

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

SEPTEMBER 22, 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
Daniel Flint, Community Development
Nancy Dietel Finance Director
Frank Williamson, Chief of Police/
Public Safety Director
Rodney Mumma, LAT Fire Chief
Christopher Yohn, EMS Captain
Donna Paul, Community & Human
Resources Specialist
Geir Magnusson, Planning Commission
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.

APPROVAL OF MINUTES

Approval of Minutes of the August 18, 2008 Regular Meeting

Commissioner CHRIST moved to approve the Minutes of the August 18, 2008 Regular Meeting of the Board of Commissioners as submitted. Commissioner BLACK seconded the motion. Motion carried 5-0.

Approval of Minutes from August 25, 2008 Regular Meeting

Commissioner YOUNG moved to approve the Minutes of the August 25, 2008 Regular Meeting of the Board of Commissioners as submitted. Vice-President BUCHER seconded the motion. Motion carried 5-0.

INTRODUCTION OF NEW POLICE OFFICER: JOHN DESANTIS

Chief Williamson introduced the Township's newest police officer, John DeSantis. The Commissioners welcomed Office DeSantis and his family to the Township.

EMPLOYEE RECOGNITION:

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

Dan Flint, 10 years of service
Dianna Knisely, 10 years of service

The following employee was recognized with a Commendation Letter for various events which took place in the township:

James Grunon, EMT-1
Robert Brobst, Public Works Department

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.

RECESS REGULAR MEETING

The Regular Meeting of the Board of Commissioners recessed at 7:39 p.m.

CONVENE CONTINUATION OF PUBLIC HEARING: APPLICATION OF BHH PARTNERS FOR MODIFICATION TO THE FINAL PLANNED RESIDENTIAL DEVELOPMENT (PRD) PLAN FOR THE HEIGHTS OF BEACON HILL, PHASE 2

The continuation of the public hearing regarding the application of BHH Partners for modification to the Final Planned Residential Development (PRD) for The Heights of Beacon Hill Phase 2 convened at 7:40 p.m.

RECESS PUBLIC HEARING

The public hearing regarding the Application of BHH Partners for modification to the Final Planned Residential Development (PRD) Plan for The Heights of Beacon Hill, Phase 2 recessed at 7:49 p.m.

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 7:50 p.m.

CONTINUE PUBLIC HEARING RE: APPLICATION OF BHH PARTNERS FOR MODIFICATION TO THE FINAL PLANNED RESIDENTIAL DEVELOPMENT (PRD) PLAN FOR THE HEIGHTS OF BEACON HILL, PHASE 2

Vice-President BUCHER moved to continue the public hearing regarding the Application of BHH Partners for modification to the Final Planned Residential Development (PRD) Plan for The Heights of Beacon Hill, Phase until November 24 at 7:30 p.m.. Commissioner CHRIST seconded the motion. Motion carried 5-0.

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 Warrants Journal of September 12, 2008 in the amount of \$286,076.67 be removed for further discussion.

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

1. Department Reports for the month of August 2008 including: Engineer, Public Works, and Community Development.
2. **Resolution 2008-R-25**, Establishing a Policy Regarding Improvement Security for Construction of Facilities Associated with Subdivision and Land Development Plans.
3. **Resolution 2008-R-26**, Per Capita Exonerations, List One of 2008.
4. Resolution 2008-R-27, Compensation Adjustment Resolution for two (2) Township Employees.
5. Executing the Standard Stormwater Facilities and BMP Maintenance and Monitoring Agreement with L. Lance Bonsall for SLD Docket #2008-05, Final Land Development Plan for Thomas Brown Auto Body.

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

DISCUSSION AND POSSIBLE ACTION: WARRANTS JOURNAL OF SEPTEMBER 12, 2008 AND MANUAL CHECK LIST FOR AUGUST 2008

Commissioner CHRIST inquired if BASCO has accepted the offer made by the Township. Mr. Vernau responded that BASCO has verbally agreed and that Mr. Miner is working with BASCO's attorney regarding a release agreement.

Commissioner CHRIST moved to approve the Warrants Journal of September 12, 2008 in the amount of \$286,076.67. Manual Check List for August in the amount of \$2,453.19. Vice-President BUCHER seconded the motion. Motion carried 5-0.

APPROVE RESOLUTION 2008-R-28, ADOPTING 2009 MINIMUM MUNICIPAL OBLIGATIONS AND PENSION BUDGET

Vice-President BUCHER moved to approve **Resolution 2008-R-28**, adopting 2009 Minimum Municipal Obligations and Pension Budget. Commissioner YOUNG seconded the motion. Discussion ensued. Call for the question was made. 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.

Janey Gunn, 3800 Lisburn Road identified herself to the Commissioners. Ms. Gunn addressed her concerns regarding the conclusion of the Public Hearing on Monday, September 15. The Commissioners responded to Ms. Gunn's concerns.

Randy Browne, 3800 Lisburn Road, identified himself to the Commissioners addressed the Township's Amusement Tax and how it applies to revenues generated from Liberty Forge Golf Course.

Geir Magnusson, member of the Township's Planning Commission, identified himself to the Commissioners and advised that the Liberty Forge Golf Course Zoning amendment proposal could not be accepted due to flaws. Mr. Magnusson explained the flaws in the proposal.

