

**MINUTES
UPPER ALLEN TOWNSHIP
BOARD OF COMMISSIONERS
6:30 P.M. December 6, 2023**

COMMISSIONERS

Kenneth M. Martin, President
Richard A. Castranio, Jr., Vice President
Virginia M. Anderson, Assistant Secretary
James G. Cochran, Assistant Secretary
Jeffrey M. Walter, Assistant Secretary

TOWNSHIP OFFICIALS

Scott Fraser, Township Manager
Andy Parsons, Chief of Police
Jennifer Boyer, Comm Dev Director
Barry Cupp, Sewer Dept. Manager
J. Stephen Feinour, Solicitor
Jason Reichard, Engineer (absent)
Tom Shumberger, Fire Chief

CALL TO ORDER

President Martin called the Board of Commissioners regular meeting to order at 6:31 p.m. A moment of silence was held, and the Pledge of Allegiance was recited by all. Roll call was taken by Mr. Fraser.

PRESIDENT'S ANNOUNCEMENTS

There were no announcements.

PRESIDENT'S RECOGNITION OF VISITORS

Theodore Long, of 345 University Avenue

Mr. Long shared that on September 20, 2023, he delivered a letter to the Board of Commissioners. This letter expressed his discontent with intrusive noise at his house prior to 6am that he stated was generated at the invitation of Messiah University. He delivered a letter on November 21, 2023 to Mrs. Negley inquiring about a letter of response from the Commissioners. He said he has not received such. He said he received a phone call from Seargeant Snyder on November 22, 2023. Seargeant Snyder told Mr. Long the synopsis of what the Township had communicated to the University and the synopsis of the University's response to the Township. He said he has no reason to doubt Seargeant Snyder's veracity, but in this context and with no documentation, Mr. Long said he is unable to distinguish this from hearsay. He said this style of communication is foreign to him. He said he hereby requests a letter of response to his September 20, 2023 letter.

President Martin said that the Board of Commissioners will take that under advisement and respond. He shared that the Township is working on a pending noise ordinance in the Township and that the public hearing will probably take place after the first of the year.

Mr. Ken Thornton, of 612 Wingert Drive

Mr. Thornton said he lives on Mill Road, and he cannot mow his weeds along the bank. He said he has been to the Township four times to make requests for that. President Martin asked if Mr. Thornton was requesting that the Township mow the weeds or were you trying to get protection

so he could mow them. Mr. Thornton said the Township mowed them for years and now they do not. President Martin said he will discuss this with staff and at Public Improvement.

CONSIDERATION/APPROVAL OF MINUTES OF BOARD OF COMMISSIONERS MEETINGS

President Martin asked for any comments or corrections to the Minutes of the November 1, 2023, Board of Commissioners Meeting. There were none, and Commissioner Cochran made a **MOTION** to approve the Minutes of the November 1, 2023, Board of Commissioners Meeting, **SECONDED** by Commissioner Walter. The motion carried unanimously.

CONSENT AGENDA

Sanitary Sewer Installation Financial Security Reduction for The Mills at Shepherdstown Crossing (File No. 21-04-01)

On August 18, 2023, we received a letter from Alpha Consulting Engineers, Inc. on behalf of Linlo Properties XVII, LLC requesting the reduction of the sanitary sewer installation financial security for the Mills at Shepherdstown Crossing development. Attached is a copy of the letter for your reference. The Township is currently holding Irrevocable Standby Letter of Credit No. 976073-0003 from Members 1st Federal Credit Union, dated December 29, 2021, in the amount of \$58,680.00 to guarantee installation of sanitary sewer improvements in this development. The requested reduction is to the amount of \$8,001.75 which is 15 % of construction costs.

Construction of the sanitary sewer improvements are complete with the exception of certain inspection and testing requirements and submission of as-built drawings. C.S. Davidson has inspected the sanitary sewer improvements completed through the date of this request. The reduction amount serves as retainage for the outstanding items listed above. Once these items are complete, the 18-month maintenance guarantee period may begin.

