

**MINUTES
UPPER ALLEN TOWNSHIP
BOARD OF COMMISSIONERS REGULAR MEETING 1 – 6:30 P.M.
October 5, 2022**

COMMISSIONERS

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

TOWNSHIP OFFICIALS

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

CALL TO ORDER

President Martin called the Board of Commissioners regular meeting to order at 6:30 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

Remember citizens in Florida and the Carolinas.

CONSIDERATION/APPROVAL OF MEETING MINUTES

Commissioner Anderson made a **MOTION** to approve the minutes of the September 7, 2022 Board of Commissioners Meeting, **SECONDED** by Commissioner Walter. The motion passed unanimously.

PRESIDENT'S RECOGNITION OF VISITORS

There were no visitors signed in to speak.

CONSENT AGENDA

Vice President Castranio made a **MOTION** to approve the Consent Agenda as follows, **SECONDED** by Commissioner Anderson.

Consideration/Action to Reduce the Financial Security for Phase 1A of Oakwood Hills.
UAT File #17-09-01b
Consideration/Action to Reduce the Financial Security for Phase 1B of Oakwood Hills
UAT File #19-04-01

The motion passed unanimously.

PUBLIC SAFETY COMMITTEE

POLICE DEPARTMENT UPDATE

Chief Parsons said they have completed interviews for potential candidates. They have identified 12 who passed oral and written exams and are going further in the process.

FIRE DEPARTMENT UPDATE

Chief Shumberger said that the Fire Company will be at Paul B Hardware on Saturday from 9-2.

PLANNING AND ZONING COMMITTEE

CONSIDERATION OF A ZONING AMENDMENT TO REPEAL AND REPLACE CHAPTER 245, ARTICLE XVIII, SIGNS

McNees, Wallace and Nurick LLC had coordinated with Township staff a draft working document of a new sign ordinance (“First Draft”), which was presented to the Board in February 2022. Since then, the Commissioners had an opportunity to review the document and provide comments to Jen Boyer, Community Development Director. Based on those comments, the staff have prepared a second document (“Second Draft”) to use as comparison.

Ms. Boyer presented the difference in the two drafts. The new draft has changes in definitions and regulations, new types of signs, changes on roof signs and light poles. They tried to be more encompassing of the different types and sizes of signs that are out there.

Ms. Boyer shared that the 1st draft was prepared by a law firm on behalf of a group of businesses, so it focused more on commercial. The draft presented tonight concentrated on residential. She also presented a chart that showed what the Township currently permits and what the 2nd draft permits.

Mike Welt did a presentation using actual Township structures as examples of what would be permitted when comparing the current ordinance, the McNees proposal, and the Township proposal. The presentation included dimensions that put the different versions into perspective.

Commissioner Anderson asked if traffic flow is considered, and Mr. Welt said it was separate. President Martin asked to make sure flags were included.

A discussion occurred regarding a business building up the ground so that they could get their sign up higher.

President Martin complimented Mr. Welt on his presentation. Vice President Castranio asked Mr. Welt if he could provide variances in the last few years and do a memo if those would meet our new ordinances now.

Ms. Boyer said that this second proposal would be more in line with what is permitted in other townships. Other places have larger buildings like hospitals, malls and plazas. She will send out a comparison chart.

VARIANCE REQUEST FOR 2210 ASPEN DRIVE

Mr. Welt shared that Jo-Jo's Pizza is looking for a variance from 245-6.4.C(1) and 245-16.5.C to allow for a proposed building expansion inside the 30 foot front yard setback and 30 foot buffer yard. They are also requesting a Variance from 245-16.5.F(3) to allow an access drive at an increased horizontal angle across a buffer yard with turning and maneuvering ability for vehicles that exceeds code allowances.

President Martin asked if the residual land, other than their current location and the site that was formerly PNC bank, the residual land bordered by Kim Acres and Aspen, they own that entire corner, correct? Mr. Welt said that was correct. President Martin said that their current location extends out to Market Street, but this lot in question does not, correct? Mr. Welt replied that was correct and that they were also seeking to have a Right of Way returned to them to help with their lot constraints, they have gone to Public Improvement for it and we are waiting for additional information from their engineer, Chris Hoover.

Zoning hearing is next Thursday, October 13, 2022.

Commissioner Cochran asked what they wanted to do with the site. Mr. Welt said they want to expand the building out towards Kim Acres Drive. They want to do a deck and patio area. Part of that proposal will extend into the buffer yard and the front yard setback. They also want to create a new parking lot area and the access drive for it comes in and makes a sharp 90-degree angle down in the buffer yard area and we do not allow them to do that in code.

