

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

October 8, 2007

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

John T. Titzel, President
Lloyd W. Bucher, Vice President
Peddrick M. Young, Sr.
Dan Christ

TOWNSHIP PERSONNEL

Thomas Vernau, Manager
Jan Faust, Assistant Manager
Nancy Dietel, Finance Director
Daniel Flint, Community Development
Leon Crone, Chief of Police
Danna Lutes, Township Secretary
Rodney Mumma, Fire Chief
Steven P. Miner, Solicitor
Flora Dasher, Assistant 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.

Commissioner **CHRIST** moved to approve the Minutes from the September 10, 2007 Regular Meeting of the Board of Commissioners as submitted. Vice President **BUCHER** seconded the motion as corrected. Commissioner Christ advised adding a note that the Board offered input into the CPI percentages that lead Ms. Dietel to arrive at the amounts reported regarding the 2008 budget payroll. Commissioner Christ also noted that the meeting did not adjourn to Executive Session. Motion carried 4-0.

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.

PRESENTATIONS

Scott Duncanson-Recreation and Parks Board Chairman

Mr. Duncanson submitted a priority list to the Board for consideration in the upcoming 2008 budget. Number one item is park maintenance to keep our existing facilities in working order. The second item is park enhancements and the highest priority is to continue with the pavilion security lighting and electricity program. Highland Park playground would like to be included in the budget for this year due to upcoming events in the Spring such as a yard sale where they would utilize the electricity. Another

item on the priority list is to purchase and install information kiosks and message boards. These kiosks can offer information on neighborhood and Township events with Highland Park and Sheepford Park being priority on this item.

An Adopt-A-Park program has been established to increase community involvement and participation. This will be presented to the Board later this year or early next year. This program will get the community involved and to get some of the local partners that are already involved more formally involved in caring for and making improvements to our parks.

Mr. Duncanson advised that the Recreation and Parks Board feels it is time to initiate planning for future development and improvements of a few of the parks that have not been developed for a number of years.

President **TITZEL** praised the Recreation and Parks Board for doing a good job.

CONSENT AGENDA

President **TITZEL** advised any Commissioner, Staff member or anyone in attendance could have any 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.

Accept motion to approve the items on the Consent Agenda, which are listed as follows:

- a. Warrants Journal of 09/27/07 in the amount of \$ \$427,223.56. A Manual Checklist was in the amount of \$6,434.61.
- b. Waiver of the requirement contained in Section 1173.04 to submit a Preliminary Plan for SLD Docket #2007-07, Subdivision Plan for Anna V. Carey Estate.
- c. Waiver of the requirement contained in Section 1181.09 to provide sidewalks for SLD Docket #2007-07, Final Subdivision Plan for Anna V. Carey Estate, 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.
- d. Waiver of the requirement contained in Section 1181.07 to provide curbs, for SLD Docket #2007-07, Final Subdivision Plan for Anna V. Carey Estate, 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.
- e. Waiver of the requirements contained in Section 1177.02(a)(8) to provide additional dedicated right-of-way and to provide fill-in paving for SLD Docket #2007-07, Subdivision Plan for Anna V. Carey Estate, until such time as the dedication and/or 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.

- f. Waiver of the requirement contained in Section 1173.07(a)(1)V.1 to show contours on the plan for SLD Docket #2007-07, Final Subdivision Plan for Anna V. Carey Estate.
- g. Waiver of the requirement contained in Section 1177.08(b)(1) to provide a Stream and Creek Maintenance Easement for SLD Docket #2007-07, Final Subdivision Plan for Anna V. Carey Estate.
- h. Waiver of the requirement contained in Section 1177.08(b)(2) to provide a Stream and Creek Maintenance Access Easement for SLD Docket #2007-07, Final Subdivision Plan for Anna V. Carey Estate.

These waivers and modifications are not contrary to the public interest, and they maintain the purpose and intent of the Subdivision and Land Development Ordinance.