In accordance with provisions of the Municipal Planning Code (Section 509(j) and Section 509 (f)), the Board of Commissioners is in a position to authorize the reduction of the sanitary sewer installation financial security posted by the Developer with the Township to \$8,001.75. The developer shall be required to furnish an amendment to the current LOC or post new financial security in the amount of \$8,001.75.

Commissioner Walter made a **MOTION** to approve the reduction of the installation financial security for sanitary sewer improvements in connection with The Mills at Shepherdstown Crossing from \$58,680.00 to \$8,001.75 upon receipt of an amendment to the current financial security, or by posting of new financial security in a satisfactory form as stated in the developer's Sewer Extension Agreement with the Township., **SECONDED** by Commissioner Cochran. The motion carried 4-0 with Commissioner Castranio abstaining from voting as he shared that he is employed by the engineering firm.

Sanitary Sewer Installation Financial Security Reduction for Autumn Chase PRD, Phase II (File No. 22-07-01)

Currently Upper Allen Township is holding Subdivision Improvements Performance Bond No. 0831924 from Harco National Insurance Co., dated April 6, 2022, in the amount of \$356,597.78, as sanitary sewer installation financial security for sanitary sewer improvements in Phase II of the above referenced development project. We received a letter from Amanda Hobby of Hertzler Road Associates, L.P., dated August 14, 2023, requesting the reduction of the sanitary sewer installation financial security for Autumn Chase PRD, Phase II to an amount equal to the required maintenance financial security. Attached is a copy of the letter for your reference.

C. S. Davidson and Township staff have inspected and tested the completed sanitary sewer improvements and find them to be installed in accordance with the approved plans and Township specifications. In addition, the developer has provided the Township with approved record drawings for the sanitary sewer improvements installed in connection with this development stage. Therefore, the Board of Commissioners is in a position to authorize a reduction of the sanitary sewer installation financial security posted with the Township to an amount equal to \$53,490.00 which is 15% of the installation cost, to be held for a period of three and one-half (3-1/2) years as additional financial security due to the use of native backfill material in streets, in accordance with the Sewer Extension Agreement for this stage of development dated June 2, 2023.

Following expiration of the additional three and one-half (3-1/2) years financial security, Developer shall record a Deed of Dedication and Easement Agreement for the sanitary sewer improvements at the Cumberland County Office of the Recorder of Deeds. The Township shall then release the installation financial security, after the developer posts with the Township the required maintenance (guarantee) financial security necessary to ensure the integrity and function of the dedicated facilities installed in public street rights-of-way for a period of eighteen (18) months. The maintenance financial security shall be in an amount equal to \$53,490.00, or 15% of the cost of the completed sanitary sewer improvements, as stated in the Sewer Extension Agreement.

Commissioner Walter made a **MOTION** to reduce the installation financial security for sanitary sewer improvements in connection with Autumn Chase PRD, Phase II from \$356,597.78 to \$53,490.00, to be held for a period of 3-1/2 years as additional financial security due to the use of native backfill material in streets, and direct that the current security be released to the developer following receipt of financial security in the form of an amendment to the current Performance Bond, a new Performance Bond or other satisfactory form of financial security as stated in the developer's Sewer Extension Agreement, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

PUBLIC SAFETY COMMITTEE

Life Saving Award Presentation

Chief Parson presented a Life Saving Award and bar to be worn on his Class A uniform to Officer Peter O'Connor and a Citizen Accommodation to Diane Howard for actions they took to save a patient's life who was in cardiac arrest on April 20, 2023.

Chief Shumberger awarded Kristopher Kaminski, Adam Harrison, Mike Suckenic, Kevin McArdle, and Jacquie Hower certificates and pins for the Class A uniforms for their life saving efforts.

Tom Bailey, who was the patient, was in attendance and shared that these people are the reason he is here, they are heroes to him, and he thanked them.

President Martin thanked the police and volunteer fire fighters.

The Public Safety meeting that was scheduled for December 13, 2023, is moved to December 14, 2023, at 6:30 p.m.

