

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

NOVEMBER 26, 2007

The following were in ATTENDANCE:

BOARD OF COMMISSIONERS

John T. Titzel
H. Edward Black
Dan Christ

TOWNSHIP PERSONNEL

Jan Faust, Assistant Manager
Daniel Flint, Community Development
Nancy Dietel, Finance Director
John Eby, Planning and Zoning Coordinator
Frank Williamson, Public Safety Director
Jim Chianos, Parks Supervisor
Rodney Mumma, Fire Chief
Danna Lutes, Township Secretary
Christopher Yohn, EMS Captain
Steven P. Miner, Solicitor

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.

President TITZEL announced that Liberty Forge Golf Course (LFGC) has been removed from the agenda at LFGC's request.

Commissioners BUCHER and YOUNG were absent with excuse.

APPROVE MINUTES FROM OCTOBER 8, 2007 REGULAR MEETING

Commissioner CHRIST moved to approve the Minutes from the October 8, 2007 Regular Meeting. Commissioner BLACK seconded the motion. Motion carried 3-0.

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.

RECESS TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners recessed to Executive Session at 7:33 p.m. to discuss the Civil Service list of police officer candidates.

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 7: 48 p.m.

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 request for the removal of any item(s) on the Consent Agenda.

There was no response.

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

1. Warrants Journal of November 21, 2007 in the amount of \$310,098.39.
2. Department Reports for the month of October 2007, those reports being:
 - a. Engineer
 - b. Public Works
 - c. Community Development
 - d. Public Safety
3. Authorize Staff to advertise **Ordinance 2007-16**, The Lower Allen Township Snow, Ice and Bad Weather. This ordinance will amend Section 187-48 of the Codified Ordinances of Lower Allen Township.
4. Approval to pay Basco Invoice #17 in the amount of \$17,577.46. This invoice is for work performed from July 25, 2007 through August 21, 2007.
5. Approve Application for Payment #7-Revised from Silvertip, Inc. in the amount of \$308,787.51.
6. Approve Payment Application #6 for eciConstruction, LLC in the amount of \$573,162.82.
7. Approve Payment Application #7 for eciConstruction, LLC in the amount of \$557,518.18.
8. Approve Payment Application #8 for eciConstruction, LLC in the amount of \$159,740.01.
9. Release of Improvement Security from High Associates, Inc. for SLD Docket No. 2001-11, Rossmoyne Business Center Lots B-4B-2,3,4.

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

APPROVE RESOLUTION 2007-R-32, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP RECOGNIZING COMMISSIONER FRANK LINN OF LOWER SWATARA TOWNSHIP FOR HIS YEARS OF PUBLIC SERVICE

Commissioner BLACK moved to approve **Resolution 2007-R-32**, a resolution of the Board of Commissioners of Lower Allen Township recognizing Commissioner Frank Linn of Lower Swatara Township for his years of public service. Commissioner CHRIST seconded the motion. Motion carried 3-0.

APPROVE RESOLUTION 2007-R-33, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP RECOGNIZING ROBERT K. RHODES FOR HIS TWENTY-THREE YEARS OF SERVICE TO THE LOWER ALLEN TOWNSHIP AUTHORITY

Commissioner CHRIST moved to approve **Resolution 2007-R-33**, a resolution of the Board of Commissioners of Lower Allen Township recognizing Robert K. Rhodes for his twenty-three years of service to the Lower Allen Township Authority. Commissioner BLACK seconded the motion. Motion carried 3-0.

APPROVE RESOLUTION 2007-R-34, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP AUTHORIZING STAFF TO TRANSFER THE TITLE TO TRUCK 12, 1992 PIERCE QUINT TO LOWER ALLEN FIRE COMPANY #1

Commissioner BLACK moved to approve **Resolution 2007-R-34**, a resolution of the Board of Commissioners of Lower Allen Township authorizing staff to transfer the title to Truck 12, 1992 Pierce Quint, to Lower Allen Fire Company #1. Commissioner CHRIST seconded the motion. Motion carried 3-0.

APPROVE MOVING POLICE OFFICER BRIANA STEVENSON TO REGULAR FULL-TIME STATUS

Commissioner CHRIST moved to approve moving Police Officer Briana Stevenson to regular full-time status, as she has successfully completed her 12-month probationary period. Commissioner BLACK seconded the motion. Motion carried 3-0.

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.

Lowell Gates introduced himself to the Board. Mr. Gates stated that he is a candidate for the 88th House of Representatives seat being vacated by Jerry Nailor and is monitoring issues in the eight municipalities in the 88th District.

ADMINISTRATIVE SERVICES

Discussion RE: Workers Compensation Update

Mrs. Faust was pleased to inform the Boards that Lower Allen Township is the second lowest municipality in the insurance pool. Everything is reported and the Safety Committee is a huge asset. Commissioner CHRIST commended Staff for its efforts.

Discussion RE: Yetter Field Update

Mrs. Faust updated the Board on the progress of Yetter Field and requested Staff be authorized to approve signs within the parameters set by the Board of Commissioners. Commissioner BLACK suggested the Lower Allen Township Map and web video ad guidelines be used.

This will be an agenda item for December 10, 2007.

Discussion and Possible Action RE: Authorize Staff to Advertise Ordinance 2007-17, Appropriating Specific Sums Estimated to be Required for the Specific Purposes of the Municipal Government, Hereinafter Set Forth, During the Fiscal Year 2008 and to Make the 2008 Proposed Budget Available for Public View for 20 Days prior to Adoption.

Mrs. Dietel asked if the Board would like Staff to advertise Ordinance 2007-17, appropriating specific sums estimated to be required for the specific purposes of the municipal government, hereinafter set forth, during the Fiscal Year 2008 and to make the 2008 Proposed Budget available for public view for 20 days prior to adoption.

