

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

July 9, 2007

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

TOWNSHIP PERSONNEL

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

Thomas Vernau, Manager
Jan Faust, Assistant Manager
Daniel Flint, Community Development
John Eby, Township Planning and Zoning
Coordinator
Nancy Dietel, Finance Director
Frank Williamson, Public Safety Director
Christopher Yohn, EMS Captain
Bryce Landis, Lisburn Fire Co.
Rodney Mumma, Lower Allen Fire Co.
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.

PRESENTATION: GIRL SCOUT TROOP #734 OF HIGHLAND ELEMENTARY SCHOOL TO PRESENT CHECKS TO LOWER ALLEN TOWNSHIP FIRE COMPANY, EMERGENCY MEDICAL SERVICES, AND LISBURN FIRE COMPANY TO BE USED TOWARD THE PURCHASE OF SMALL OXYGEN MASKS FOR RESCUED PETS

Julie Mock, Co-Leader of Girl Scout Troop #734 introduced herself to the Board. Ms. Mock explained that the largest award a Junior Girl Scout Troop can earn is a Bronze Award. To do so requires at least 20 hours of community service, and must directly benefit the community in which the scouts live. All the members of Troop #734 love animals and have pets. After reading an article in the Patriot News, the troop's goal was to raise as much money as they could to be used toward the purchase of small oxygen masks for rescued pets. The Troop's research found

that there are oxygen masks for larger dogs, smaller dogs and cats, and even birds. The masks come in sets of three and cost approximately \$75 each. The Troop held a yard sale and raised \$225 to outfit three of Lower Allen's emergency services.

The scouts presented certificates and checks to:

Christopher Yohn, Lower Allen EMS
Bryce Landis, Lisburn Fire Company
Rodney Mumma, Lower Allen Fire Company No. 1

On behalf of the Board of Commissioners and the Township's emergency services, President TITZEL thanked Troop #734 for its thoughtful gift.

EMPLOYEE RECOGNITION

Mrs. Faust advised the Board that Donna Paul had been recommended for a Performance Award. Mrs. Paul's spirit, dedication and unique brand of customer service has made her a valued employee of the Township. On behalf of the Board of Commissioners, President TITZEL presented Mrs. Paul with a Commendation Letter and monetary award.

On behalf of the Board, President TITZEL presented Bryce Landis with a Commendation honoring his 10 years of service to Lower Allen Township.

On behalf of the Board, President TITZEL presented Donna Roberts with a Commendation honoring her 10 years of service to 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.

Dee Dorsheimer identified herself and advised she would be available to answer any questions the Board might have regarding the request for a time extension for SLD Docket #2006-08, Subdivision Plan for Diane Dorsheimer, 108 Creek Road.

CONSENT AGENDA

President TITZEL advised that if any Commissioner, Staff member or anyone in attendance could have an item on the Consent Agenda removed for further discussion and asked if there was a 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, those items being:

1. Warrants Journal of July 6, 2007 in the amount of \$158,552.65.
2. Executing an Application for Public Fire Hydrant to Pennsylvania-American Water Company for one new hydrant on the north side of Gettysburg Road, approximately 650 feet west of Windsor Place.
3. SLD Docket #2007-04, Minor Subdivision Plan for Rossmoyne Business Center, Lot A-2A, 5010 and 5020 Ritter Road.
4. Release of improvement security for SLD Docket #2005-20, Courtyard by Marriott.
5. Approval for the purchase of four (4) Adobe Acrobat 8 Professional Licenses at a total cost of \$1,716.00.

Commissioner YOUNG seconded the motion. Motion carried 5-0.

ADOPT ORDINANCE 2007-09, AN ORDINANCE AMENDNIG, MODIFYING AND CHANGING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, 1997, BY AMENDING THE PARK AND PLAYGROUND REGULATIONS IN CHAPTER 151 AND THE VEHICLES AND TRAFFIC REGULATIONS IN CHAPTER 209 WITH REGARD TO PARKING AT PETER’S FIELD, A TOWNSHIP PARK

Commissioner YOUNG moved to adopt **Ordinance 2007-09**, an ordinance amending, modifying and changing the Code of the Township of Lower Allen, 1997, by amending the Park and Playground Regulations in Chapter 151 and the Vehicles and Traffic Regulations in Chapter 209 with regard to parking at Peter’s Field, a Township park.

Roll call vote:	Commissioner Black:	Aye
	Vice-President Bucher:	Aye
	President Titzel:	Aye
	Commissioner Christ:	Aye
	Commissioner Young:	Aye

Ordinance 2007-09 was adopted by a 5-0 vote.