Request to Advertise Proposed Sound Ordinance

Ms. Boyer shared that there is a proposed sound ordinance before the Board. The current ordinance, Chapter 181, we have one line in there that it is unlawful to make disturbing noises between 10:00 pm and 6:00 am. We are seeking to expand on that. We will define what noise pollution is and expand noise pollution and disturbances, and we will also go into what constitutes limits of noise disturbance and different types of noises. Whether they be from radios or amplified sound, construction, domestic animals and we will get into what are maximum permissible sound levels. The proposal will address daytime and nighttime hours. They talk about how to measure sound. There is also a list of exemptions.

President Martin said that the Board is considering advertising the proposed ordinance.

Ms. Boyer will post the proposed plan online.

Commissioner Walter made a **MOTION** to authorize the appropriate staff to advertise the proposed ordinance, amending Chapters 181 and 217. The Board of Commissioners will consider adoption of the ordinance on December 20, 2023., **SECONDED** by Commissioner Anderson. The motion carried unanimously.

Eric Fairchild, of 1224 McCormick Road

He asked what decibel level or technical criteria the Township was able to develop and who would enforce it. Ms. Boyer said the police will enforce it. The decibels for residences are 65 for the day and 55 at night. Places other than residences will be 75 during the day and 60 at night.

Ratification/Decision to Purchase 2023 Chevrolet Tahoe

The proposed 2024 Budget, line item #33.411.740, includes \$60,000 for the purchase and outfit of a 2024 Chevy Tahoe. Due to concerns related to delivery dates, the Fire Department identified and purchased a 2023 Chevy Tahoe under the COSTARS program from a dealer near Pittsburgh.

Mr. Fraser asked Deputy Chief Kunkle to provide a brief blurb on this purchase, and he provided the following:

The Fire Department went ahead and made the decision to purchase the 2023 Chevy Tahoe SSV last weekend. We wanted to jump on this opportunity now to make sure we got a vehicle. We were afraid if we ordered one, we might not see a new vehicle till 2025 or 2026. The vehicle it is replacing is a 2014 Ford Explorer utility which will in turn replace our 2007 Ford Sport Trac station vehicle. The township is looking to purchase the sport trac from us to use. The new 2023 Tahoe will be used as the Deputy Chief's vehicle and will aid us greatly with the bigger cabin space, 4-wheel drive, the Gear Clear cabinet for the turnout gear in the back, the ability to tow the ATV trailer if needed, while still having a small wheelbase to fit into driveways on fire scenes to keep the roadway clear for apparatus.

The base cost of the 2023 Tahoe was \$47,491 which is lower than the quoted price the Township received for a 2024 Tahoe at \$57,300 from Whitmoyer Buick-Chevrolet. Mr. Fraser attached the window sticker from the vehicle that was purchased and the quote the Township received to the supporting documents. Both vehicles are the special service vehicle (SSV) set up.

The total cost of the vehicle, lighting package, command box and graphics is \$67,498 (repainting will be covered with UAFD funds). UAFD is requesting ratification of its purchase and a planned reimbursement in 2024. Upon reimbursement the title to the vehicle would be transferred to the Township. Additionally, the Township would like to acquire UAFD's 2004 Ford Sport Trac for use in their parks.

Commissioner Cochran shared that if you google fire departments in Pennsylvania disbanded or closed, you will find that there are three main issues that tend to come up. One is lack of membership, which we do not have. One is lack of funding, which we do not have. One is poor management of the fiscal responsibilities of the department. He said he was going to vote no on this request, and he wanted people to understand why. He said he feels an explanation is necessary because he finds that anyone who says anything critical of our volunteer fire department is immediately branding as being "anti-fire department" or not appreciating that they are all volunteers. He said that in his case nothing could be further from the truth.

He said that nearly 20 years ago, one of his first votes was to approve the purchase of the department's first ladder truck. Within two years, he proposed the adoption of an equipment replacement schedule so that the Township, Fire Department and taxpayers all knew what and when apparatus would be replaced. This allowed the Township to budget more effectively for those large purchases. He said that more recently, in 2013, he proposed a dedicated fire tax so that our volunteer department would have a regular cash flow. Up until that time putting money away to meet the replacement schedule really depended upon what was left over each year in the budget. He said that he subsequently supported increases in that fire tax in 2014, 2015 and 2012 to support the renovations to the fire house and to provide financial support for the ongoing expenses. He said that on a personal note, he and Karen are happy to donate approximately \$20,000 to the fire department.

