faust advised the Commissioners that a resolution is required to "piggyback" off the PACC (PA Capital City) Automotive and Equipment Contract.

PACC is now requiring a resolution number on orders. Staff discovered that a resolution had never been passed.

Resolution 2008-R-11 will be an agenda item for April 28, 2008.

Discussion and Possible Action: Ratification of Decision to Renew Property Insurance Offered by Americana Program Underwriters through Traveler's Insurance

Mrs. Faust advised the Commissioners that ratification is required of Staff's decision to renew Property Liability Insurance offered by Americana Program Underwriters through Traveler's Insurance. Premium increase is 1.3% over last year. A 10% increase was budgeted. The proposal was received March 25, 2008 for April 1, 2008 renewal.

Vice-President BUCHER moved to ratify the decision of Staff to renew the Property Insurance offered by Americana Program Underwriters through Traveler's Insurance. Commissioner YOUNG seconded the motion. Motion carried 4-0.

Discussion and Possible Action: Miscellaneous Items Budgeted but Outside Building Contracts for 2233 Gettysburg Road, Camp Hill

Mrs. Faust advised the Commissioners that a list has been prepared of the miscellaneous items that were budgeted but are outside building contracts for the new Municipal building. Most items are state contract.

Commissioner CHRIST inquired if there would be an additional list. Mrs. Faust responded that she could not be certain. There may be a few items that were overlooked.

Commissioner CHRIST moved to approve the list of items attached to Mrs. Faust's memo dated April 14, 2008 and authorize Staff to proceed with the purchasing of those items. Said memo is made part of the record. Commissioner YOUNG seconded the motion. Motion carried 4-0.

Discussion and Possible Action: Authorize Staff to work with Relocation Consulting and Management to Prepare and Advertise for Moving Services from 1993 Hummel Avenue to 2233 Gettysburg Road

Mrs. Faust advised the Commissioners that the first meeting with the relocation specialist has taken place. The Specialist will be working on a bid for moving services.

Commissioner YOUNG moved to authorize Staff to work with Relocation Consulting and Management to prepare and advertise for moving services from 1993 Hummel Avenue to 2233 Gettysburg Road. Vice-President BUCHER seconded the motion. Motion carried 4-0.

PUBLIC SAFETY

Discussion and Possible Action: Resolution 2008-R-09 for the Municipal Police Officer Education and Training Commission Grant Resolution

Mr. Williamson advised the Commissioners that at the last Commissioners meeting the President signed two Municipal Police Officers Education grants. The grants are pass-through training grants. Mr. Williamson further advised that a new resolution is required.

Vice-President BUCHER moved to adopt **Resolution 2008-R-09**, the Municipal Police Officer Education and Training Commission grant resolution. Commissioner YOUNG seconded the motion. Motion carried 4-0.

Discussion: Purchase of Tasers for the Police Department.

Mr. Williamson advised the Commissioners that they have received Officer Scarlato's detailed report regarding tasers for the Police Department. The subject of tasers has been studied for quite some time. When hired, Officer Scarlato was already a taser instructor and has recently been re-certified through the Township's police department.

Mr. Williamson further advised the Commissioners that tasers are a budgeted item.

Mr. Williamson deferred to Officer Scarlato who responded to questions from the Commissioners.

President TITZEL and Commissioner CHRIST commended Officer Scarlato on his excellent report.

Officer Scarlato advised the Commissioners that he is available at any time to answer any additional questions they may have in the future.

This will be an agenda item for April 28, 2008.

Discussion: Sponsorship for the Cumberland County Law Enforcement Benevolent Fund and the Cumberland County Chiefs of Police Association (CCCPA) Golf Tournament on August 1, 2008

Mr. Williamson advised the Commissioners that he has provided them information regarding sponsorship for the CCCPA Golf Tournament on August 1, 2008.

Discussion ensued.

This will be an agenda item for April 28, 2008.

Discussion: Capital City Mall Police/Security Agreement

Mr. Williamson advised the Commissioners that the Capital City Mall Police/Security Agreement for extra coverage has been reviewed by the Mall. The Mall is still requesting

reimbursement per hour. The Solicitor has reviewed the Agreement. Mr. Williamson further advised that he will discuss the start date with the Mall manager. Discussion ensued.