APPROVE MOVING OFFICER MICHAEL SCARLATO TO REGULAR FULL-TIME STATUS AS A POLICE OFFICER

Commissioner YOUNG moved to approve moving Officer Michael Scarlato to regular full-time status as a police officer as he has successfully completed his 12-month probationary period. Commissioner BLACK seconded the motion, with great reluctance. Motion carried 5-0.

ANY BUSINESS PERTINENT TO THE TOWNSHIP

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

Ed Deissroth, Wentworth Drive, identified himself to the Board. Mr. Deissroth questioned the process for replacing curbs on his block on Wentworth Drive. His land has been dug-up and curb installed, but the dug-up area has not been filled-in. Mr. Deissroth asked who was responsible if someone is hurt due to the area not being filled-in and why it has not yet been fixed. He stated that it is a safety hazard not only to him, but also to the Township itself. Mr. Deissroth also wanted to know who is paying for the work. Mr. Vernau advised Mr. Deissroth that the curbing is paid by the landowner, including all the restorative work. After all the curbs are finished, back-fill and replanting of grass is done.

Mr. Deissroth stated that it has been three weeks and nothing has been done. Mr. Deissroth again asked who is responsible, as he did not dig up the land. President TITZEL asked the Solicitor if he had a response. Mr. Miner stated that he was not going to comment on something speculative. Mr. Miner commented that he did not know what area Mr. Deissroth was referring to, but probably is in an area in the public right-of-way as well as on Mr. Deissroth's property. Mr. Deissroth responded that he did not see where he could be responsible since the Township dug up the property and has not done anything to repair it. Mr. Deissroth again stated that his question as to who is paying for it had not been answered. He stated that he is not paying for the work. President TITZEL responded that Mr. Vernau answered the question. Mr. Vernau responded that he answered the question. It is in the Township ordinances that the landowner is responsible for the replacement of the curb. Mr. Deissroth stated that snowplows did a lot of damage to his property and if there is a bill to be sent it should be sent to the Township's snowplow company because he is not paying for replacement of the curb.

Richard Schin, Scarsdale Drive, identified himself to the Board. Mr. Schin stated that in Rossmoyne at the end of Kensington Drive a large part of the street has systematically been removed and he wondered why. Mr. Flint responded that there was a drainage problem on Nottingham Road. There is a low spot in the road as well as a storm drainage system that did not properly outlet anywhere except a sinkhole. After repairing the sinkhole, a storm sewer was installed to the nearest existing connection, which was at the intersection of Kensington and Scarsdale. The pipe has been installed and the pavement replaced.

PUBLIC SAFETY

Authorize Solicitor to Advertise Cumberland County Special Police Emergency Response Team Intergovernmental Agreement Ordinance

Mr. Williamson advised the Board that after discussion at Staff meeting, he and the Solicitor are comfortable that the intergovernmental agreement is mainly to ensure continued insurance coverage for the fire police at events outside of their home municipality. Discussion ensued.

Vice-President BUCHER moved to authorize the Solicitor to advertise the pending ordinance for the Fire Police Municipality Aide and Emergency Assistance Agreement. Commissioner CHRIST seconded the motion. Motion carried 5-0.

COMMUNITY DEVELOPMENT

Discussion RE: Zoning Hearing Board Documents

Mr. Eby advised the Board that there were three dockets from the June hearing:

1. Docket 2007-07, Stacy Buxton, 1 Commercial Drive
This was a request for a setback variance on a shed, which was approved.
2. Docket 2007-08, Keith Peiffer, 1025 Audubon Road
This was a request to allow a chain link-fence higher than 3-1/2 feet in the front yard, which was approve.
3. Docket #2007-09, Brenda Clarke, 32 Sussex Road
This was a variance for a side road setback for a carport, which was approved.

Mr. Eby advised the Board that there are two new dockets for July's hearing:

1. Docket #2007-10, Matthew Farrell, 110 South St. Johns Road
Zoning in this area is residential/commercial. The home is a non-conforming use. The applicant wants to significantly expand the home. The applicant wishes to remove the detached summer kitchen and put a large addition on the 2-story stone home for a garage and family room. Since it is non-conforming, expansion is limited to 50% of the existing building. Rough calculations are between 86% and 101%. It was Staff's recommendation for the Solicitor to participate due to the magnitude of the variance request. The Board of Commissioners concurred.
2. Docket #2007-11, Jody Ryan, 308 Creek Road
The Applicant wishes to establish a hair salon in the existing garage on the property. It is an application for home occupancy that is approved by special exception, not a variance. Site plan indicates the Applicant would be widening and adding parking so there would be two code complaint spaces for the dwelling as well as one required for the home occupation. The applicant either demonstrates that she meets the criteria or not.