He said why he is voting no is because he believes the department violated practices and procedures used in purchasing vehicles that have been followed for almost two decades. As he

said, they first put together an equipment placement plan over 15 years ago. Annually we meet with the Fire Department during budgeting and discuss how they intend to spend Township money during the upcoming year and any adjustments needed to the equipment replacement plan. He noted that the department receives monies that do not come from the Township. Money from the Commonwealth and money from fund raising are examples. He said the Township does not place any restrictions on those funds only on funds from the Township fire tax. Funds from the fire tax are Township monies that must be spent on fire protection, they are not fire department funds. He said this because he has heard people claim they are fire department funds which is incorrect. The Township budgets with the fire department so that they know in advance what allocation of funds the Township is comfortable with.

Commissioner Cochran said this vehicle that the department purchased has been on the replacement schedule for over five years. It has always been scheduled to be purchased in 2024, but upon request we have been willing to order early as long as there is a good reason to support the early order. The new ladder truck is a great example of the flexibility the Township has shown.

The Township mechanic coordinates the ordering of all light vehicles. This fire department first contacted the Township mechanic about a possible early purchase of this vehicle on February 2, 2023. By April 13, 2023, a vehicle was located with the dealer we normally use for our COSTAR purchases. Then nothing. No request was made to the Township Manager or the Board of Commissioners about following through with an early purchase. On October 26, 2023, the fire department once again made an inquiry to our mechanic about an early purchase. This timing is interesting because we had just met for over an hour on October 17, 2023, to go over the budget and no mention of an early purchase of this vehicle was made. On November 14, 2024, at 6:04 am the department notified Scott Fraser that their Apparatus Committee was discussing via email buying a vehicle they had located with fire department money and having the Township reimburse them. They indicated they just wanted to see what Mr. Fraser thought of the idea. As luck would have it, we had an Administrative Committee meeting that morning and at 2:00 pm Mr. Fraser informed the fire department, by email, that the two commissioners present at that meeting would prefer the Township continue to purchase light vehicles as we have always done in the past. To that end, Mr. Fraser indicated he would request that the vehicle be ordered at this meeting tonight. At 8:58 pm the fire department responded that the Apparatus Committee met and voted to proceed with the immediate purchase, despite what the Township had requested.

Commissioner Cochran said you might think that the immediate need for this new vehicle is due to a serious mechanical problem with the current vehicle. Not the case. While it is a 2014, he said he was told it has relatively low mileage and is in good condition. We run our fleet vehicles for 100,000 miles. In fact, the fire department will be keeping this vehicle as a station vehicle and off loading their current station vehicle. The reason the department offered in defense of their purchase is that ordering “might mean” deliver in 2025 or 2026. Commissioner Cochran said he called Whitmoyer Motors today and learned that while Chevy has placed restrictions on SSV orders (heavy duty orders for fire and police departments), Ford has removed all restrictions from SSV orders, and they should have vehicles on the same schedule as before the UAW strike. Commissioner Cochran noted that Upper Allen orders Fords to make maintenance easier on their mechanic. This will be the first Chevrolet.

Commissioner Cochran said that only once in his 20 years have we had a similar event to this. The Chief of Police purchased a van without prior approval and Commissioner Cochran said he could not share the consequences because it is a personnel matter, but he can assure that it was addressed. Commissioner Cochran said he was beyond disappointed that the fire department did not think enough of their partnership with the Township to address this issue with us somewhere between February 2 and October 17, 2023. The fire department does an excellent job fighting fires, keeping residents safe and they do it all with volunteers, but being a volunteer does not place you above following policies and practices that have been in place for decades, so he said he will be voting no.

Commissioner Walter made a **MOTION** to authorize the appropriate staff to purchase a 2023 Chevy Tahoe with a planned reimbursement in 2024 for a cost not to exceed \$67,498. In exchange for this reimbursement UAFD will transfer the title to the 2023 Chevy Tahoe and the 2004 Ford Explorer Sport Trac to the Township., **SECONDED** by Commissioner Castranio. The motion carried 4-1 with Commissioner Cochran voting no.