This will be an agenda item for April 28, 2008.

Discussion: Traffic Preemption Device Purchase for Emergency Vehicles

Mr. Williamson advised the Commissioners that preemption devices are budgeted items for 2008. Three vehicles were retrofitted as they came on line. EMS Captain and fire vehicles are to be retrofitted in 2008. State contract is \$525 per device. Discussion ensued.

This is an agenda item for April 28, 2008.

Discussion: Resolution 2008-R-10 Incremental Pay Increase for Patrolman Matthew Claeys

Mr. Williamson advised the Commissioners that Patrolman Matthew Claeys has met the eligibility requirements for an incremental pay increase.

Resolution 2009-R-10 is an agenda item for April 28, 2008.

Discussion: Potential Offer for Purchase of Truck-12

Mr. Williamson advised the Commissioners that Chief Mumma and Assistant Chief Warner will address a potential offer for Truck-12.

Chief Mumma advised the Commissioners that Truck-12 has been up for sale since October. There have been a number of inquiries but no solid offers. Saxton Volunteer Fire Company of Huntington Company looked at the apparatus last month and made an offer. After the Township's Department Meeting on Wednesday, Chief Mumma was instructed to bring the offer to the Commissioners.

The offer is unique in that at the present time Saxton does not have anywhere to keep the truck. The offer is a 60-day preliminary contract to purchase current Truck-12 for \$200,000.00 with a 10% refundable deposit. Saxton Volunteer Fire Company is looking to hold the piece until they meet with their engineer and architects for their building expansion project. If the numbers work out, a long-term, final contract would be executed. If it did not work out, the apparatus would be back on the market. Saxton would not be ready for the truck until the first quarter of 2009, which is in timeframe for delivery of the Township's new truck. Chief Mumma views that situation as a huge perk since the Township fire company will have use of the Truck-12 until the new piece is delivered.

Chief Mumma further advised the Commissioners that Saxton is a repeat customer. Knowing that the Township would be able to operate the truck until the new one arrives, train and be certified on the new one and release it to Saxton when they are ready, it is the best selling feature. If another offer is received with the 60-day preliminary contract, Saxton would be given the first right to counter-offer.

Vice-President BUCHER inquired if the truck would be actively advertised within the 60-day period. Chief Mumma responded that it has not yet been discussed. The current advertisement in the Pennsylvania Firemen expires at the end of this month. In order to re-advertise, Chief Mumma felt the asking price should be lowered. It is also listed with a few of the used fire apparatus dealers.

Discussion ensued.

This will be an agenda item for April 28, 2008.

COMMUNITY DEVELOPMENT

Discussion: Zoning Hearing Board Dockets

Mr. Eby advised the Commissioners that Docket #2008-02, 2880 Gettysburg Road was the only Zoning Hearing Board Docket scheduled for last month. Due to a family emergency, the Applicant did not attend nor did a representative attend. Staff was not notified that a continuance was needed. The decision to deny the docket was rendered. A few days after the decision to deny, the Applicant communicated with Staff what transpired and has reapplied. Staff again recommended that the Solicitor participate. The Commissioners concurred.

Discussion: Sewer Deed of Easement and Right-of-Way for 1993 Hummel Avenue

Mr. Flint advised the Commissioners that a survey for the subdivision plan for 1993 Hummel Avenue was completed and it was discovered that the sewer line runs across the property, not in the street right-of-way and there is not an easement associated with it. As the property is on the market, a Sewer Deed of Easement and Right-of-Way must be established.

This will be an agenda item for April 28, 2008.

Discussion: SLD Docket No. 2003-03, Yetter Court Warehouse. Street Dedication and Improvement Security Reduction

Mr. Flint advised the Commissioners that roadwork has been completed resulting in Yetter Court being ready to be dedicated to the Township.

This is a possible agenda item for April 28, 2008.