Discussion and Possible Action RE: Zoning Ordinance Amendment Docket 2007-03, Application of Michael E. and Marianne S. Beers, 4301 Carlisle Pike, Camp Hill, PA 17011

Mr. Eby advised the Board that this is a request to amend the zoning map as it pertains to a vacant parcel, zoned R-1, which is south of and adjacent to a developed property also owned by the Beers at 3101 Gettysburg Road, zoned R-3. The Beers have discussed with Mr. Eby the

possibility of using the property in conjunction with their existing business at 3101 Gettysburg Road. This type of request is an extension of existing zoning. Extensive discussion ensued.

Commissioner YOUNG moved to authorize the Solicitor to prepare and advertise the ordinance, distribute the ordinance and application to the planning agencies for review, and establish a public hearing date of August 27, 2007. Commissioner CHRIST seconded the motion. Motion carried 5-0.

Approve Time Extension for SLD Docket #2006-08, Subdivision Plan for Diane Dorsheimer, 108 Creek Road

Commissioner CHRIST moved to approve a 60-day Time Extension for SLD Docket #2006-08, Subdivision Plan for Diane Dorsheimer, 108 Creek Road. Vice-President BUCHER seconded the motion. Motion carried 5-0.

Discussion RE: Request No. 1 for Improvement Security Reduction for SLD Docket #2005-22, Heights of Beacon Hill, Phase 3

Mr. Flint advised the Board that the site is under construction and a portion of the work has been completed.

This will be an agenda item for July 23, 2007.

Authorize Staff to Advertise a Public Hearing for the Conditional Use Application from High Properties for a Freestanding Eating Establishment at 4925 Ritter Road

Commissioner YOUNG moved to authorize Staff to advertise a Public Hearing on August 27, 2007 for the Conditional Use Application from High Properties for a Freestanding Eating Establishment at 4925 Ritter Road. Commissioner CHRIST seconded the motion. Motion carried 5-0.

MANAGER

Recommendations for Parking Restrictions in Highland Park

Mr. Vernau advised the Board that Staff met with the principal at Cedar Cliff High School and long-term solutions to the school's parking problems are being sought. All permitted spaces are distributed to the students. There are not enough spaces for all the students who want to drive resulting in students parking in the neighborhoods near school.

Until a solution is reached, the Township has a responsibility for the safety in the neighborhoods. After extensive discussion, the Traffic Committee had two recommendations: (1) restrict parking to one side of the street year-round, alternating sides; and (2) permit parking.

Extensive discussion ensued.

Staff was directed to proceed with permit parking Monday through Friday between the hours of 6:00 a.m. to 4:00 p.m.

Discussion: Charles T. Greiner as an Alternate on Civil Service Commission

Mr. Vernau advised that Charles T. Greiner has volunteered as an alternate on the Civil Service Commission.

This will be an agenda item for July 23, 2007.

Discussion Re: Assessment Appeal of Township Building

Mr. Vernau advised that Board that he has had discussions with real estate agents in preparation of the sale of the Township building. Currently, the Township is tax-exempt but is assessed. The assessment on the building is \$2.5 million. The agents Mr. Vernau spoke with felt the assessment is approximately \$1 million over market value and recommended an assessment appeal.

The process of combining the five Township parcels into one parcel and thought it would be better to wait until the parcels are combined, then send the subdivision showing the combination of the parcels, a letter explaining the change and requesting a reassessment, and proceed from there. When it changes from tax-exempt to taxable property, there would also be a reassessment. The Board was in agreement.

OTHER BUSINESS

Vice-President BUCHER inquired if Hempt has started reclamation of his quarries. Mr. Flint was not certain. Vice-President BUCHER requested Staff acquire copies of Hempt's reclamation plans.

Mr. Williamson advised the Board that there was an estimated crowd of 7,000+ for Celebrate America at Christian Life Assembly Church. There will be a meeting for an after-action review. There were no major incidents.

Mr. Flint advised the Board that construction of the boat launch at the Community Park started today and should be completed before the end of September.

Mr. Flint advised the Board that the PENNDOT contract for offsite improvements in advance of the 154/581 project are scheduled for start of construction on July 23, 2007.

Commissioner YOUNG congratulated Staff for the time and effort invested in the July 4th picnic. While the crowd was smaller than in the past, it was a successful event.

ADJOURN TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners adjourned to Executive Session at 9:05 p.m. for discussions on the following:

1. Personnel issue.
2. Lease back of Township building if sold prior to occupancy of the new building.

ATTENDANCE REGISTER

An Attendance Register is made part of the record.