Chief Shumberger said they are going \$7,000 over the budget, but the fire company is also giving the Sport Trac to the Township in trade for that amount. Chief Shumberger said the conversation he and the Township Manager had was that the Township was willing to give the Fire Company fair market value for the Sport Trac. Commissioner Cochran asked if there was any response to his comments. Chief Shumberger said he agrees that the Fire Company talked to the Township Mechanic and at the time they talked to him was still during the strike (UAW) and he said that Fords were not taking orders and Chevy's we could try to order, but he thought the chances of getting one were slim to none and if we ordered a 2024, they are only making them half the year because the new model 2025, they have to re-tool for that and we probably do not want to go with a first year vehicle. Commissioner Cochran said there is no restraint on Fords, they are open. Chief Shumberger said they were not at the time the Township Mechanic checked into it. Commissioner Cochran said they did not wait to see, and you did not come to the Commissioners to tell us your concerns, you just did it – it is easier beg forgiveness than ask permission. Commissioner Walter said it was his understanding in our conversations that we did save roughly \$4,000-\$5,000 by going with this year of vehicle that we would have if we would have waited for the 2024. Chief Shumberger said that was correct. Commissioner Cochran said that we would move up the purchasing of the replacement by a year too. Commissioner Walter said that because of his background, he guaranteed that he would not want the fire department to purchase a first-year model and that Ford may not be what they were looking for in this type of vehicle. Commissioner Walter said there were also some items that this (Chevy) had related to your breathing apparatus that Ford did not offer. President Martin said that the decision of the purchase and the type of vehicle and this timing he thinks is defensible and he is supportive of that. He said he is disappointed that there was miscommunication or not good open flow of communication between the department, Township staff and the Board of Commissioners, and so he says that as a heed that people from the fire department and the Chief, you hear that, and it is inappropriate and would expect that there would be no repeated incidents like this.

Chief Shumberger agreed and concurs with everything said, it is just that when we purchased the Sport Trac in 2007, the primary function was to run errands and take fire fighters to training so we wanted a small vehicle that got good gas mileage. Now, we run over 600 calls a year, we have three chiefs, we cannot be around 24/7, we have junior officers that run as duty chief and the Sport

Trac is not a good vehicle for that. With the things that went on with the Hasting's fire, with two fire fighters entrapped, if the person running command was sitting in that Sport Trac with somebody to jot notes for them, they are on the computer, the Sport Trac has no way to put two people in the front of that and be able to sit there with a laptop and run the call. Chief Shumberger said we had Motel 6, where the Chief spent almost the entire night sitting in his vehicle. Commissioner Cochran said it is not about the vehicle, it is about the process. He said the Fire Company blew the process right out of the water, took no time at all to talk with the Board of Commissioners, just went out and did it on their own because there is a portion of the department that feels that is their money to spend the way they want to, and he has heard that from people. Chief Shumberger said he would hope that Commissioner Cochran did not hear that from any of his fire fighters. Commissioner Cochran said that is a shame and the other shame is that he can sit in private meetings with people up here at this Board and hear the same complaints, but no one else is willing to say anything about it in public meetings. Chief Shumberger said he agreed, but let's remember you were also the same Commissioners that said we were ordering a truck a year early and we actually got it a year late because of the time that it took to build it. Commissioner Cochran said we went a year early with you, you asked us, and we did and that was for over \$1 million, why wouldn't you ask us for a \$60,000 truck?

President Martin rejected the assertion that no one else is willing to say anything. He said he personally gave his opinion that he thinks the process was flawed and he thinks the people in the fire department and the decision makers have heard that and he expects it will not happen again, but he also thinks that it is unjust to penalize them for a bad move and then who is going to pay for the truck, because the truck is on order. Commissioner Cochran said it is already done, you (President Martin) sat in a room with me and said no, they should not do this. President Martin said he understands that and he would have preferred at that point in time that they would have waited, that did not pan out and he is not willing to Commissioner Cochran said so like the rest of society, actions have no consequences. President Martin said he did not say that.

