

MINUTES

BOARD OF COMMISSIONERS

LOWER ALLEN TOWNSHIP

REGULAR MEETING

DECEMBER 8, 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
John Eby, Planning Coordinator
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.

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 BLACK requested the removal of the warrants journal for clarification of some items.

Mr. Flint requested removal of Resolution 2008-R-40 with an explanation that this item is not ready for action at this time.

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

1. **Resolution 2008-R-37** accepting dedication of a portion of Lowell Lane as a public street.
2. **Resolution 2008-R-38** accepting dedication of a portion of Sconsett Way as a public street.
3. **Resolution 2008-R-39** accepting dedication of Vineyard Haven as a public street.

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

FURTHER DISCUSSION OF ITEM A. - WARRANTS JOURNAL 12/04/08

Commissioner BLACK asked for clarification regarding what 3rd Element quarterly payment was. Mrs. Faust explained that this is their payment for all the services they do for us that is not project related. Commissioner BLACK also asked for clarification regarding door replacement listed on page 3 of the Warrants Journal. Mr. Williamson explained that this is for doors at Station 2. Commissioner BLACK asked for clarification regarding the membership payment to the DA's Association on page 12. Mr. Williamson explained that this gets us updates from the office. Commissioner BLACK asked for clarification of the contribution to WPSD. Mr. Williamson explained that this is for PSO Nace who takes a sign language class there.

Commissioner YOUNG moved to approve item (a) which was removed from the Consent Agenda for further discussion. Commissioner CHRIST 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.

PRESIDENT TITZEL

MOTION TO APPROVE OR DISAPPROVE ADJUDICATION IN REGARDS TO ZONING ORDINANCE DOCKET 2007-02, THE APPLICATION OF LIBERTY FORGE GOLF COURSE INC TO AMEND THE LOWER ALLEN TOWNSHIP ZONING ORDINANCE BY ADOPTING A CONSERVATION PARK OVERLAY DISTRICT

WHICH WOULD APPLY TO LAND ZONED R-2 SINGLE FAMILY RESIDENTIAL DISTRICT AND INCLUDE APPLICABLE DEVELOPMENT STANDARDS.

Commissioner CHRIST moved to approve the adjudication in regards to Zoning Ordinance Amendment Docket 2007-02, the application of Liberty Forge Golf Course, Inc., to amend the Lower Allen Township Zoning Ordinance by adopting a Conservation Park Overlay District which would apply to land zoned R-2 Single Family Residential District and include applicable development standards. Commissioner YOUNG seconded the motion. Motion carried: 5-0.

MOTION TO APPROVE OR DISAPPROVE ORDINANCE 2008-03, AN ORDINANCE TO AMEND THE LOWER ALLEN TOWNSHIP ZONING ORDINANCE BY ADOPTING A CONSERVATION PARK OVERLAY DISTRICT WHICH WOULD APPLY TO LANDS ZONED R-2 SINGLE FAMILY RURAL RESIDENTIAL DISTRICT AND INCLUDE APPLICABLE DEVELOPMENT STANDARDS.

Commissioner CHRIST moved to DISAPPROVE the **Ordinance 2008-03**, an Ordinance to amend the Lower Allen Township Zoning Ordinance by adopting a Conservation Park Overlay District which would apply to lands zoned R-2 Single Family Rural Residential District and include applicable development standards.

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

Motion carried 5 - 0 to disapprove.

ADMINISTRATIVE SERVICES

Discussion and Possible Action: Authorize staff to advertise Ordinance 2008-09, appropriating specific sums estimated to be required for the specific purposes of the municipal government, hereinafter set forth during the fiscal year 2009.

Commissioner YOUNG moved to approve authorizing staff to advertise Ordinance 2008-09 appropriating specific sums estimated to be required for the specific purposes of the municipal government, hereinafter set forth during the fiscal year 2009. Commissioner CHRIST seconded the motion. Motion carried 5-0.

Discussion: Ordinance 2008-08 fixing the Tax Rate for the Year 2009.

Commissioner BUCHER moved to approve Ordinance 2008-08 fixing the Tax Rate for the Year 2009. Commissioner CHRIST seconded the motion. Motion approved. 5-0.

Discussion: Setting Township Fees for 2009

Mrs. Dietel referred to the Township Fee schedule and informed the Board that items which have changed in have been highlighted in yellow. Discussion regarding the changes ensued. This will be an item included on the Consent Agenda at the December 22, 2008 meeting.

Discussion: Resolution 2008-R-41, Police Pension Contribution

Mrs. Dietel informed the Board that Resolution 2008-R-41 Police Pension Contribution will be a Consent Agenda item for the December 22, 2008 meeting.

Discussion: Resolution 2008-R-42 Treasurer's Bond

Mrs. Dietel informed the Board that Resolution-R-42 Treasurer's Bond will be a Consent Agenda item for the December 22, 2008 meeting.

