

**MINUTES**

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

JULY 28, 2008

The following were in ATTENDANCE:

**BOARD OF COMMISSIONERS**

**TOWNSHIP PERSONNEL**

Lloyd W. Bucher  
Peddrick M. Young, Sr.  
Dan Christ

Thomas Vernau, Manager  
Jan Faust, Assistant Manager  
Daniel Flint, Community Development  
John Eby, Planning and Zoning Coordinator  
Nancy Dietel, Finance Director  
Donna Paul, Human Resources  
Christopher Yohn, EMS Captain  
Kathleen Misturak-Gingerich, Solicitor  
Lt. Gregory Thomas  
Trudy Metzel, Recording Secretary

Vice-President BUCHER 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.

President TITZEL and Commissioner BLACK were absent with excuse.

**APPROVAL OF MINUTES**

**Approval of February 25, 2008 Board of Commissioners Regular Meeting Minutes**

Commissioner CHRIST moved to approve the Minutes of the February 25, 2008 Regular Meeting of the Board of Commissioners as corrected. Commissioner YOUNG seconded the motion. Motion carried 3-0.

**Table March 24, 2008 Board of Commissioners Regular Meeting Minutes**

Commissioner CHRIST moved to table the Minutes of the March 24, 2008 Regular Meeting of the Board of Commissioners until the August 11, 2008 Regular Meeting of the Board of Commissioners. Commissioner YOUNG seconded the motion. Motion carried 3-0.

**Approval of June 30, 2008 Board of Commissioners Special Meeting**

Commissioner CHRIST moved to approve the Minutes of the June 30, 2008 Special Meeting of the Board of Commissioners as corrected. Commissioner YOUNG seconded the motion. Motion carried 3-0.

**PRESENTATION: KEYSTONE GIRLS FASTPITCH SOFTBALL ASSOCIATION**

Vice-President BUCHER recognized Richard Schin and Don Feliksik who appeared on behalf of the Keystone Girls Fastpitch Softball Association.

Mr. Schin advised the Board that the Keystone Girls Fastball Softball Association was organized in 1993, with its first season being in 1994. Mr. Feliksik thanked the Township for its support over the years. The Association held tournaments at Lower Allen Community Park with the idea that the money raised would go toward a pavilion at Field #1.

Mr. Schin and Mr. Feliksik presented a check in the amount of \$7,835.00 to be used for a pavilion at Field #1.

On behalf of the Board of Commissioners, Vice-President BUCHER accepted the check and thanked Mr. Schin and Mr. Feliksik for the Association's contribution to the Park.

**APPROVE RESOLUTION 2008-R-23, RECOGNIZING THOMAS G. VERNAU, JR. FOR 20 YEARS OF SERVICE TO LOWER ALLEN TOWNSHIP**

Commissioner YOUNG moved to approve **Resolution 2008-R-23**, recognizing Thomas G. Vernau, Jr. for his 20 years of service to the Township. Commissioner CHRIST seconded the motion. Motion carried 3-0.

Vice-President BUCHER read Resolution 2008-R-23 into the record, thanked Mr. Vernau for his service and dedication to the Township and presented him with Resolution 2008-R-23.

**EMPLOYEE RECOGNITION**

The following employees were recognized for their years of service to the Township:

- Thomas Vernau, 20 years
- Jan Faust, 15 years
- Lt. Gregory Thomas, 15 years
- Patrolman, Curt Heckler, 15 years

The following were recognized for their extra efforts put forth which saved the Township a substantial amount of money when a brine spreader was needed for a new brine making machine:

Gary Frazer, Public Works Department  
Kenneth Rocuskie, Fleet Department

### **AUDIENCE PARTICIPATION**

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

There was no response.

### **CONSENT AGENDA**

Vice-President BUCHER 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.

Commissioner YOUNG requested Resolution 2008-R-24 be removed from the Consent Agenda for further comment.

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

1. Warrants Journal of July 17, 2008 in the amount of \$1,098,418.21.
2. Department Reports for:
  - a. Community Development – April, May, and June 2008
  - b. Engineer – May and June 2008
  - c. Public Works – June 2008
  - d. Public Safety – May and June 2008
3. Award a contract in the amount of \$315,300.00 to Hempt Bros., Inc. for the Lower Allen Community Park Soccer Fields and Loop Trail Improvement Project, contingent upon approval from the Pennsylvania Department of Conservation and Natural Resources and the Pennsylvania Department of Environmental Protection.
4. Approve Payment Application #15 for eciConstruction, LLC in the amount of \$55,401.38.