Commissioner Cochran said he does not think Commissioner Walter can vote on this, he has people who are in the fire company living under the same roof and he thinks that is probably a conflict of interest. Mr. Feinour said not in this instance, as there is no financial benefit to Commissioner Walters from this vote.

PLANNING AND ZONING COMMITTEE

Consideration/action of approving a time extension for Phase 4, Autumn Chase PRD UAT File # 23-05-01

The Phase IV plan was conditionally approved September 6, 2023. The phase 4 plan proposes the development of 28 single-family attached homes (townhomes), and the extension of South Autumn Chase Drive by another 656 linear feet. The Phase 4 plan must be recorded by March 5, 2024, per condition #21.

The developer is asking for additional time so that they may work through the outstanding conditions of both this phase and their Phase V final plan. Enclosed is a copy of the developer's request, which was received on November 27th. The developer is asking for an additional six

months, for a new expiration date of September 6, 2024. No changes are being proposed to the plan.

Commissioner Anderson made a **MOTION** to approve a time extension for the conditional approval of the Final Phase 4 plan for Autumn Chase PRD, UAT File #23-05-01. Condition #21 is hereby amended to require the Applicant to satisfy all conditions of approval of the plan and record the plan by September 6, 2024, or else the plan will be considered disapproved. All other conditions of approval shall remain in effect., **SECONDED** by Commissioner Walter. The motion carried unanimously.

Consideration/action of approving a time extension for Phase 5, Autumn Chase PRD UAT File # 23-01-31

The developer had asked for an extension through Phase V until the end of this year. Ms. Boyer noted that for Phase V, we extend that to the end of January if granted because we are mid-way through December. The Township just received the financial security cost estimate so that has been sent to the Engineer for review. By the time we review that and get it back to the lending institution, and we get that paperwork, that can be a couple weeks.

Commissioner Anderson made a **MOTION** to reapprove the final Phase V Plan for Autumn Chase PRD Upper Allen Township File #23.3.1 with the same waivers and conditions from April 5, 2023. Condition #20 shall be amended to state that the applicant has until January 31, 2024, to record the plan or the plan will be considered disapproved. Since there are conditions on the approval of this plan, the plan will be rejected unless the owner applicant agrees in writing within 30 days to comply with and abide by the specific conditions of approval., **SECONDED** by Commissioner Walter. The motion carried unanimously.

Authorization of a Public Hearing Date for a Zoning Map Amendment Request from Messiah University

Messiah University (“Applicant”) is requesting a zoning map change to one of their properties. They would like to rezone the 0.39-acre property at 403 Grantham Road, Tax Parcel #42-30-2112-029EX, from Medium Density Residential (R-2) to Institutional (INS). The reason for their request is to have this parcel of land rezoned to the same zoning district as the other adjoining properties owned by the University.

Commissioner Anderson made a **MOTION** to authorize the appropriate staff to advertise a public hearing to be held on February 7, 2024, at 6:00 p.m. to discuss the Zoning Map Amendment request. The Board of Commissioners shall hear testimony during the public hearing. Following the close of the public hearing, the Board can consider taking action to either approve or disapprove the proposed ordinance at its regular meeting on February 7, 2024, at 6:30 p.m., **SECONDED** by Commissioner Walter. The motion carried unanimously.

Zoning Hearing Board Application for 900-908 Gettysburg Pike

Ms. Boyer said there is a Zoning Hearing Board on December 14, 2023. They will be having the hearing in the case from November that was continued. We also have one new one which is 900-908 Gettysburg Pike. These are two properties that have existing homes on them and they are looking to subdivide the land so that each home is on a separate lot. What is happening because of the space and existing conditions, in order to get the three lots and to keep decent lot lines to go around existing structures, they can meet the minimum yard size for two of the lots, but not the third lot. They are requesting a variance. The minimum lot size is 10,000 square feet and the one lot is short at 8,819 square feet. Part of their reason is that they would have been able to meet the minimum lot size, but the corner lot at Lisburn and Gettysburg Pike, there was a significant amount of right-of-way taken years ago from PennDOT when they improved the Lisburn intersection. They lost some land that was originally part of that property. Commissioner Cochran asked if they were the owners at the time that occurred, and Ms. Boyer said that was correct. Vice President Castranio said it is usually very hard to prove a hardship and he researched back and said that across the street, at the Premium Mart, PennDOT has taken a significant amount of land from this property so there is really a hard ship. Ms. Boyer said they do show the PennDOT right-of-way on the land so you can see it is quite significant. President Martin asked if there was anything other than the minimum lot size requirement that was of concern. Ms. Boyer said it is primarily the lot size.