Commissioner Cochran asked if there was drainage that runs down along the back side of the building? Mr. Welt said that is correct. Mr. Welt said they cannot invade that drainage area at all. President Martin asked if they would have to relocate or have a substitute treatment of that stormwater, correct? Mr. Welt said that is correct. Vice President Castranio asked if the variances go away if the right of way question happens, if we abandon some of the right of way? Mr. Welt said they would still need it, but it makes things easier for them.

Ms. Boyer said that after the Public Improvement meeting, she reached out to Jo-Jo's engineer to get additional information so they could see how much right of way they are asking for. We are waiting for that information, and we will share it with Public Improvement.

Vice President Castranio let the attendees know that the Commissioners do not act on that, the Zoning Board makes the decisions while the Commissioners give comments.

PUBLIC IMPROVEMENTS COMMITTEE

CONSIDERATION OF ASHCOMBE PRD/WEST GRANTHAM STORMWATER PIPE REPLACEMENT

A 330' stretch of 36" stormwater pipe that is located in the ROW of West Grantham Road serving Ashcombe PRD has been damaged and requires replacement. The pipe appears to be crushed in certain stretches and is causing damage to West Grantham Road. Based on approved and submitted plans, the HOA of Ashcombe PRD is responsible for the pipe and its maintenance. The Township had conversations with the Ashcombe neighbors. Due to the location of the pipe (PennDOT ROW) the Township would be responsible for ensuring the repairs are made and that proper permits are acquired.

This issue has been discussed in Public Improvement/Stormwater Improvement Committee Meetings and Township Representative have met with residents to discuss the issue. Through onsite visits and conversations with staff, it was determined that the Township could do this job with available labor and equipment (using FEMA rates). Staff has worked out an estimate of \$35,029.92, of which \$26,300 was related to materials (pipe, stone, and binder). It is estimated the job would take one week and should be completed prior to mid-November based on current schedule.

Discussion in Public Improvement/Stormwater Improvement Committee Meetings indicated an interest in sharing the cost with the HOA to help reduce the cost for residents.

Melissa Straus, of 5 Cower court, is the Homeowner's Association President of Ashcombe PRD. She said they were approached about this the end of June that there was a depression in the road on Grantham found after PennDOT had been there repaving. Ms. Straus said a contractor came out to take a look and initially it was thought that maybe there had been some settling. They did a video of the line and found there were several areas of it that were crushed. It is not standard for this type of pipe to do something like this, it was believed that there was an excessive amount of weight on it. General consensus was that it was probably from the PennDOT trucks being parked there either while they were paving that or during some of the construction with the Ashcombe Mansion. It cannot absolutely be proven. Ms. Straus said she got in touch with the Township and said that looking at these by-laws, no one was actually aware in the community that it was their responsibility, they were under the impression that this is stormwater and part of the Township and part of what they are already paying. Looking at the verbiage in here, it looks like there was some discussion of that when it was being turned over from the developer to the Association, that it would become the Association's responsibility for maintenance. She said it seems to exceed general maintenance, so we were looking for some assistance because it was out of the realm of what the neighborhood would be prepared to take care of. Mr. Fraser went out with others from the Township to see what they were looking at and how we could work together.

Commissioner Cochran said the documents pre-date everyone on the Board, except maybe Commissioner Anderson. The Township's documents and the homeowner's copy of the documents do not agree, so something happened along the way as to what the Township thought was being agreed to and to what the Homeowner's Association thought was being agreed to. He said the pipe really collects street stormwater which is the Township's responsibility from a couple inlets we have on the one drive. It is at some point to collect stormwater from a large retention pond that is west of the development in Monroe Township and both documents say that once that is developed, then that developer takes over the pipe. It has not been developed and it is an odd set of circumstances. There is very little water going in there right now and whatever goes in comes in from Township streets, it

is our stormwater and that is why we felt that we should help out.

President Martin said the Board would agree that legally it might be the Homeowner's Associations responsibility, but we are contributing to stormwater, the development is contributing to it and he knows that there is a sinkhole or depression by the side of the road and we should not ignore the issue and thinks that this Board is prepared to do that. We can do it with in-house staff and that would be a cost savings. President Martin said he has heard some people discuss that maybe the homeowners pay for the materials and the Township provide the labor. Another idea would be to get the projected cost and split it down the middle. He does not know what the Board feels. He does not want it to be a burden on staff that they are keeping track of every piece of pipe, but at the end of the day, we are going to know the total cost of both labors and materials, let's share in it.

