

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

DECEMBER 22, 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
Daniel Flint, Community
Development
John Eby, Planning and Zoning
Coordinator
Frank Williamson, Chief of
Police/Public Safety Director
Steven P. Miner, Solicitor
Trudy Metzel, Recording Secretary

President TITZEL called the December 22, 2008 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 for May 27, 2008 Regular Meeting

Commissioner YOUNG moved to approve the Minutes for the May 27, 2008 Regular Meeting of the Board of Commissioners. Commissioner CHRIST seconded the motion. Motion carried 5-0.

Approval of Minutes for September 8, 2008 Regular Meeting

Commissioner BLACK moved to approve the Minutes for the September 8, 2008 Regular Meeting of the Board of Commissioners. Vice-President BUCHER seconded the motion. Motion carried 5-0.

Approval of Minutes for September 29, 2008 Special Meeting

Commissioner YOUNG moved to approve the Minutes for the September 29, 2008 Special Meeting of the Board of Commissioners. Commissioner CHRIST seconded the motion. Motion carried 5-0.

Table Minutes for November 3, 2008 Special Meeting

Commissioner CHRIST moved to table the Minutes for the November 3, 2008 Special of the Board of Commissioners until completed. Commissioner YOUNG seconded the motion. Motion carried 5-0.

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 REGULAR MEETING

The Regular Meeting of the Board of Commissioners recessed at 7:34 p.m.

CONVENE PUBLIC HEARING: ORDINANCE TO VACATE A TOWNSHIP STREET KNOWN AS PLAYGROUND DRIVE

The public hearing regarding an ordinance to vacate a Township street known as Playground Drive convened at 7:35 p.m.

ADJOURN 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 adjourned at 7:40 p.m.

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 7:41 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 such request.

There was no response.

Vice-President BUCHER moved to approve the items on the Consent agenda as amended, those items being:

1. Warrants Journal of December 18, 2008 in the amount of \$259,217.35.
2. Department Report for the Engineer for the month of October 2008. Also, Department Reports for November 2008, including: Engineer, Public Works, Community Development, and Public Safety.
3. Payment of Invoice No. 1 to Hempt Bros., Inc. in the amount of \$210,186.88 for the Lower Allen Community Park Soccer Fields, Loop Trail and Parking Improvement Project.
4. Authorizing Staff and Solicitor to act on the Improvement Security for SLD Docket No. 2002-06, Final Subdivision Plan for Manor at Fair Oaks, Phase 1.
5. Improvement Security reduction for SLD Docket No. 2004-10, Glenwood Terrace, establishing a new amount of \$3,284.00 and maintaining the expiration date of July 1, 2009.
6. Contracting with Pennoni Associates, Inc. to provide Professional Electrical Inspection Services.
7. Contracting with Trans Associates, Inc. to provide Professional Traffic Engineering Services.
8. A waiver of the requirement contained in Section 1173.04 to submit a Preliminary Plan for SLD Docket No. 2008-11, Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions.
9. A waiver of the requirement contained in Section 1181.09 to provide sidewalks along West Shore Drive for SLD Docket No. 2008-11, Final Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions, 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.

10. A waiver of the requirement contained in Section 1181.07 to provide curbs along Cedar Cliff Drive for SLD Docket No. 2008-11, Final Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions, 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. for Cedar Cliff High School Library and Cafeteria Additions, 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.
11. A waiver of the requirement contained in Section 1177.02(a)(8) to provide fill-in paving along Cedar Cliff Drive for SLD Docket No. 2008-11, Final Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions, 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. for Cedar Cliff High School Library and Cafeteria Additions, 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.
12. A waiver of the requirement contained in Section 1173(a)(1)V.1 to show contours on the plan, to allow contours to be shown only in the area of proposed construction, for SLD Docket No. 2008-11, Final Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions.
13. A modification of the requirement contained in Section 1181.09 to provide sidewalks along Cedar Cliff Drive, to allow construction of a 4-foot wide bituminous path, for SLD Docket No. 208-11, Final Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions.
14. SLD Docket No., 2008-11, Final Land Development Plan for Cedar Cliff High School Library and Cafeteria Additions, 1301 Carlisle Road, contingent upon the following:
 - a. Approval of the Erosion and Sediment Pollution Control Plan by Cumberland County Conservation District.
 - b. Executing the Standard Stormwater Management Facilities and BMP and Monitoring Agreement.

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

APPROVE RESOLUTION 2008-R-31 A RESOLUTION ORGANIZING A DEVELOPMENT AUTHORITY UNDER THE ECONOMIC DEVELOPMENT FINANCING LAW, TO BE KNOWN AS THE LOWER ALLEN TOWNSHIP DEVELOPMENT AUTHORITY, AND APPOINTING FIVE (5) MEMBERS TO THE BOARD OF DIRECTORS OF THE DEVELOPMENT AUTHORITY, AND SPECIFYING THE TERMS OF OFFICE OF SAID DIRECTORS

Commissioner BLACK moved to approve **Resolution 2008-R-31**, a resolution organizing a Development Authority under the Economic Development Financing Law, to be known as the Lower Allen Township Development Authority, and appointing five (5) members to the Board of Directors of the Development Authority, and specifying the terms of office of said Directors. Commissioner CHRIST seconded the motion. Motion carried 5-0.