Sheryl Delosier, 1331 Sconsett Way, identified herself to the Commissioners and advised that she is the Republican candidate for the 88th District.

ADMINISTRATIVE SERVICES

Discussion and Possible Action: Purchase of 2009 Diamond Spec Chassis, Model 740 SFA 4x2 (SAQ525) to Replace 1991 Truck. Chassis is on DGS COSTARS Contract

Mrs. Faust reviewed with the Commissioners the criteria for the possible purchase of a new truck with a steel bed. After discussions with the Public Works Coordinator, the International Diamond Spec, Model 7400SSFA 4x2 (SA525) came in with the best pricing and will offer the best service. It is also the same model truck currently in service in the Public Works Department and has proven to be a very good chassis. The chassis is on COSTARS pricing but that contract ends September 30, 2008 with new pricing being \$9,000 more.

Vice-President BUCHER moved to authorize Staff to purchase of a 2009 Diamond Spec Chassis, Model 7400 SFA 4x2 (SA525) to replace the 1991 truck with delivery in 2009, not exceed \$130,000. Commissioner BLACK seconded the motion. Motion carried 5-0.

PUBLIC SAFETY

Year-to-Date Report on Homeward Bound Animal Rescue

Chief Williamson gave a year-to-date report to the Commissioners regarding Homeward Bound Animal Rescue. Commissioner BLACK stated that Homeward Bound is a no-kill shelter.

Discussion and Possible Action: Possible K-9 for Police Department

Chief Williamson advised the Commissioners that the Police Department is in the very early stages of researching and investigating the possibility of starting a K-9 program in the police department. Extensive discussion ensued.

Commissioner YOUNG moved to authorize Chief Williamson to continue looking into the start-up costs and possible funding avenues for a K-9 for the Police Department and report his findings the Commissioners. Commissioner BLACK seconded the motion. Motion carried 5-0.

COMMUNITY DEVELOPMENT

Discussion: Drainage Plan #DP2008-04, Soccer Fields, Parking and Trail Project, Lower Allen Community Park, 4075 Lisburn Road

Mr. Flint advised the Commissioners that the soccer fields/parking/trail project at the Community Park involves installation of stormwater management facilities. The Township is required to have drainage permit. A drainage plan has been submitted and reviewed.

This will be an agenda item for October 13, 2008.

Discussion: Executing an Indemnification Agreement with William and Sheryl Sanders of 1431 Sconsett Way for a Retaining Wall in the Right-of-Way of Lowell Lane

Mr. Flint advised the Commissioners that for several years the Township has had an ordinance governing unapproved structures in the-right-of-way. The structure in question is a low retaining wall (1 or 2 foot high) constructed along the sidewalk at 1431 Sconsett Way. The wall has been in place for several years and predates the ordinance. It has come to light now because the project has reached the point where the right-of-way is to be dedicated.

This will be an agenda item for October 13, 2008.

Discussion: Request for Improvement Security Reduction #3 for SLD Docket No. 2006-06, Village at Fair Oaks

Mr. Flint advised the Commissioners that a request has been received from the developer of the Village at Fair Oaks for a reduction in security. An inspection needs to be completed.

This is be a possible agenda item for October 13, 2008.

Trail Project from Kensington Drive to Westport Drive

Mr. Flint advised the Commissioners that the contractor has Notice to Proceed and expects to begin on the train project from Kensington Drive to Westport Drive on Wednesday, September 23, 2008.

MANAGER

Discussion and Possible Action: Draft Franchise Agreement with Verizon, Inc. and Ordinance Advertisement

Mr. Vernau advised the Commissioners that the attorney retained by the Capital Region Council of Government has reached a Franchise Agreement with Verizon. Mr. Vernau summarized the key points of the Agreement and advised that passage of an ordinance is required. Discussion ensued.

Vice-President BUCHER moved to authorize Staff to advertise the ordinance for the Master Cable Franchise Agreement with Verizon, Inc. Commissioner CHRIST seconded the motion. Motion carried 5-0.

Discussion: EPA's Total Maximum Daily Load (TMDL) Regulations

Mr. Vernau advised the Commissioners that the EPA's Total Maximum Daily Load Regulations could possibly put more restrictions on certain nutrients in both sewage treatment plant discharge

and stormwater runoff. Extensive discussion ensued. Mr. Vernau was directed to apprise the Commissioners as this issue moves forward.

Discussion: West Shore Recreation Commission's 2009 Contribution Request

Mr. Vernau advised the Commissioners that the West Shore Recreation Commission is asking for a 5% increase in the Township's annual contribution. In 2008 the Township's contribution was \$28,252. With a 5% increase, the Township's contribution for 2008 would be \$29,665. Discussion ensued.

This will be an agenda item for October 13, 2008.

Scissor Lift

Mr. Vernau advised the Commissioners that the Township now owns a scissor lift. New lifts cost approximately \$6,000. A nice, used lift was found on eBay and was purchased for \$1,800.

OTHER BUSINESS

Commissioner BLACK relayed to Chief Williamson that he has received nothing but positive comments regarding speed control on Allendale Way.

Commissioner BLACK advised Chief Williamson of complaints regarding speeding traffic on Lisburn Road and Brandton Road.

Mrs. Dietel advised the Board that the 2009 Budget is being compiled.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURN

The Regular Meeting of the Board of Commissioners adjourned at 9:08 p.m.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.