President Martin asked if it was the will of the Board that the Township wants to go into some kind of cost sharing arrangement to fix this issue. Commissioner Cochran said yes and made a suggestion that we do a 60/40 split with the owners picking up 60% and the Township pick up 40%, because the bigger piece is going to be the materials.

Ms. Straus said from when it was first found, it was a very small depression in one area, it has now spread and gotten bigger. Her concern is how quickly we can get this done. She also asked if signs could be put up to discourage the heavy weight parking. Mr. Fraser said that the plan would be to do this in mid-November and that crushing the pipe should not be a problem moving forward due to the type of pipe they would put in.

Ms. Straus asked if there could be some sort of payment plan or way to work out a payment structure. Mr. Fraser said we have mechanisms in place to do this. He said there is an issue with collateral, technically the Township would be in a position to lien the properties if that came down to it, not something we want to do in any way. He said we would have to work out an agreement and be voted on by the Board of Commissioners. President Martin asked if Township staff and the Homeowner's Association with the Township solicitor look at the ballpark cost we have, the proportion sharing and then the time of payback and then bring that back to the Board. He would like something in front of the Board at the next meeting.

Mr. Fraser said the aluminized iodized pipes have already been ordered.

CONSIDERATION OF GRANTHAM SIDEWALKS

President Martin said the Township had a public meeting last week and Jason Reichard, township engineer, prepared a very detailed study about putting sidewalks along one side of Grantham Road. This was in response to public input when a developer was going to develop the tract south of the cul-de-sac, so residents were concerned about increased traffic and inattentive drivers on Grantham Road. It was brought to us as a public safety issue and as a response we did an engineering study. President Martin said it was recommended by the engineer that we have a sidewalk installed on the south side of the street. Residents spoke to it and without question did not favor it, and would rather have it the way it was. President Martin said the Township tried to respond to what we thought was a community need and thinks the need did not turn out as great as it was originally portrayed. He said that the plan should be archived. For public information, because of a public safety perceived

issue, the Township was going to pay for the sidewalk installation, the residents who were affected would have had to give us the right of way to do that. We did not want to condemn land. President Martin said that financially, it was a good proposal.

Vice President Castranio made a **MOTION** not to proceed with the sidewalk and other improvements to Grantham Road and Mill Road at this time. **SECONDED** by Commissioner Cochran. The motion was approved unanimously.

SANITARY SEWER SYSTEM

Mr. Cupp shared that the Township received client review drawings for the Grantham Waste Water Treatment Plant sludge de-watering and miscellaneous improvements project. We are expecting a second proposal from Kappe Associates for costs associated with sludge equipment installation. In late October, we plan to advertise for bids for the miscellaneous improvements portion of that project. Construction will not occur until between March and June of 2023.

ADMINISTRATION COMMITTEE

CONSIDERATION TO AWARD TRASH CONTRACT

The current trash contract with Republic Services will expire on December 31, 2022. Residents currently pay \$264.24 per year or \$66.06 a quarter for refuse and recycled pickup. They have been our trash hauler for the past 12 years. The last contract period was for three years.

At the August 17, 2022 BOC meeting, the Board authorized staff to advertise for bids. Staff received three bids: Waste Management submitted a No Bid, Penn Waste submitted a No Bid and Republic Services provided a primary and alternative bid. The primary bid was for \$384.00 per year or \$96.00 a quarter for three years and a fuel escalator clause, with two option years that have a yearly cost of \$407.04 and \$431.40. The alternative bid provided set year costs during the length of the contract; they are as follows:

- 2023 - \$341.76 per year or \$85.44 per quarter
- 2024 - \$362.16 per year or \$90.54 per quarter
- 2025 - \$384.00 per year or \$96.00 per quarter
- Optional year 2026 - \$407.04 per year or \$101.76 per quarter
- Optional year 2027 - \$431.40 per year or \$107.85 per quarter

The increase in cost is due to the higher cost of disposing or recycled materials and escalating fuel costs.

Commissioner Cochran asked what the terms of the contract were and what services we will get and what will change. Mr. Fraser said that residents will be required to use totes provided by Republic Services, there will be the option for medium and small sized cans. Residents will still have bulk pick up items but will need to call regardless of the item type to avoid confusion. Residents can still put out bags if their toter is full. Yard waste can still go out if bagged and put out sticks/brush if bundled.

Vice President Castranio asked what the difference was in just doing a No Bid and just doing nothing. Mr. Fraser said he thinks it is so they can come sit in on the bid opening.

There will be three options of sizes for the totter cans for trash and two sizes for the recycling. You can put a bulk item out every week, you just need to call Republic Services before you do. There is no charge for this bulk pickup.

