

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

OCTOBER 27, 2008

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
Nancy Dietel, Finance Director
Daniel Flint, Community Development
Frank Williamson, Chief of Police/
Public Safety Director
Danna Lutes, Township Secretary
Geir Magnusson, Planning Comm
Steven P. Minor, Solicitor
Trudy Metzler, Recording Secretary

President TITZEL called the Regular Meeting of the Board of Commissioners of Lower Allen Township to order at 7:00 p.m. followed by an opening prayer and the Pledge of Allegiance. He announced Proof of Publication was available for review.

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

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. There was no response.

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

1. Warrants Journal of October 9, 2008 in the amount of \$219,874.98 and October 23, 2008 in the amount of \$582,622.38.
2. Department Reports for the month of September 2008, including: Engineer, Public Works, Community Development, and Public Safety. Also, Public Safety Department Report for August 2008.
3. **Resolution 2008-R-30**, a Resolution of the Board of Commissioners of Lower Allen Township, Cumberland County, Pennsylvania, designating the West Shore Tax Bureau as its collection agent, appointing an Income Tax Officer, and assigning the Representative and Alternate Representative to the Board of Directors of said Bureau.
4. Approval of the West Shore Tax Bureau's 2009 Budget.
5. Reduction in improvement security for SLD Docket N. 2006-01, Tressler Site, establishing a new amount of \$1,100.00.
6. Payment of Application #16 for Plumbing work from Silvertip, Inc. in the amount of \$6,416.00. This payment is for retainage and will close out the Plumbing Contract on the Municipal Services Center

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

APPROVE WEST SHORE RECREATION COMMISSION'S REQUEST FOR A 5% INCREASE IN LOWER ALLEN TOWNSHIP'S ANNUAL CONTRIBUTION

Vice-President BLACK moved to approve West Shore Recreation Commission's request for a 5% increase in Lower Allen Township's annual contribution, from \$28,253.00 to \$29,665.00. This represents a per capita rate of \$2.184. Commissioner CHRIST seconded the motion. Discussion ensued. Call for the question was made. Motion carried 5-0.

APPROVE WEST SHORE RECREATION COMMISSION'S 2009 BUDGET

Vice-President BUCHER moved to approve the West Shore Recreation Commission's 2009 Budget as presented. Commissioner YOUNG 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 Commissioners on any business pertinent to the Township.

There was no response.

ADMINISTRATIVE SERVICES

Discussion: Presentation of 2009 Proposed Budget

Mrs. Dietel presented the 2009 Proposed Budget.

Public Safety budget discussion will take place on Monday evening, November 3, 2008. Budget discussion for all other departments will take place on Monday evening, November 17, 2008.

Discussion: Performance Evaluation System Update

Mrs. Faust reviewed the Commissioners on the updates to the Performance Evaluation System. Discussion ensued.

Discussion: Governor's Excellence Award

Mrs. Faust advised the Commissioners that Staff is in the process of applying for the Governor's Excellence Award on the millings project.

PUBLIC SAFETY

Discussion and Possible Action: Microwave vs. Verizon FIOS for Lower Allen Fire Company Station #2 Network Access

Mr. Williamson deferred to Dave Murdock, Deputy Fire Chief, who put together the original test site at the Township building. Mr. Williamson asked Mr. Murdock to look into FIOS for Station #2 versus putting in a microwave system.

Mr. Murdock explained the comparison to the Commissioners.

Commissioner YOUNG moved to authorize the purchase the necessary equipment to implement the Verizon FIOS for the Lower Allen Fire Company Station #2 network access at an approximate cost of \$10,500.00. Commissioner BLACK seconded the motion. Discussion ensued. Call for the question was made. Motion carried 5-0.

COMMUNITY DEVELOPMENT

Discussion: Vacation of Unopened Street Known as Playground Drive

Mr. Flint advised the Commissioners that C. Terry and Kathleen Peiffer have requested the vacation of the unopened street known as Playground Drive. The property owners on the other side of Playground Drive are also interested in vacating the street. The process requires an ordinance and legal procedure of giving notice to every property owner in the subdivision. The street is unpaved and not used. Discussion ensued.

Suzanne Morrison, attorney for the Peiffers identified herself to the Commissioners. Ms. Morrison advised the Commissioners that Playground Drive has remained unopened and unused by anyone, pedestrian or vehicle, but the Peiffers since the development was laid-out in 1956. She further advised that the law states that if an unopened street has been unused for more than 21 years, public rights no longer exist and the street cannot be opened without the consent of the adjacent landowners. The Peiffers have been maintaining the right-of-way.

Discussion ensued.

Commissioner CHRIST moved to authorize the Solicitor to prepare an ordinance vacating the unopened street known as Playground Drive. Commissioner YOUNG seconded the motion. Motion carried 5-0.

Discussion: Request for Change in Improvement Security for SLD Docket No. 2003-06, Manor at Fair Oaks, Phase 2

Mr. Flint advised the Board that a request has been received for a change in the improvement security for SLD Docket No. 2003-06, Manor at Fair Oaks, Phase 2.

This will be an agenda item for November 10, 2008.

Discussion: Request for Improvement Security Reduction for SLD Docket No. 2006-08, Dorsheimer Subdivision

Mr. Flint advised the Board that a request for improvement security reduction for SLD Docket No. 2006-08, Dorsheimer Subdivision.

This will be an agenda item for November 10, 2008.

Discussion: Village of Lisburn

Mr. Flint advised the Board that proposals have been received from the consultants for the Village of Lisburn study. Proposals are current under review by the Consultant Selection Committee. It is hoped to have a recommendation at the November 10, 2008 meeting.

MANAGER

Discussion: Real Estate Listing Agreement Extension

Mr. Vernau advised the Commissioners that the listing agreement with Campbell Commercial Real Estate expires at the end of October. A listing agreement extension has been received from Campbell. Mr. Vernau reviewed options. Extensive discussion ensued.

Mr. Vernau was instructed to seek an agreement with NAICIR.

Discussion: Incorporation Development Authority

Mr. Vernau reviewed the Articles of Incorporation, Notice of Incorporation and Resolution to set-up a Lower Allen Township Development Authority.

Mr. Miner recommended that two members of the Board of Commissioners would serve along with three other people. Discussion ensued. Commissioners BLACK and YOUNG agreed to serve on the Development Authority Board.

The Commissioners directed the Manager and Solicitor to move ahead with the incorporation of a development authority.

Potential names for the other three positions will be an agenda item for November 10, 2008. Adoption of the Resolution will be deferred to November 24, 2008.

Discussion: Conservation Park Ordinance Overlay Hearing Transcript

Mr. Vernau advised the Commissioners that the transcript from the hearing on the Conservation Park Overlay Amendment has been received and inquired if they are ready to schedule discussion and possible action on the amendment.

The Commissioners deferred discussion and possible action on the amendment until November 24, 2008.

RECESS TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners recessed to Executive Session at 8:16 p.m. for the following purposes:

1. Weis Market Tax Appeal
2. Lisburn Ladies Auxiliary Update

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 8:32 p.m.

WEIS MARKETS INC. V. CUMBERLAND COUNTY BOARD OF ASSESSMENT APPEALS

Commissioner YOUNG moved to ratify the Solicitor's action in filing an answer in the Weis Markets appeal. Commissioner CHRIST seconded the motion. Motion carried 5-0.

OTHER BUSINESS

Commissioner BLACK advised that several residents in his development commented that they were very pleased with the Reverse 911 contact during the incident on Friday.

ADJOURN

The Regular Meeting of the Board of Commissioners adjourned at 8.58 p.m.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.