Planning commission meeting scheduled for December 18, 2023, at 7pm.

PUBLIC IMPROVEMENTS COMMITTEE

There were no items for discussion.

SANITARY SEWER SYSTEM

Mr. Cupp gave an update on the Grantham sludge dewatering and miscellaneous improvement project. He shared that the general contractor has done demo work and erected a new masonry wall where the lime silo used to be. They replaced pre-stressed concrete roof panels, the roofing itself is about 80% complete. They have installed one of two new utility water pumps, two of three new blowers and two of those they did the training and started those up and they are working fine. The electrical contractor is installing the new heating and lighting upgrades. Next week, the new BDB sludge screw press is scheduled for delivery. The plant staff has pumped down the aerobic digesters and have pressed as much sludge as they possibly can to open the tanks. Once they begin the demolition of the existing belt filter press, we need to get rid of it by pumping. We have Klines lined up to do liquid sludge pumping during that process which will take approximately six weeks. Commissioner Cochran asked what the cost was for accepting the liquid sludge. Mr. Cupp said \$15,000 was budgeted for it. He said that is assuming six weeks. If it goes over that, the Township will put it on the contractor because that was what the Township agreed to.

ADMINISTRATION COMMITTEE

Consideration/Approval of 2024 Humane Society Agreement

The Humane Society of Harrisburg Area has submitted their proposal for 2023 Municipal

Domestic Animal Protective Services for consideration. The Township will pay a \$250 non-refundable contracting fee and then we will be billed monthly moving forward, based on the number of intakes and types of animals. The fees will be increasing from \$122 per dog to \$158.60 and for pit bulls, it will be increasing from \$265.70 to \$345.40. If we do not do these contracts, we do not have anywhere to take dogs we cannot find and return to owners.

Commissioner Cochran made a **MOTION** to authorize appropriate township personnel to enter into an agreement with the Humane Society of Harrisburg Area for the 2024 Municipal Domestic Animal Protective Services at a cost of a \$250 contracting fee with additional cost per animal., **SECONDED** by Vice President Castranio. The motion carried unanimously.

Consideration/Approval of Resolution Setting the Dates for Meetings of the Board of Commissioners for the Calendar Year 2024

Commissioner Walter made a **MOTION** to approve Upper Allen Township Resolution No. 1089 a resolution of the Township of Upper Allen, Cumberland County, Pennsylvania, setting dates for the meetings of the Board of Commissioners for the Calendar Year 2024 on the dates as listed., **SECONDED** by Vice President Castranio. The motion carried unanimously.

PARK AND RECREATION COMMITTEE

Consideration/Approval to Purchase 2024 Ford F350

The proposed 2024 budget, line item #30.454.700, includes \$80,000 for the purchase of a 2024 Ford F350 with plow (budget \$52,000) and 2024 Ford Maverick AWD (budget \$27,500) for the Parks Maintenance Department. The Ford Maverick with the Fire Department's Sport Trac will allow the Parks Maintenance Department to replace both 2008 Ford Rangers that are suffering from rust issues which is likely to fail them in inspection in the coming years. We have received pricing from Whitmoyer Ford and Stephenson Equipment for a piggyback purchase through the State's COSTARS program. Total price for the F350 and a 9' plow would be \$58,110. The cost of the 2024 Ford Maverick is \$28,095, for total overall cost of \$86,205. The 2008 Rangers are expected to sell for between \$10,000 and \$15,000, thus bringing the net cost of the vehicles down in 2024. Ford is no longer reporting delivery dates estimates, but if past orders are repeated, it is expected that these vehicles will take between nine to twelve months. Due to this extended wait time, it makes sense to order prior to the new year when other municipal organizations will be placing orders. Payment would not be expected until delivery in 2024.