Discussion: Executing the Standard Stormwater Management Facilities and BMP Maintenance and Monitoring Agreement for SLD Docket No. 2008-01, Orchard Glen

Mr. Flint advised the Commissioners that a signed Stormwater Management Facilities for the Orchard Glen project has been received. The plan is not quite ready to come to the Commissioners, but the Agreement is ready.

This will be an agenda item for April 28, 2008.

Annual Municipal Planning Advisory Service Agreement with Cumberland County

Mr. Flint advised the Commissioners that every year the Township executes a Municipal Planning Advisory Service Agreement with the County.

This will be an agenda item for April 28, 2008.

Roadway Lighting Agreement with PENNDOT

Mr. Flint advised the Commissioners that the Roadway Lighting Agreement with PENNDOT was approved on the Consent Agenda. After-the-fact, it was discovered that approval was not enough. A resolution is also required indicating that the Board of Commissioners is going to approve the Agreement.

This will be an agenda item for April 28, 2008.

Zoning Ordinance Revision Public Hearing

Mr. Flint advised the Commissioners that next month a public hearing will need to be scheduled for the Zoning Ordinance Revision. A public hearing was also scheduled for May 12, 2008 regarding ZOA 2008-01, Verticle Properties.

MANAGER

Discussion: Naming of Lower Allen Community Park (LACP) Nature Trail after George and Rita Garstad

Mr. Vernau advised the Commissioners that he was contacted by George and Rita Garstad's son, Steve, regarding the possible naming of the LACP Nature Trail after his parents. Mr. and Mrs. Garstad were very active in the Township and instrumental in LACP.

Mr. Vernau further advised that he has received interesting input from the Recreation and Parks Board and some of the ideas are along the lines of Rev. Garstad's suggestion and also meshes with the Eagle Scout Project. The Eagle Scout is constructing a kiosk and a plaque or nameplate would be placed on the kiosk.

President TITZEL inquired as to the recommendation of the Recreation and Parks Board. Scott Duncanson, Chairman of the Recreation and Parks Board, identified himself to the Board and advised that the naming of the trail came up after the Recreation and Parks last meeting so it has not been discussed. In the past there have been discussions as to whether or not there should be memorials, dedications, etc. put up in LACP. The discussion was not regarding benches, trees, etc. but felt that it would be appropriate for the Nature Trail. He further advised that the next meeting of the Recreation and Parks Board is April 23 and the issue can be discussed if the Commissioners are not ready to take action at the present time.

The Commissioners were in agreement to hear the recommendation(s) of the Recreation and Parks Board.

This will be an agenda item for April 28, 2008.

Discussion: Skate Park

Mr. Vernau advised the Commissioners that Lower Allen was targeted for Phase II although there is no deadline. Mr. Vernau asked for the Commissioners feeling regarding the results of the Skate Board Study and a facility in the Township. If the Commissioners were looking at providing something in three or four years, the groundwork needs to be started now.

Extensive discussion ensued.

Review Construction Budget

Mr. Vernau advised the Commissioners that he and Mrs. Dietel would be going through the construction budget for the new building. Mr. Vernau felt that the Township would be in a position to put landscaping back in the budget. If the numbers work out, Mr. Vernau would be asking for authorization to go out-to-bid for landscaping for the new building at the next meeting.

OTHER BUSINESS

Mr. Williamson reminded the Commissioners that Saturday, April 26 is Health & Safety Day at Allen Middle School. It is a rain or shine event.

Mrs. Faust advised the Commissioners that the Gardners Gathering is also this Saturday at Lower Allen Community Park. It is also a rain or shine event.

Mrs. Dietel advised the Commissioners that the yard waste containers have arrived and are going out quickly.

Mrs. Lutes advised the Commissioners that she will be attending an Open Records Law meeting on Wednesday, April 23, 2008.

Commissioner CHRIST inquired if a consultant for the Planning Commission has been selected. Mr. Flint advised that one proposal has been received and a second proposal should be received this week.

EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners adjourned to Executive Session at 9:15 p.m. for discussion regarding the Capital Region COG DEP lawsuit and the Chesapeake Bay Foundation Environmental Hearing Board appeal.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.