

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

JUNE 9, 2008

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

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

TOWNSHIP PERSONNEL

Thomas Vernau, Manager
Jan Faust, Assistant Manager
John Eby, Planning and Zoning Coordinator
Frank Williamson, Chief of Police/
Public Safety Director
Nancy Dietel, Finance Director
Lt. Leon Crone, LAPD
Lt. Gregory Thomas, LAPD
Christopher Yohn, EMS Captain
Danna Lutes, Township Secretary
Rodney Mumma, Chief LAT Fire Company
Scott Duncanson, Recreation and Parks
Steven P. Miner, Solicitor
Trudy Metzler, 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.

BID OPENING: Outdoor Identification and Electronic Display Sign

The following bids were received for the Outdoor Identification and Electronic Display Sign:

Defalt Sign Company
Harrisburg, PA

BID AMOUNT: No Bid

W. J. Strickler Signs
New Oxford, PA

BID AMOUNT: \$23,086.00

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.

APPROVE RESOLUTION 2008-R-20, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP OFFICIALLY DESIGNATING THE PUBLIC MEETING ROOM AT THE MUNICIPAL SERVICES CENTER AS "GORGAS HALL"

Commissioner **CHRIST** moved to approve **Resolution 2008-R-20**, a resolution of the board of Commissioners of Lower Allen Township officially designating the public meeting room at the Municipal Services Center as "Gorgas Hall". Commissioner **BLACK** seconded the motion. Motion carried 5-0.

APPROVE RESOLUTION 2008-R-18, PROMOTING SERGEANT LEON CRONE TO THE RANK OF LIEUTENANT IN THE LOWER ALLEN TOWNSHIP POLICE DEPARTMENT

Commissioner **YOUNG** moved to approve **Resolution 2008-R-18**, promoting Sergeant Leon Crone to the rank of Lieutenant in the Lower Allen Township Police Department. Commissioner **CHRIST** seconded the motion. Motion carried 5-0.

APPROVE RESOLUTION 2008-R-19, PROMOTING SERGEANT GREGORY THOMAS TO THE RANK OF LIEUTENANT IN THE LOWER ALLEN TOWNSHIP POLICE DEPARTMENT

Commissioner **YOUNG** moved to approve **Resolution 2008-R-19**, promoting Sergeant Gregory Thomas to the rank of Lieutenant in the Lower Allen Township Police Department. Commissioner **BLACK** seconded the motion. Motion carried 5-0.

LIEUTENANT PROMOTION CEREMONY: SGT. GREGORY THOMAS AND SGT. LEON CRONE

District Justice Charles Clement administered the Oath of Office to Sgt. Gregory Thomas and Sgt. Leon Crone, promoting both to Lieutenant in the Lower Allen Township Police Department.

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.

Commissioner CHRIST moved to approve the items on the Consent agenda as amended, those items being:

1. Warrants Journal of June 6, 2008 in the amount of \$554,626.65. A Manual Checklist for the month of May 2008 in the amount of \$17,959.83.
2. Release of Improvement Security for SLD No. 2003-03, Final Land Development Plan for Yetter Court Warehouse.
3. **Resolution 2008-R-17**, Records Disposition Resolution.

Vice-President BUCHER seconded the motion. Motion carried 5-0.

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.

ADMINISTRATIVE SERVICES

Discussion and Possible Action: Litigation Between CPEC and Shipley Energy

Mrs. Dietel advised the Commissioners that Shipley Energy was awarded contracts for gasoline, diesel fuel and heating oil for the period July 2008 through June 2009. Shipley Energy then withdrew all three of its bid responses, forcing CPEC to initiate a new bid process. New bid prices resulted in an average of 50 cents per gallon over the Shipley Energy prices for each type of fuel. CPEC is aggressively pursuing legal action against Shipley Energy to recover funds owed to members of CPEC.

Extensive discussion ensued.

Vice-President BUCHER moved to authorize the President to sign the CPEC Assignment Agreement for the suit against Shipley Energy. Commissioner CHRIST seconded the motion. Motion carried 3-2, President TITZEL and Commissioner BLACK voting in the negative.

PUBLIC SAFETY

Discussion: Dianna Knisley Completing Probationary Period

Mr. Williamson advised the Commissioners that Dianna Knisley has successfully completed her probationary period and recommended she be granted regular full-time status.