Commissioner Cochran asked why we even had an alternate bid. Mr. Fraser said the primary has a fuel escalator and the alternate does not. They cannot add fuel charges if we go with the alternate bid.

Vice President Castranio shared that the Township did all we could to keep it down. We asked the Cumberland County Waste Authority for their comments on how to trimline our contract to make sure it would come in low, and we did everything we could.

Commissioner Cochran made a **MOTION** to accept the low bid from Republic Services on the Alternative Bid three-year contract to collect solid waste and recycle materials at cost of \$341.76 in per year in 2023, \$362.16 per year in 2024 and \$384.00 per year in 2025. **SECONDED** by Commissioner Walter. The motion passed 4-1 with Commissioner Anderson voting no.

CONSIDERATION OF BIDS FOR THE PROPERTY AT 1215 MCCORMICK ROAD

President Martin said the Township went through a deliberate and slow process because we had a lot of public input and ideas. It was suggested to the Township to relocate the house, so they came up with a system with the help of the Township's solicitor. He said the house was out for bid and to his knowledge, two people responded.

Ms. Palmer said that the Township received two responses, one No Bid and one another bid contingent upon the land being included in the price that they proposed which was not part of what was advertised. There is no action to be taken at this time since the offer was contingent upon the land being sold within the price that this person proposed. You could talk about that in Executive Session. Ms. Palmer said there were no acceptable bids at this time.

Eric Fairchild, of 1224 McCormick Road, said he was one of the potential bidders on the property and he had the inspection, and it is all kind of interesting that the other party who may have been interested mentioned the land. Mr. Fairchild said he did an inspection with Joe Botchie, a registered architect, and the Chairman of the HARB and David Morrison, Executive Director of Historic Harrisburg Association. One of the first things that David Morrison said was about selling land with the house. And that it should be put out to public bid that way – a piece of real estate with the land which is apparently what the other party came to that conclusion too. We thought you would get a lot more bids putting it out, rebidding it that way. President Martin asked him if he meant the land across the street. Mr. Fairchild said he wrote Ms. Palmer a letter explaining my reasons and the economics. President Martin asked if that was different or not in concert with the other bid, so that is where he was confused by what Mr. Fairchild said. Mr. Fairchild said he did not know what the other bid was other than what you (President Martin) mentioned including land. President Martin

said there was interest in including the land across the street from the farmhouse and it was even suggested in some of the public comments and the Board took action at this time, not to include that parcel, we were selling only the house itself. President Martins said maybe Mr. Fairchild was referencing land maybe on which the house sits currently, and Mr. Fairchild said right. President Martin said he was referencing land in his statement of the lot that is owned across the street that borders the creek. Mr. Fairchild said that is most of what Friends of the Farm and some of the neighbors have suggested over the years that it include the lot across the street. Mr. Fairchild said he toured the house and you measure off what one acre of land would be, it kind of follows the existing fence lines around the house and he thought the fence itself would be a buffer for anybody and that one difference here is that whoever would want to buy the house, if it could be offered that way, they would be knowing what they are getting going into it, vs some of the neighbors now, you know regarding the Creekside lot, feel that the park came to them vs. them knowing that was going to happen. Mr. Fairchild said that in touring the house with these people and a lady up from Philadelphia who has a lot of experience in historic architecture, I mean the structure was sound. There are some unique historic features there. He said it would be quite an undertaking for somebody, but just in talking with Mr. Morrison who has a lot of experience, we think it is a valuable and saleable property. It was just the sense of walking it and inspecting it that you could get by with selling just one acre. Pretty much the fence line around the farmhouse if that would be able to be considered. It could still free up the Creekside lot for the wetland walk and all those good things, that Derck & Edson came up with, that you know like I saw an educational value in that.