Commissioner YOUNG seconded the motion. Motion carried 3-0.

**APPROVE RESOLUTION 2008-R-24, A RESOLUTION OF LOWER ALLEN TOWNSHIP RECOGNIZING, COMMENDING AND HONORING SAMUEL W. MORGAN ON HIS RETIREMENT AS A TOWNSHIP EMPLOYEE**

Commissioner YOUNG moved to approve **Resolution 2008-R-24**, a resolution of Lower Allen Township recognizing, commending and honoring Samuel W. Morgan on his retirement with 22-years of service as a township employee. Commissioner CHRIST seconded the motion. Commissioner YOUNG read Resolution 2008-R-24 into the record. Motion carried 3-0.

**APPROVE RESOLUTION 2008-R-21, A RESOLUTION APPOINTING JOHN DESANTIS AS MEMBER OF THE LOWER ALLEN TOWNSHIP POLICE DEPARTMENT**

Commissioner YOUNG moved to approve **Resolution 2008-R-21**, a resolution of Lower Allen Township appointing John DeSantis as a member of the Lower Allen Township Police Department, effective July 29, 2008. Commissioner CHRIST seconded the motion. Motion carried 3-0.

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

Vice-President BUCHER 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: Proposals for OPEB Actuarial Study**

Mrs. Dietel explained that an actuarial study is needed based on GASB-45.

The following quotes for proposed studies were received:

|  |            |
|--|------------|
| Mockenhaupt Benefits Group<br>Pittsburgh, PA | \$3,100.00 |
| Conrad Siegel Actuaries<br>Harrisburg, PA    | \$3,500.00 |
| Markley Actuarial Services<br>Lancaster, PA  | \$3,620.00 |

Mrs. Dietel recommended Mockenhaupt Benefits Group. Mrs. Dietel advised the Commissioners that she spoke with each of the companies and is especially comfortable with Mockenhaupt's proposal. Discussion ensued.

This will be an agenda item for August 11, 2008.

**Discussion: Audit Documents from Maher Duessel**

Mrs. Dietel advised the Commissioners that the reports from the 2007 audits have been received from Maher Duessel.

Discussion ensued.

**COMMUNITY DEVELOPMENT**

**Discussion: SLD Docket #2008-05, Land Development Plan for Thomas Brown Auto Body**

Mr. Flint advised the Commissioners that this plan is for a new facility on Arthur Drive for Thomas Brown Auto Body. The business is currently located on Gettysburg Road. The proposal is for an 11,250-square-foot building next to the Dollar General Store.

Mr. Flint further advised that the only waiver requested is the preliminary plan requirement. It is a single building with associated parking. Mr. Flint noted that there is no sidewalk on the Simpson Ferry Road frontage and that will be continued on this plan.

Mr. Flint advised the Commissioners that the Planning Commission recommended approval contingent upon Staff and County comments.

Mark Jones, the engineer for the project identified himself. He advised the Commissioners that exterior construction is anticipated to be block and steel.

This will be an agenda item for August 11, 2008,

**Discussion: SLD Docket #2008-07, Land Development Plan for Slate Hill Mennonite Church Kitchen Addition**

Mr. Flint advised the Commissioners that this plan is a proposed addition at the Slate Hill Mennonite Church. It is a 350-square-foot addition for a kitchen on the backside of the building.

Mr. Flint further advised the Commissioners that the Planning Commission recommended approval subject to a few very minor comments.

This will be an agenda item for August 11, 2008.

**Discussion: Review of the Draft Revised Subdivision and Land Development Ordinance**

Mr. Flint advised the Commissioners that a consultant has been working on the Subdivision and Land Development Ordinance and a draft revised ordinance will soon be ready. There were several reviews by Staff and comments were received from the consultant. A draft copy is expected this week in viewable format. However, it is not ready for a public hearing at this point.

Mr. Flint further advised that the consultant could give a brief presentation at a regularly scheduled Board of Commissioners meeting. A special meeting could then be scheduled if the Commissioners felt further discussion was necessary. Discussion ensued.

This will be an agenda item following receipt of the draft revised ordinance.

**Discussion: Fill Placement at Township Parcel on Yetter Court**

Mr. Flint advised the Commissioners that the Township was approached by the contractor working on the Rt. 15/581 project. The contractor anticipates generating a large amount of fill on the project. Some has been dumped in the former Hempt's Quarry. Used asphalt is not considered clean fill and cannot be dumped in water. It must be dumped on the ground. The contractor approached the Township about using the Township's parcel off Yetter Court. This is the site of the future yard waste facility and the fill would help get the site up-to-grade for the construction of the composting pad. Negotiations are in process.