This will be an agenda item for July 14.

COMMUNITY DEVELOPMENT

Discussion: Zoning Hearing Dockets

Mr. Eby advised the Commissioners that there was no May hearing for the Juice & Java Restaurant. The docket is to be heard this month. The Commissioners had previously authorized the Solicitor to participate and Staff recommended he participate in the June hearing. The Commissioners agreed with Staff's recommendation.

Discussion: Release of Improvement Security for SLD Docket No. 2005-21, Progressive Insurance

Mr. Flint advised the Commissioners that Progress Insurance has requested release of its Improvement Security for SLD Docket No. 2005-21. The site will be inspected to ensure all outstanding items are completed.

This will be an agenda item for July 14, 2008.

Discussion: Revised Zoning Ordinance

Mr. Flint advised the Commissioners that a workshop meeting for discussion of the Revised Zoning Ordinance should be scheduled.

Said workshop meeting was tentatively scheduled for June 30, 2008 at 7:00 p.m.

Discussion: SLD Docket No. 2003-03, Yetter Court Warehouse

Mr. Flint advised the Commissioners that the actual warehouse on Yetter Court was never built. The 5-year timeframe is approaching. Current owners had their engineer contact Staff this morning. It is speculated that they will request either a time extension or re-approval of plans.

MANAGER

Discussion: Proximity Card and Key Access to the Municipal Services Center

Mr. Vernau advised the Commissioners that Proximity Cards and Key Access have been authorized. The Commissioners have access to specific rooms. If there are any questions, they should contact him.

RECESS TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners recessed to Executive Session at 8:37 p.m. for discussion on the following:

1. CapCOG Lawsuit attorney engagement letter.

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 8:54 p.m.

AUTHORIZE PRESIDENT TO SIGN JOINT REPRESENTATION AGREEMENT FOR HAWKE, MCKEON & SNISCAK LLP AND HAMBURG, RUBIN, MULLIN, MAXWELL & LUPIN, P.C. CHALLENGING THE CHESAPEAKE BAY TRIBUTARY STRATEGY

Commissioner CHRIST moved to authorize the President to sign the Joint Representation Agreement for Hawke, McKeon & Sniscak *and* Hamburg, Rubin, Mullin, Maxwell & Lupin, P.C. challenging the Chesapeake Bay Tributary Strategy. Commissioner YOUNG seconded the motion. Motion carried 5-0.

OTHER BUSINESS

Commissioner CHRIST commended Staff for their efforts with the new building.

Commissioner YOUNG referred to the letter from Kathryn Johnston of Hammond, Indiana thanking Officer Nye and the Public Safety Department for reinstalling her child safety seat. He commended the Public Safety Department for its continuing efforts for the safety of not only residents of the Township but also visitors.

Chief Williamson thanked the Commissioners for the new building and the much needed space.

Chief Williamson advised the Commissioners that he attended an informational meeting regarding the expansion of Cedar Cliff High School.

Commissioner CHRIST inquired as to the effects of the first year of parking restrictions in the area of the High School. Chief Williamson reported that residents are pleased with the lack of students parking in the area around the school. He also advised that the architect does not know how many parking spaces will be affected by the expansion. Parking on all the streets surrounding Cedar Cliff High School may need to be restricted as the next two classes are larger.

Mr. Vernau advised the Commissioners that the move to the new building went well on Friday. He commended Jan Faust and Danna Lutes for a remarkable job.

President TITZEL inquired of Chief Williamson as to educating bus drivers to recognize signs of drugs. Chief Williamson felt it was a good idea.

AWARD CONTRACT FOR OUTDOOR IDENTIFICATION AND ELECTRONIC DISPLAY SIGN

Commissioner CHRIST moved to award the contract to construct the Outdoor Identification and Electronic Display Sign for the new Municipal Services Center to W. J. Strickler Signs in the amount of \$23,086.00. Commissioner YOUNG seconded the motion. Motion carried 5-0.

Mr. Vernau advised the Commissioners that the bid came in under budget and there is more than enough of the remaining budget to construct the base.

ADJOURN

The Regular Meeting of the Board of Commissioners adjourned at 9:20 p.m.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.