Vice President Castranio asked Mr. Fairchild what his purpose was, you knew what we had put out to bid, so you were thinking about moving the house. Mr. Fairchild said yes. Vice President Castranio asked him if he decided not to do that. Mr. Fairchild said there was a lot of kind of restraints put on him as a bidder he felt. Vice President Castranio said, you decided not to bid on it, and he asked why. Mr. Fairchild said because of the economics mainly, it just was not feasible, but his intent originally was to have one inspection with historic people to see what value there was there, that way and then have a second appointment with the house mover. So, we kind of did the house movers job of figuring out whether it was double/triple wall brick. Where you could punch holes in the foundation, did that while we inspected. It is still the economics, you would spend so much money, moving it, building a foundation, having engineering fees vs all that money could go into restoring it if you could just get an acre of land with it. So, I do not know what the next move is going to be, I know Commissioner Cochran had suggested trying to finalize this by the end of there year so there has been concern all along. We feel we live in a beautiful historic neighborhood that this farmhouse is really important to many of us on McCormick Road and I think in the broader community for its history, and it is a shame to see it be demolished. In the course of this, Mr. Fairchild said he did get a quote from a well-known public contractor that bids on public projects and their estimate was \$80,000 as a cost to demolish the house. So that should be figured in on one side of the ledger. Mr. Fairchild said he also talked to realtors; we thought the house with one acre as-is/where-is could easily fetch \$200,000. Mr. Fairchild said he would help give the Township a floor of that kind of bid. He just thinks the Township would get a lot more interest if the Township would re-bid it. President Martin asked the breakdown in that curiously between the real estate and the improvement. Mr. Fairchild did not break it down, but said he could go back and ask a realtor. Mr. Fairchild was curious how the accountant allocated the price vs the assessment and they are wildly different. Mr. Fairchild said he would tend to put more on the land than what the assessor does and less on the building given the condition if that answers the question. Mr. Fairchild said he

is hoping to move forward, it is like this cloud has been over our head for a long time now as it is going through the planning. What is going to happen to this house? We would all as neighbors that love McCormick Road, would just like to see it there and put back in good hands of someone who is going to remove some of these horrible conditions and restore it back to period the way it should look and it will be a beautiful home. He said they also toured the Sherrick House after looking at the land and there are pictures on our website (Friends of the Farm). You would just be amazed at what can be done.

President Martin said an acre of land and the house currently you are suggesting is worth \$200,000, and \$80,000 to demolish it, did your general contractor say what it would range to restore it for livability? Mr. Fairchild said he did not ask because he was a contractor before and if he bid, he would do most of himself and he works really cheap. President Martin said, no, you should because he thinks in all fairness, if you are on a discussion to preserve it, you would certainly have an idea. Mr. Fairchild said he would have like \$100,000 in his mind, mostly for materials. President Martin asked, to restore that house? Mr. Fairchild said yes. President Martin said that everyone is entitled to their estimate. Mr. Fairchild asked Mr. Martin if he thought if one talked to a contractor, it would be more? President Martin said that from his experience, it is going to be more. Mr. Fairchild said that if you look up and down McCormick Road on some of the values of the Lance farmhouse and so forth, he thinks it is over \$1 million. He said you have the potential to put some money in it and really have something.

Phil Walsh, of 443 McCormick Road, wanted to take another opportunity to encourage the Township to sell the house with maybe an acre of land as well, just to preserve the historic nature of the property and the integrity of the historic nature of the area in general.

President Martin said that if the Township sells the home to a private entity, there is no guarantee it would be restored or when it would be restored.

Billie MacKay, of 931 McCormick Road, right across from the mill, shared that her house was the original Miller's house built in 1760. She said that she has an interest in preserving historic features along the road. She asked what the objection is if someone is willing to restore the house with an acre of land, what would be the objection, how would it degrade the park in anyway? Is it going to detract from the park? Are people going to say "oh, no, there is an historic house here." She said she does not know the person who would buy it, what their intentions would be. She would be hoping it could at certain points maybe be open for a viewing. If someone was interested in purchasing the house with the stipulation that they do not put up a 4-story ranch house in its place, she does not understand how it hurts the park in any way and it might be to your benefit because the Township does not have to demolish it. Mr. MacKay said that the Township could save money and thinks it would add to the park and the interest in the park by a lot of people. President Martin said this Board took this course of action we did at the suggestion of residents because it was suggested by some of the folks that participate in our meetings to offer it for relocation, so that is what we did. What our next step will be, we have to deliberate. President Martin said he has not seen her at meetings before and he just wanted her to know that this Board has attempted to be responsive to input from the residents and even followed some suggestions. Ms. MacKay said she has been at some meetings.