Commissioner CHRIST asked if the Lisburn Fire Company questions from the last meeting have been addressed. Mrs. Dietel advised that they have been addressed.

Discussion ensued.

Commissioner CHRIST moved to authorize Staff to advertise **Ordinance 2007-17**. Commissioner BLACK seconded the motion. Motion carried 3-0.

Commissioner BLACK thanked Staff for its hard work.

PUBLIC SAFETY

Discussion RE: Civil Service Certified List of Eligible Candidates for Police Officer

Mr. Williams inquired if the Board had any questions regarding the list of candidates for police officer. Discussion ensued.

Commissioner CHRIST moved to accept the Certified List of Eligible Candidates for Police Officer, per the November 20, 2007 memo from Civil Service. Commissioner BLACK seconded the motion. Motion carried 3-0.

Commissioner BLACK moved to offer conditional employment to Donald Coffey and Darius Mitchell. Commissioner CHRIST seconded the motion. Motion carried 3-0.

COMMUNITY DEVELOPMENT

Discussion RE: Street Maintenance Resurfacing Program

Mr. Flint reminded the Board that the Township switched to an alternate year program. This gives utilities and Public Works two years to prepare for resurfacing. The list for 2009 was discussed, with notification taking place early in 2008.

Mr. Flint reviewed the resurfacing history as far back as 1993. He advised the Board that the next target is a group of streets that were never built to modern specifications – cold in-place recycling with ID2 overlay. The streets affected were reviewed. Slate Hill Road is questionable – condition will be monitored. State Road depends upon the timing of the Rt. 15/581 PENNDOT project. Per Commissioner BLACK's request, Mr. Flint summarized PENNDOT's bid and construction schedule.

Dorsheimer SLD Plan

Mr. Flint advised the Board that the Developer's Security Agreement has been received and the Letter of Credit is expected any day.

This will be an agenda item for December 10, 2007.

MANAGER

Discussion and Possible Action: Approval of West Shore Tax Bureau's Tentative 2008 Budget

Mr. Vernau advised the Board that the West Shore Tax Bureau has adopted its 2008 Budget and is requesting member municipalities to ratify the Budget. Discussion ensued regarding the Administrative Budget and Contingency Fund (Capital Improvement).

Commissioner CHRIST moved to approve the West Shore Tax Bureau's 2008 Budget. Commissioner BLACK seconded the motion. Motion carried 3-0.

2008 Public Meeting Dates

Mr. Vernau inquired if there were any questions regarding the public meeting dates for 2008. He noted that the re-organizational meeting will be January 7, 2008 with no meeting on the second Monday in January. There were no comments or discussion.

This will be an agenda item for December 10, 2007.

Results of Quiet Zone Study

Mr. Vernau summarized the Quiet Zone survey results. He further advised that Staff will look for grant monies.

Mr. Vernau stated that the Federal Rail Administration wants the crossing eliminated or whistles to blow. Commissioner CHRIST questioned alternatives and the attitude of committee members toward the survey results. Discussion ensued.

Mr. Vernau advised the Board that the committee has been disbanded and extended the Township's thanks for its time and efforts.

Upcoming Parks Projects

Mr. Vernau and Mr. Chianos reviewed Scott Duncanson's (Chairman of Recreation and Parks Board) memo, in which Mr. Vernau's November 5, 2007 memo to Mr. Duncanson was referenced. Discussion ensued.

Commissioner BLACK inquired as the problem with fences in parks that required replacement due to rust, no bottom rail, age, etc. Commissioner BLACK suggested review of vinyl coated fabric products. Discussion ensued.

Review of Sidewalk Clearing After Unusual Snow/Ice Storm on February 14, 2007

Mr. Vernau advised the Board that when the list of sidewalks was reviewed, the question arose as to why the Township is responsible for many of the walks, which are adjacent to private property.

Extensive discussion ensued.

Commissioner BLACK felt the Township should notify property owners where the Township is considering deleting services.

Mr. Vernau advised the Board that Staff will research the discussed locations.

OTHER BUSINESS

Commissioner CHRIST advised the Board that the LFGC removal from the agenda was due to LFGC's desire to meet with the full Board.

Extensive discussion ensued, including discussion of a rescheduled date. Mr. Vernau stated that he would prefer waiting until after Mr. Kaplan's presentation. Mr. Grumbine, in the audience and representing LFGC, confirmed that LFGC's last submittal to the Board of Commissioners contains the latest summary of LFGC's zoning amendment proposal. Mr. Vernau further stated that the Board of Commissioners has received the Citizens Committee report on the LFGC ordinance amendment proposal.

Mr. Vernau advised the Board that Staff needs to reply to the Citizens Committee on the comparative review of proposal density (dwelling units/acre) as necessary to promote conservation (open space) development v. traditional suburban lot development.

It was the consensus of the Board to reschedule this discussion for the December 26, 2007 meeting.

Mr. Vernau wanted to be certain that all five Commissioners and Mr. Kaplan will be present at the December 26 meeting.

Janie Gunn identified herself to the Board and advised the Board of the last meeting of the Citizens Committee. They will do additional research on their own and review Staff input. The Citizens Committee will meet soon, but Ms. Gunn was not certain how soon additional group comments would be available.

Commissioner TITZEL commented about the last week of leaf pickup and requested it be extended past December 7. Mr. Vernau and Mr. Flint advised the Board that the Township will continue past deadline due to late leaf drop. The extension will be noted on the website.

Commissioner BLACK inquired as to Commissioner BUCHER's recovery. Rodney Mumma indicated that pending tests will provide answers.

ADJOURN TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners adjourned to Executive Session at 9:07 p.m. for a status report on the Hoang litigation.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.