ACCEPT ORDINANCE 2008-06, AN ORDINANCE VACATING A STREET KNOWN AS PLAYGROUND DRIVE

Commissioner YOUNG moved to accept **Ordinance 2008-06**, an ordinance vacating a street known as Playground Drive.

Roll call vote:	Commissioner Young:	Aye
	Commissioner Christ:	Aye
	Vice-President Bucher:	Aye
	Commissioner Black:	Aye
	President Titzel:	Aye

Ordinance 2008-06 was accepted by a 5-0 vote.

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.

There was no response.

ADMINISTRATIVE SERVICES

Discussion: Grant Program Update

Mrs. Faust advised the Commissioners that preliminary approval has been received for the \$10,000 grant for the Pedestrian Bike Trail project.

Discussion ensued.

Discussion: Employee Recognition

Mrs. Faust advised the Commissioners that several employees will be recognized at the Commissioners January 12, 2009 Regular Meeting.

PUBLIC SAFETY

Discussion: Retirement of Arlene Lenker and Replacement Process

Mr. Williamson advised the Commissioners that long time employee Arlene Lenker is retiring. He further advised that the responsibilities of the position will be reviewed and possible changes made.

Discussion ensued.

Acceptance of Ms. Lenker's resignation letter will be an agenda item for January 12, 2009.

Discussion: Officer Coffey Completing 12-Month Probation Period

Mr. Williamson advised the Commissioners that Officer Coffey is completing his 12-month probationary period.

Request to move Officer Coffey to regular full-time status will be an agenda for January 12, 2009.

Discussion: Accreditation On-Site Results

Mr. Williamson reviewed for the Commissioners the accreditation on-site results.

Discussion ensued.

COMMUNITY DEVELOPMENT

Discussion: SLD Docket No. 2008-12, Final Subdivision Plan for Orchard Glen, Phase I

Mr. Flint reviewed SLD Docket No. 2008-12, the Final Subdivision Plan for Orchard Glen, Phase I.

Discussion ensued.

This will be an agenda item for January 12, 2009.

Discussion: Release of Improvement Security for SLD Docket #2006-17, Bethany Village West Cottages

Mr. Flint advised the Commissioners that a request was received for release of Improvement Security for SLD Docket #2006-17, Bethany Village West Cottages.

This will be an agenda item for January 12, 2009.

Discussion and Possible Action: Seneca Avenue Stormwater Pump Project

Mr. Flint advised the Commissioners that the Seneca Avenue Stormwater Pump Project was included in the 2008 Budget with a total project cost of \$15,000.00. Three price quotes for the pump unit have been obtained with the lowest price being from AB Industrial Equipment at \$7,824.00. There would be a possible 20% discount if payment is received within 30 days.

Vice-President BUCHER moved to authorize the purchase of a pump unit for the Seneca Avenue Stormwater Pump Project from AB Industrial Equipment at a price of \$7,824.00 with a possible 20% discount if payment is received within 30 days. Commissioner BLACK seconded the motion. Motion carried 5-0.

Discussion: Appointing an Alternate Sewage Enforcement Officer

Mr. Eby advised the Commissioners that the Township's Alternate Sewage Enforcement Officer has left his employer and his position will not be filled. Appointment of another alternate will be necessary.

Mr. Eby reviewed the proposal from Robert W. Whitmore, SEO 02897, who is President of The Earth Doctor, Inc.

Discussion ensued.

This will be an agenda item for January 12, 2009.

Discussion: Draft Ordinance to Regulate Outdoor Wood-Fired Boilers

Mr. Eby updated the Commissioners on the draft ordinance to regulate outdoor wood-fired boilers.

Discussion ensued.

This will be an agenda item for a future meeting.

MANAGER

Update on Gorgas Hall Acoustic Improvements

Mr. Vernau updated the Commissioners on the proposed acoustic improvements for Gorgas Hall.

Discussion ensued.

This will be a January 12, 2009 agenda item for further discussion and possible action.

Athletic Field Costs

Mr. Vernau reviewed the costs for Township athletic fields.

Extensive discussion ensued.

This will be an agenda item for a future meeting for additional discussion and possible action.

OTHER BUSINESS

Mr. Flint advised the Commissioners that waivers have been received from all affected homeowners regarding the fence issue in Beacon Hill.

RECESS TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners recessed to Executive Session at 8:47 p.m. to discuss the following:

1. PUC Emergency Petition to halt PAWC water pressure increases.
2. Planning Commission seat.

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 9:55 p.m.

PUC EMERGENCY PETITION TO HALT PAWC WATER PRESSURE INCREASES

Commissioner CHRIST moved to authorize Staff to support the December 19, 2008 PUC Emergency Petition regarding the PAWC water pressure increases only if the injunction is overturned. Commissioner BLACK seconded the motion. Motion carried 4-1, Vice-President BUCHER opposed.

ADJOURN

The Regular Meeting of the Board of Commissioners adjourned at 10:09 p.m.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.