Elaine Weibel, of 303 Mt. Allen Drive, said she is very interested in this project. She moved across from the Village 17 years ago. She watched the construction of the new project at Messiah Village and it has significantly changed the lives of the neighbors in the area, traffic, noise, trucks, running over her front yard because the road curves. She said she is extrapolating from that to change in McCormick Road. President Martin said he thinks she raises a good point in that any time land changes ownership and as the community changes, there are going to be some differences. He thinks the Board again in their deliberation and conversations recognized that McCormick is a very narrow road. Ms. Weible said it is very special. President Martin said it is a deliberate decision we made to put the entrance to the park off E. Lisburn Road so that the traffic is there. The only thing that should happen on McCormick is maybe some service vehicles or emergency vehicles. The general user of the park will not be on McCormick Road. Ms. Weible said that is good to hear. Commissioner Cochran said the Township knew the entrance existed before we bid on the property, we would not have bid on the property if we had to go in from McCormick Road. Ms. Weible asked if the Township was saying that there will be no entrance and exit on McCormick Road. President Martin said there will be a service emergency exit there for emergency vehicles, service truck or Township truck, but the entrance to and from the park is on E. Lisburn Road. Ms. Weibel said she is very much in favor of keeping the farmhouse and restoring as Friends of the Farm wants to do. It seems to her; it is a charming place. Ms. Weibel said she did violate the regulations and walk around back there one day. She said she noticed the cameras and she thought maybe she should be out of here. She said to restore a building like that if someone is willing and able to do it, it would be the right thing to do. In place it is significant to McCormick Road and the neighbors and the general area. Commissioner Anderson said that one of the things that should be mentioned at this time is that when the Township made the motion to buy the property, we bought it with the idea of a park to keep it without development. Commissioner Anderson said that there were plans where they would have been able to put over 100 units in that property, so I just want people to remember that. The Township did step forward to keep it as passive recreation and I think a lot of that has been forgotten. Ms. MacKay said that if we are only talking about one acre... Commissioner Anderson said one acre that people will not be happy with if people come in for the park. Ms. MacKay said they would be coming in from the other way. Commissioner Anderson said there are still things that are going to be up to that property. The plans show things that are going up very close to where the house is. She recommended looking at the plans. President Martin said the plan is the Township website.

Barb Hawkins, no address given

Ms. Hawkins asked if there is there any estimation based on the plan of the various recreations that are proposed, she said she knows you cannot give an exact number, but how many people are going to be there on an average day? Are there going to be 50, 400, 1000? Ms. Hawkins said you are proposing, I believe softball and soccer, perhaps in the future. President Martin said it is nowhere in the plan, we have identified passive, traditional and active recreation. Active recreation being bicycling, paddle ball, bocce or pickle ball. It was very deliberate during the planning and the instruction with the architect that our intent was never to have competitive youth sports on this tract. Commissioner Cochran said there are two facilities in this first plan, one is an amphitheater of sorts that you could have music in the park and that hopefully would bring several hundred people. There is a large pavilion that seats 250 or 500. Ms. Hawkins asked how far the noise would travel for that amphitheater. Commissioner Cochran said he did not know. Ms. Hawkins said she can hear the fireworks and things at her house from Harrisburg. She said she cannot imagine what an

amphitheater of live music or what that might be disruptive. Commissioner Cochran said it will meet Township ordinances; it will not be louder than permitted. Ms. Hawkins said you really cannot say, and she knows she is asking an impossible question, but she said her worst nightmare of course and a lot of people along the road is that there will be hundreds and hundreds of people going on Lisburn Road into the park and being, a lot of them will be young people who tend to be noisy. She worries about that. President Martin said that some of us old people get noisy too, but that is the genius of trying to have a community that meets the need for all of our residents. This park will probably meet the needs for more of our senior residents and more mature residents. He said he does not want to discount the young people because some of us are very critical of young people when they are idle and do not have active things to do and positive things to do. They are part of our community too and he is hoping someday they will take care of him when he is old. We cannot just segment and say we want this all to be a quiet park for people 65 and over, we need facilities for young people too. They are the future of Upper Allen Township. He said he would caution Ms. Hawkins from discounting young people. Ms. Hawkins said she is not discounting young people, but she is being somewhat more realistic perhaps having been around young people her whole life. She asked what the closing hours of the park will be. President Martin said that currently our parks are open from sunup to sundown. Ms. Hawkins asked if it was 60 acres. President Martin said 65. Ms. Hawkins said that is a lot of acreage to keep track of and people young and old have been known in the last couple decades to be into drugs and alcohol, etc, so she guesses the Township is going to have a big police presence patrolling. She said to her, a park of this size does not seem an addition to the neighborhood. It seems a detraction. President Martin said that he suspects if there were 325 apartment units on that tract, it would be as noisy and disruptive, more so than perhaps a park. He said he likes to think what is being planned with this area is in keeping with saving the farm and preserving open space and having people use it for their enjoyment as opposed to their everyday cluttered living. It is all about choices and he tends to think this Board has been pretty deliberate in listening and rational in trying to move forward in making plans for the park. He said he would encourage her to pause that there could be a lot worse things in his view.

Elaine Weibel, of 303 Mt. Allen Drive, asked what is the Boards objection to selling the house. President Martin said that we tried to sell the house. We just found out this week that the house will not be sold under the conditions that it was originally offered. Ms. Waggle asked if the Board was not planning on tearing the house down. President Martin said he did not know, and the board has not addressed the next step. She said she supports saving the farmhouse.