President Martin reminded the Township Manager that the Council of Government has an annual vehicle auction. They use that revenue to run COG.

Commissioner Cochran made a **MOTION** to authorize purchase of a 2024 Ford F350. 9' Western Pro Plus Plow, and 2024 Ford Maverick AWD from Whitmoyer Ford and Stephenson Equipment under the COSTARS agreement for a cost not to exceed \$86,205. **SECONDED** by Vice President Castranio. The motion carried unanimously.

Commissioner Cochran made a **MOTION** to authorize the appropriate personnel to sell the

existing 2008 Ford Rangers via legally approved divestment methods on arrival of replacement vehicles., **SECONDED** by Vice President Castranio. The motion carried unanimously.

Consideration/Approval to Purchase 2024 Ford Maverick

The proposed 2024 budget, line item #30.454.700, includes \$ 27,500 for the purchase of a 2024 Toro Groundmaster 3200 for the Parks Maintenance Department as a replacement and upgrade over the existing 2017 Ferris zero-turn mower. We have received pricing from Turf Equipment and Supply Company for a piggyback purchase through the State COSTARS program. Total price for the Toro Groundmaster 3200 would be \$30,598.78, The Ferris zero-turn mower is expected to sell via Municibid for a price between \$ 2,000 to \$3,000, bringing the net overall cost for the new mower down to between \$27,598 and \$28,598. The order time is reported to us to be between twelve and eighteen months with a realistic delivery expected towards the end of 2024/Spring of 2025.

At this time the Ferris zero-turn is suffering from maintenance issues due to commercial use and experiences frequent down time for repairs. By the expected delivery of the Toro Groundmaster 3200 the Ferris zero-turn would have run out its useful life for the Township's operation.

Vice President Castranio made a **MOTION** to authorize the purchase of a 2024 Toro Groundmaster 3200 from Turf Equipment and Supply Company under the COSTARS agreement for a cost not to exceed \$30,598.78 and to allow for the divestment of the 2017 Ferris zero-turn., **SECONDED** by Commissioner Anderson. The motion carried unanimously.

MISCELLANEOUS

Solicitor Update

Mr. Feinour shared that Rite Aid has filed Chapter 11 bankruptcy. With the filing, the Township has received correspondence from a company named Engie Insight Services who will be handling the processing of billings, primarily sewer and water bills and make sure they are handled properly and that no particular creditor is given an undue priority. There is an interim order in affect and the debtor in possession (Rite Aid) has executed a letter of authorization giving Engie Insight Services the authority to act on their behalf on resolving these issues. Commissioner Cochran noted that our local Rite Aid is closed and asked if the Township needed to do anything else and said he would not expect any ongoing sewer bills from them. Mr. Fraser said they will still have a sewer bill related to a ready-to-serve fee. Mr. Feinour said there should be information from Engie Insights as to how things will be handled. He said there are a number of affiliated companies that are covered by the bankruptcy filing. He does not know if there are any other establishments in the Township that come within that. Vice President Castranio said they have a stormwater fee and cannot disconnect from our stormwater system. Mr. Feinour said that was correct.

Mr. Feinour shared that the Lambert House is scheduled to be moved to lot 5 by Matt Taylor on Wednesday, December 13, 2023. All permits have been issued and the Township is holding Mr. Taylor's estimated cost of the move in an escrow account until the move is complete to make sure there is no lingering costs.

There will be an executive session on a matter of personnel and the other is an update on litigation.

Tax Collection Committee (TCC) Update

There were no items for discussion

Capital Region COG Update

Annual meeting in January

Municipal Advisory Board (MAB) Update

Pennsylvania State Association of Township Commissioners (PSATC) Update

The State has a new president from the Central Region near Bethlehem, he is planning on having a few meetings and setting up some programs. Commissioner Anderson will have more information. They are planning on running more of their meetings on zoom instead of having to travel across the state.

ADJOURNMENT

Commissioner Anderson made a **MOTION** to adjourn the meeting at 9:15 p.m., **SECONDED** by Commissioner Walter. The motion carried unanimously.