- i. SLD Docket #2007-07, Final Subdivision Plan for Anna V. Carey Estate, 1909 Sheepford Road.
- j. Waiver of the requirement contained in Section 1173.04 to submit a Preliminary Plan for SLD Docket #2007-10, Land Development Plan for Chapel of Peace Mausoleum Addition at Rolling Green Cemetery.
- k. Waiver of the requirement contained in Section 1181.09 to provide sidewalks for SLD Docket #2007-10, Final Land Development Plan for Chapel of Peace Mausoleum Addition at Rolling Green Cemetery, 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.
- l. Waiver of the requirement contained in Section 1181.07 to provide curbs for SLD Docket #2007-10, Final Land Development Plan for Chapel of Peace Mausoleum Addition at Rolling Green Cemetery, 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.
- m. Waiver of the requirement contained in Section 1177.02(a)(8) to provide fill-in paving for SLD Docket #2007-10, Final Land Development Plan for Chapel of Peace Mausoleum Addition at Rolling Green Cemetery., 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.

These waivers and modifications are not contrary to the public interest, and they maintain the purpose and intent of the Subdivision and Land Development Ordinance.

- n. SLD Docket #2007-10, Final Land Development Plan for Chapel of Peace Mausoleum Addition at Rolling Green Cemetery, 1811 Carlisle Road.

- o. Executing the Standard Storm water Facilities and BMP Maintenance and Monitoring Agreement with William Andrew Siverling for 4975 Ravenwood Road.
- p. Executing the Developers Agreement with Hoss's Building Service, Inc. for SLD Docket #2007-05, Marzoni's Restaurant, establishing an Improvement Security amount of \$7,700.00 and an expiration date of October 8, 2008.
- q. Payment of Invoice 991906 for \$2,465.56 to ARM Group Inc. for geotechnical engineering services related to construction of the E&MSC.
- r. Payment of Invoice 506001 for \$7,907.70 to PSI for inspection services related to construction of the E&MSC.
- s. Reduction in Improvement Security for SLD Docket #2004-07, Yellow Breeches Farm, establishing a new security amount of \$82,390.00 and a new expiration date of October 8, 2008.
- t. Payment of Application #6 to Silvertip, Inc. for Plumbing Construction in the amount of \$8,646.75 for the E&MSC.
- u. Payment of Application #6 to Silvertip, Inc. for HVAC Construction in the amount of \$12,460.50 for the E&MSC.
- v. Payment applications #5 for Herre Bros., Inc. in the amount of \$22,293.63.

Commissioner **YOUNG** asked to have item A removed for further discussion and also noted a typographical error in the date.

Commissioner **CHRIST** moved to approve the items on the Consent Agenda. Commissioner **YOUNG** seconded the motion with the exception of item A. Vice President **BUCHER** abstained due to several items regarding Rolling Green Cemetery. Motion carried 3-1.

Commissioner **YOUNG** noted that on the bottom of page 4 (Daley Zucker Meilton Miner Inc.) and continued on page 5 of the warrant journals the coding is not correct for the second item listed on page 5 with the amount of \$2,340.32. Commissioner **YOUNG** also noted to this item that manual checklist should be added in the amount of \$6,434.61

Vice President **BUCHER** moved to approve the warrant journals with correction. Commissioner **YOUNG** seconded the motion. Motion carried 4-0.

PRESIDENT TITZEL

Commissioner **YOUNG** moved to authorize staff to advertise **Ordinance 2007-15**, repealing Chapter 197, Article III, emergency and municipal services tax and enacting a new Chapter 197, Article III, to be known as the Local Services Tax. Commissioner **CHRIST** seconded the motion. Motion carried 4-0.

Commissioner **YOUNG** moved to approve the adjudication of **Ordinance 2007-12**, an ordinance amending, modifying and changing the Code of the Township of Lower Allen, 1997, Section 220-8A, Zoning Map, to rezone a tract of land from R-1 Single-Family Established Residential District to R-3 Neighborhood Commercial District. Commissioner **CHRIST** seconded the motion. Commissioner **BUCHER** is opposed. Motion carried 3-1.

Commissioner **CHRIST** moved to adopt **Ordinance 2007-12**, an ordinance amending, modifying and changing the Code of the Township of Lower Allen, 1997, Section 220-8A, Zoning Map, to rezone a tract of land from R-1 Single-Family Established Residential District to R-3 Neighborhood Commercial District.

Roll Call Vote:	President Titzel:	Aye
	Vice President Bucher:	Nay
	Commissioner Young :	Aye
	Commissioner Christ:	Aye

Ordinance 2007-12 was adopted by a 3-1 vote.

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

There was no response.

ADMINISTRATIVE SERVICES

Nancy Dietel, Finance Director

Ms. Dietel suggested holding budget meetings on October 29, November 5, and November 19, 2007 at 7:00 pm. She asked the Commissioners to check their schedules to see if there were any conflicts with those dates.