Eric Fry, Henry and Betty Fry's son who are from 1242 McCormick Road. He is from 5015 Ravenwood Road. He grew up on McCormick Road. He wanted to applaud the Board for the park system. He has fond memories of the area. He would support if the farmhouse could be preserved.

Eric Fairchild, of 1224 McCormick Road, said he wanted to make it clear that he believes a condition on any sale with one acre would be that they have to restore at least the exterior to period. He said it should be a condition of sale so that we do not have somebody else coming in to try to demolish it. President Martin asked if they would have to reside there? Mr. Fairchild said that would be your call to President Martin. President Martin said there is no guarantee that it would be preserved anyway. Mr. Fairchild said putting it under the jurisdiction of the HARB, if there still is a HARB at that point would give it long-term protection. President Martin said that currently, it is not in the jurisdiction. Mr. Fairchild said if it was or if he were to bid on it and restore it, he would want

that protection. He thinks it amplifies the value. President Martins said it could also be a sure path to just leaving it decay in place because you could have a property in HARB and not restore it or care for it. Mr. Fairchild asked if then other ordinances about maintaining your property and the grass. Mr. Fairchild said that to Commissioner Anderson's point about people wondering in, he would envision fences on three sides of the farmhouse. The road would be open. On the park side of the fence, it would say private residence and he thinks most people would honor that. Commissioner Walter said he thinks Mr. Fairchild is wrong. His experience with people and signs is they do not read them, and they do not care. Mr. Fairchild said they would have to jump a fence. Commissioner Walter said we just had one of the people presenting tonight state that they walked into the place that is signed no trespassing. So what did the sign do there. She did not mean any harm, but she did not listen to the sign. Mr. Fairchild said that is a good point and we have the technology with cameras and laser lights or something and the police. He said actually it would call into play the lot across the street, because he would not like to see fencing there. If the Township you know, developed that for the park, per what Derck & Edson recommended. There is a question of a buffer, how you control it over there, so it is the same issue, but thinks with technology and working together, you know, we can come up with something. Just an acre of land is a pretty good amount of land to him. Commissioner Cochran said one of the issues though is that across the street, that is where the drain field is to his understanding for the old system. The old lot disposal was across the street. It is down there because where the house sits, would not perc. So, you are going to need more than an acre to have sewer. Mr. Fairchild said that was a point of information he did not have. He thought an acre would be enough. He does not know if you could have an easement if you could keep it over there via an easement. He did call Dave Stefanic at one time asking why the septic was installed across the road and he said the Township made him put it over there. He did not say it did not perc, he just said the Township made him put it over there. Commissioner Cochran said he does not think the Township would have made him put it over there if it would have perced. Mr. Fairchild said that the resident expert he has encountered on McCormick Road for septic systems is Chris Hoover, it is like he has a divining rod of where it would perc within that one acre if it would need to be moved back over.

Judy Bailey, of 450 E. Lisburn Road, said that she has seen that house all her life. She spent time there when it was a horse farm and now she walks there every day and picks up trash. The residents of McCormick Road are stellar. They put up with a lot, picking up trash, walking their dogs, riding their horses, people on the creek are a lot of traffic for them. They just cannot wait until it settles down. They put up with it and anyone that would live in that house would learn to put up with it the same way these people do too. It is part of living there because it is so worth it. It is so beautiful and historic. She works with the South Mountain Greenway Trolley and they are working with the Central Pennsylvania Land Conservancy and We Can Serve PA. They are both groups that have a lot of money and buy property and conserve it and come up with what you need to do to turn it over to them. They just bought the boy scout camp, Camp Tuckahoe in Dillsburg. Maybe a group like that would be able to take it over for you and preserve it for you in the way that it should be preserved. She is voting on preserving it. She also just talked to Bill Latham who lived in four houses along McCormick Road, and he did not even know about this so he is interested to find out what is going on. She said she is hearing things were different than when it first started. She did not know the Township was going to tear down the house, she did not know there were soccer fields planned. President Martin said there are no soccer fields planned. He said he said that earlier. She said you did say it, but that is what she has been told and one of the reasons she was there. President