Discussion: Worker's Compensation Update

Mrs. Faust gave a brief explanation regarding the worker's compensation report that was included in the packets. Discussion ensued.

Discussion: Employee Recognition

Mrs. Faust informed the Board that employee recognitions will take place at the January 12, 2009 meeting.

PUBLIC SAFETY

Discussion: CALEA On-Site December 13-17, 2008.

Mr. Williamson informed the Board that the Assessors will be arriving on December 13 for CALEA Assessment. They will be here until December 17, 2008. Discussion regarding what will be happening during that time ensued.

COMMUNITY DEVELOPMENT

Discussion: Improvement Security for SLD #2002-06, Manor at Fair Oaks, Phase 1.

Mr. Flint spoke to the Board regarding Improvement Security for SLD #2002-06, Manor at Fair Oaks, Phase 1. There are few items which have yet to be completed and the developer has been notified that if these are done that they will need to renew their security.

Discussion: Improvement Security Reduction No. 4 for SLD Docket No. 2004-10, Glenwood Terrace.

Mr. Flint gave an update regarding Improvement Security Reduction No. 4 for SLD Docket No. 2004-10, Glenwood Terrace. A request has been received for another reduction so the site will be inspected and make a recommendation.

Discussion: Dedication of a portion of Glenwood Road for SLD Docket No. 2004-10, Glenwood Terrace, as a public street.

Mr. Flint updated the Board regarding the dedication of a portion of Glenwood Road for SLD Docket No. 2004-10, Glenwood Terrace, as a public street. Discussions with the developer have taken place regarding getting this done. Action will be on the December 22, 2008 meeting.

Discussion: Contracting with a firm for Professional Traffic Engineering Services and Electrical Inspection Services.

Mr. Flint reported to the Board that there has been contact with a firm for contracting of Professional Traffic Engineering Services. Six proposals were reviewed by Mr. Flint and Mrs. Faust. They are recommending Trans Associates for the Traffic Engineering Services contract. Mr. Flint explained the reasoning for the recommendation of Tran Associates is he preferred the sample review response and the municipal review experience. The recommendation will be on the December 22, 2008 agenda for action.

Discussion: Contracting with a firm for Professional Electrical Inspection Services.

Mr. Flint reported an RFP was submitted and currently 4 proposals are being reviewed. Mr. Flint expects to have the recommendation ready for the the Board for the December 22, 2008 agenda for action.

MANAGER

Update: Township efforts to comply with the new Right-To-Know legislation effective on January 1st.

Mr. Vernau presented information regarding the Right-To-Know Law. Danna Lutes has been appointed at the Right-To-Know Officer for the Township and is in the process of preparing the forms and letters and is consulting a checklist to make sure we will be compliant come January 1, 2009. Mr. Vernau is currently working on a policy regarding the Right-To-Know for the Township.

Discussion: Request by the West Shore Tax Bureau for the Township to adopt an ordinance authorizing WSTB to assess collection fees on delinquent taxpayers.

Mr. Vernau informed the Board that he received a request from the WSTB regarding the Township adopting an ordinance authorizing the WSTB to assess collection fees on delinquent taxpayers. The WSTB need to have our approval to collect these fees on our behalf. Commissioner CHRIST verified the WSTB would like to have this adopted by the end of 2008. Commissioner CHRIST authorized staff to advertise Ordinance 2008-07 authorizing the West Shore Tax Bureau to assess collection fees on delinquent taxpayers. Commissioner BLACK seconded the motion. Motion carried 5-0.

Discussion: Resolution 2008-R-31, a Resolution organizing the Lower Allen Township Development Authority and appointing five (5) members to the Board of the Authority.

Mr. Vernau gave an update regarding the Development Authority. Mr. Stoner has responded and in the affirmative that he is interested in serving on the Development Authority and submitted his resume. Mr. Miner summarized procedures to act and advertise this Resolution. This will be an agenda item for the next meeting.

Discussion: 2009 Public Meeting Dates

Mr. Vernau went over the 2009 Public Meeting Dates for 2009. Vice President BUCHER stated that the only date in question is June 22, 2009 due to the PSATC Conference. That meeting will be moved the following Monday, June 29, 2009.

RECESS TO EXECUTIVE SESSION

The Regular Meeting of the Board of Commissioners recessed to Executive Session at 9:05 p.m. for the following legal purpose:

1. Discussion: Managers Compensation
2. Discussion: Reappointment of Lloyd W. Bucher to the Lower Allen Township Authority.

RECONVENE REGULAR MEETING

The Regular Meeting of the Board of Commissioners reconvened at 9:47 p.m.

MANAGERS COMPENSATION

Commissioner BLACK made a motion to authorize the advertisement of Ordinance 2008-10 regarding the Township Managers Compensation for 2009. Vice-President BUCHER seconded the motion. Motion carried: 5-0

ADJOURN

The Regular Meeting of the Board of Commissioners adjourned at 9:52 pm.

ATTENDANCE REGISTER

An Attendance Register is made part of this record.