Jan Faust, Assistant Manager

Discussion ensued regarding Salary Caps. Ms. Faust noted that she added minimums and maximums into the policy for discussion with the Board. Commissioner **CHRIST** had questions that were answered through an email that each Board member received. Ms. Faust will prepare a Resolution to present at the next Board meeting.

Ms. Faust advised the Board that she received confirmation that DCNR is reviewing their grant for Wass Park/Shireman Manor Trail that was part of the County initiative. She reported DCNR required a Resolution and this would be presented at the next Board meeting to apply for this grant. There is a \$26,000 match on this grant. Vice President **BUCHER** inquired as to what the nature of the expense items are on this grant and Mr. Flint replied by stating that this is primarily the pavement of the trail itself.

COMMUNITY DEVELOPMENT

Daniel Flint, Community Development

Discussion regarding Zoning Hearing Board Dockets regarding property at 1413 Arcona Road. Applicant would like to add another building to their lot, it is zoned residential and is a pre-existing non-conforming use lot. Mr. Flint asked for assistance from Solicitor Miner on this and Board permitted.

Discussion regarding Execution of the Standard Storm water Facilities and Best Management Practices Maintenance and Monitoring Agreement with Patchway Holding LLC for SLD Docket #2007-05, Land Development Plan for Marzoni's Restaurant. This will be presented for approval at the next meeting.

Discussion regarding Execution of the Standard Storm water Facilities and Best Management Practices Maintenance and Monitoring Agreement with Richard P., Jr. and Nancie J. Hart for SLD Docket #2007-05, Subdivision Plan for TheVillage at Fair Oaks. This will be presented for approval at the next meeting.

Discussion regarding Reduction in Improvement Security for SLD Docket #2000-11, Heights of Beacon Hill, Phase 2, establishing a new security amount of \$36,436.40 and a new expiration date of October 8, 2008. This will be presented for action at the next meeting.

Discussion regarding Implementation of Comprehensive Plan Update: Planned revisions to Zoning Map, Zoning Ordinance and Subdivision and Land Development Ordinance. Mr. Flint advised of a possible joint meeting with Planning Commission on Tuesday, October 16, 2007 at 7:30 p.m. to assure consistency in direction on this project. This is a conflicting date for a few of the Board members and it was suggested to try to schedule a date to include all Board members and Planning Commission members.

Vice President **BUCHER** suggested coordinating a date via email.

MANAGER

Discussion ensued regarding the retirement of Robert K. Rhodes from Lower Allen Township Authority at the end of the year and Mr. Vernau advised that we should begin thinking of a possible replacement. Mr. Edwards from the Recreation and Parks Board has indicated an interest.

Commissioner **CHRIST** asked if there was anyone else with the experience and Mr. Vernau responded by saying that he spoke to one other person but they do not want to sit on the Recreation and Parks Board because they have been on the board in the past.

Discussion ensued regarding acquisition of additional parking spaces at Pete's Field. Mr. Vernau spoke to Mr. Kint from SECCO regarding an L-shaped area on the edge of his property for about 12 additional parking spaces. This would be a lease with SECCO because they do not want to sell. Mr. Kint asked if township would maintain this small piece of grassy property. Mr. Vernau would like to see more police enforcement of individuals not parking at the ball fields to dine at the Pizza Grille.

Mr. Duncanson noted that right now the ball fields are used for practice only but with the grant application to upgrade the concession stand and bathroom facilities and have additional parking the ball league would probably decide to hold games there.

Discussion ensued regarding acquisition of additional parking spaces at Pete's Field. Mr. Vernau spoke to Mr. Kint from SECCO regarding an L-shaped area on the edge of his property for about 12 additional parking spaces. This would be a lease with SECCO because they do not want to sell. Mr. Kint just asked if township would maintain this small piece of grassy property. Mr. Vernau suggested the whole square for parking but Mr. Kint only offered the L-shaped area. Mr. Vernau would like to see more police enforcement of individuals not parking at the ball fields to dine at the Pizza Grille.

Mr. Duncanson noted that right now the ball fields are used for practice only but with the grant application to upgrade the concession stand and bathroom facilities and have additional parking the ball league would probably decide to hold games there.

ADJOURN

The Regular Meeting of the Board of Commissioners adjourned at 8:55 p.m.