**Discussion: Awarding a Contract for the Kensington Drive/Westport Drive Trail Project**

Mr. Flint advised the Commissioners that the property owner now has the promised documents. Hempt Bros. was the low bidder when the contract was awarded in October 2006. They have agreed to honor that price despite of what has happened with the price of asphalt. The quantity is so small that the difference would not be too great.

**Discussion and Possible Action: Advertising an Ordinance Modifying Section 220-209, Vehicles and Traffic, for the Installation of Traffic Control Devices**

Mr. Flint advised the Commissioners that there are a number of traffic control items that need to be updated in the Township Ordinance. This is something typically done once or twice a year. Some of the items are the speed limit on Oxford Drive, the weight listing on Slate Hill Road, and the addition of a traffic signal.

Commissioner CHRIST moved to authorize Staff to advertise an ordinance modifying Section 220-209, Vehicles and Traffic. Commissioner YOUNG seconded the motion. Motion carried 3-0.

## **Discussion and Possible Action: Beacon Hill Phase II PRD Revision Public Hearing**

Mr. Flint advised the Commissioners that a plan was submitted for the Heights of Beacon Hill Phase II. The original plan showed two chain-link fences around the large stormwater management basin. One was around the basin itself and the other fence further up the hill closer to the adjacent properties. In discussions with the adjacent homeowners, most do not want the fence. The developer would rather not put in the fence as it would be very difficult to install and maintain since it is on a slope. There is already fence around the basin itself. The homeowners would prefer to either put in their own fence or not have a fence. Discussion ensued.

Mr. Flint further advised that since this is a PRD, a public hearing is required. The homeowners would be notified of the hearing.

Commissioner CHRIST moved to authorize Staff to advertise a public hearing at 7:30 p.m. on September 8, 2088 in the matter of Beacon Hill Phase II PRD. Commissioner YOUNG seconded the motion. Motion carried 3-0.

## **MANAGER**

### **Discussion: Location of New Keystone Pavilion at LACP**

Mr. Vernau advised the Commissioners that the new Keystone Pavilion at LACP is a result of the earlier presentation by the Keystone Girls Fastpitch Softball Association.

As Mr. Schin explained, they would like to see a pavilion placed near Field #1. Mr. Vernau met with representatives on Friday to look at possible locations. With the donation by the Association, several things can be done. One large pavilion could be built or if a smaller pavilion was chosen, picnic tables could also be purchased.

One of the requests was for the Township to consider closing one end of the pavilion and building a small shed as a sale shack where t-shirts, hats, etc. could be sold. A concrete pad will add to construction costs.

It was also requested that the pavilion be named the Keystone Pavilion. Naming the pavilion would also make scheduling easier. Mr. Vernau clarified that the pavilion would be available only if there is nothing scheduled at the ball field.

Mr. Vernau's preference is to put the pavilion in the open area between the bleachers and the line of trees, and as close to the driveway and parking as possible. A twelve-foot fence is already in place.

Mr. Vernau further advised the Board, there is nothing planned in the Master Plan in that general area so the pavilion would not have to be relocated.

Discussion ensued.

It was the consensus of the Commissioners to leave the location, size, etc., up to Staff, maximizing the money available.

### **OTHER BUSINESS**

Commissioner YOUNG commended Staff on the Music at the Park event. It was very well attended and he heard nothing but favorable comments.

Mr. Vernau advised the Board that the Girl Scout's butterfly garden is finished and she did a wonderful job.

Mr. Vernau advised that the water lines were run to the Dog Park. There is a fountain at the entrance to the Dog Park that has a "doggie bowl".

Commissioner CHRIST advised the Commissioners that he has the audit for the West Shore Tax Bureau Administrative Fund and it is available for review.

Commissioner CHRIST advised the Commissioners that a meeting is scheduled for 9:00 a.m. at the West Shore Tax Bureau to discuss what House Bill 1063 could mean for tax collections.

Captain Yohn advised the Commissioners that the testing procedure for the new public safety officer position will take place on August 12. Nine candidates are being tested.

### **ADJOURN TO EXECUTIVE SESSION**

The Regular Meeting of the Board of Commissioners adjourned to Executive Session at 8:45 p.m. for discussion on the following:

1. Personnel: Labor organization at Lower Allen Township.

### **ATTENDANCE REGISTER**

An Attendance Register is made part of this record.