Martin asked who told her that. She said it is going around. President Martin asked who, was it an organization, people at your church? He said he was curious as everything because that has been very pointedly made clear. She told him he should make it clearer because it is going around the neighborhood. Commissioner Walter said it is as clear as you can make it and that it is on all of our information and all you have to do is research the website. She said that is why she is asking it here because she heard him say that it is not, and she heard that it was and that is why we are listening. Commissioner Cochran said that when the Township purchased the property, Commissioner Martin was interviewed and much to his distress now, he said we do not know what is going to go in there, anything could go in there. We could have creek access, we could have soccer fields, we could have paths. People focused on creek access and soccer fields and forgot all the other stuff and the anything. That was the only time we talked about putting sporting fields there. President Martin said he will stand by his statement, his point was, when we first bought that, it was an open canvas to draw what we wanted, we went through an extensive process with residents and other groups and never in the master plan or since then have we talked about Creek access or soccer fields, so his bad for thinking outside the box and using it for an example, but it never should have been interpreted that is what we are going to do, because the year plus activities since then, points away from that. It was never considered because we are not interested. Ms. Bailey said it is clear now, we are hearing it and it is on the record. Commissioner Cochran said it has been on the record for quite some time.

Eric Fairchild, of 1224 McCormick Road, said that on the master plan, when Jennifer Lee presented it on July the 20th, it was held and not released until the minutes of that meeting were going to be approved. President Martin said until we accepted the plan. Mr. Fairchild said then the Township did post part of the plan on the website, 43 pages. Then he happened to notice that the entire plan was attached to the July 20th meetings. To those minutes. They were 146 pages at that time. Mr. Fairchild said when he went back in to look at the minutes the other day, the complete Derck and Edson plan is no longer attached to those minutes, like 85 pages have been taken back out. They were important to see how the process that Derck and Edson had followed, and Jennifer Lee had told us as neighbors when we had our meeting that we would have access to that. He is just wondering what happened to those.

President Martin said he does not know. Ms. Palmer said that if they were taken back out, it had to have been something on the back end of the system. We did not go in and manually take anything out. The plan should be there under the documents separately. Mr. Fairchild said it is no longer attached to the minutes and asked if the entire plan could be emailed to him because it got into the cost estimates. President Martin said that it does not need to be emailed because it is on the site. Ms. Palmer said that we never went in and removed anything. Mr. Fairchild said that on the documents on the website, it is 43 pages, there is another 85 pages of narrative and all the meeting notes, they were attached to the July 20th meeting minutes at one point and now they are no longer there. President Martin asked if the full plan was on our website. Ms. Palmer said the full plan is on the website.

Recording Secretary, Heather Negley, shared that at one point she noticed that what was originally attached to the minutes was something Jennifer Lee shared on May 25th, not the one that was presented and approved so she went back and attached the one Ms. Lee shared at the July meeting, and she thinks that may be what Mr. Fairchild is noticing. Mr. Fairchild said he noticed something and then it was gone.

Ms. Palmer said we did not go back in and manipulate anything, there is no conspiracy. President Martin said regardless, staff have said the full plan is now on the website, you have access to that and there is no more discussion. You asked that it is important to see the full plan and it is available and case closed.

The thing that is helpful is that you as a resident have requested to see the full plan and it is there and he does not want any kind of insinuation that staff are putting stuff up and taking it down. You know we have had computer problems; we had a system that was presented and then we accepted the full plan later. He said he is not going to accept any kind of innuendos toward our staff that they were manipulating stuff.

Mr. Fairchild said he will give President Martin an inuendo, if you want to term in that. He said there was never an acorn for the farmhouse or any historic features in the Derck & Edson process, even though in the focus groups the people on McCormick Road expressed very strong in the history so the public never had that opportunity. So, that was not fair. President Martin said he did not know if it was or was not, but I think you have to admit that in the numerous meetings we have had since then, with many people attending meetings, people speaking, we certainly have heard that some people are interested in the farmhouse so whether you put an acorn in the bucket or whether you told us at the microphone, that information was communicated. Would you grant me that? Mr. Fairchild said it was said, but was it seriously considered, will it be listened to? President Martin said he does not think his testimony whether it be at the microphone or in an acorn bucket is distinguishable, he does not think one is more important than the other - I think we heard you. President Martin said it is interesting that we did not hear about this acorn until tonight, eight months later.

Ms. Palmer said we have a joint meeting Park and Rec meeting tomorrow night.

PARK AND RECREATION COMMITTEE

MISCELLANEOUS

Solicitor Update

There was no report.

Tax Collection Committee (TCC) Update

There was no report.

Capital Region COG Update

There was no report.

Municipal Advisory Board (MAB) Update

There was no report.

Pennsylvania State Association of Township Commissioners (PSATC) Update

There is a meeting in Pittsburg tomorrow morning at 7 a.m. for the conference we are having.

There was an Executive Session following this meeting to discussion personnel issues.
Adjourned at 8:48.