

**MINUTES  
UPPER ALLEN TOWNSHIP  
BOARD OF COMMISSIONERS – 6:30 P.M.  
DECEMBER 21, 2022**

**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  
Kelly Palmer, Assistant Manager (absent)  
Andy Parsons, Chief of Police  
Jennifer Boyer, Staff Planner  
Barry Cupp, Sewer Dept. Manager  
J. Stephen Feinour, Solicitor  
Jason Reichard, Engineer  
Tom Shumberger, Fire Chief

**CALL TO ORDER**

President Martin called the December 21, 2022, Board of Commissioners meeting to order at 6:33 p.m. A moment of silence was observed, and The Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Fraser.

**PRESIDENT’S ANNOUNCEMENTS**

President Martin started by sharing that as we move forward in township meetings, he wants to make sure we focus on truth. He said he was bothered by several speakers who addressed this board and did not have factual information. For instance, the Board was not at groundbreaking the day before for Chick-fil-A. We did groundbreaking in August and that was for the total tract. It was alleged that this board went out and purchased a fire truck for the benefit of a developer who is putting in apartments and that was inaccurate. He said he does not accept lightly when someone attacks this volunteer board on behalf of the residents. We have a capital budget where we budget to replace fire trucks. It was in the schedule. There was also some misinformation about the historic districts, we did hire a consultant and we took action to accept that report, not to approve it. Recognizing that we hired a consultant, they did their work, it is finished, we accept it and then we will digest it and move on. We still have historic districts in this township. The Board took action to perhaps dissolve Shepherdstown and Trout Run, we took no action on Yellow Breeches or Shepherdstown other than to ask staff to revise the map. He said he would prefer we make sure that information that we present is factual. Finally, he encouraged us to have respect for one another and individuals. When a professional here was attacked personally, he said he probably should have intervened. He said we do not need to agree with one another, and we all have viewpoints, but when character attacks take place in a public meeting – he finds that distressing. He said he would do his best to make sure that does not happen again.

**CONSIDERATION/APPROVAL OF BOARD OF COMMISSIONERS  
MEETING MINUTES**

President Martin asked if there were any questions, additions or corrections to the Minutes of the November 16, 2022 Board of Commissioners meeting. There were none and Commissioner

Cochran made a **MOTION** to approve the Minutes of the November 16, 2022 Board of Commissioners meeting, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

### **CONSENT AGENDA**

Commissioner Anderson made a **MOTION** to approve the following Consent Agenda Items, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Consideration/Approval of Staff Reports

Consideration/Approval of Bills in the Amount of \$803,861.07

Commissioner Anderson made a **MOTION** to approve the release of financial security for Winding Hills PRD, Final Stage 6(B), Lots 291-309 and 312-323, UAT File # 18-02-27, **SECONDED** by Commissioner Cochran. Vice President Castranio shared that he would abstain from voting as he is employed by the developer's engineer. The motion carried unanimously.

### **PUBLIC SAFETY COMMITTEE**

#### **LIFE SAVING AWARD PRESENTATION – UPPER ALLEN PD AND UPPER ALLEN FD**

Police Chief Andy Parsons recognized the following police officers for doing some extraordinary work early in the year: Sergeant Snyder, Officer Caleb Puleo and Officer Christopher Desiderio.

Fire Chief Tom Shumberger recognized Fire Fighters Gaige Zettlemoyer, Jim Salter, TJ Walter, Mike Leininger, Lexy Brady, Jacqueline Hower and two members not present, Brandon Spaulding and Vinnie Donaghey.

Chief Parsons and Chief Shumberger shared that on January 31, 2022 at 7:30 p.m., Upper Allen Police Officers and Upper Allen Fire Fighters responded to a call of cardiac arrest at a residence in the Township. They administered CPR, AED and life saving measures. The patient regained a viable heart rhythm prior to leaving the scene. The individual made a full recovery.

Chief Parsons presented a Citation Bar and life saving award certificates to his officers. Chief Shumberger gave his officers a certificate and they will be given pins.

President Martin said that these volunteers are on call 24 hours a day and are here to serve us.

### **PUBLIC SAFETY**

Chief Parson shared that Good Conduct Awards were given to Detective Sergeant Mellot, Sergeant Snyder, Officer Sauble, Officer Keister and Officer Woodruff.

Five Years of Service Awards were given to Officer Snyder and Officer Sauble, Ten Years of Service Awards were given to Officer Woodruff, 15 Years of Service Awards given to Lieutenant Barnes, Detective Sergeant Mellott and Officer Albert, 20 Years of Service Awards were given to Sergeant Dombroski, Officer Powers and a 25 Years of Service Award was given to Detective Sergeant Tappan.

Officer Albert received a Life Saving Award for controlling the bleed of a person who sustained a significant wound.

Chief Parsons also recognized the officers who responded to and investigated the homicide investigation we had on October 26, 2020. The first two officers on the scene were Officer Albert and Office DeFilippo, Investigator were Lieutenant Barnes, Detective Sergeant Mellott, Detective Tappan and Sergeant Cuckovic processed the scene.

## **FIRE DEPARTMENT**

Chief Shumberger shared that there were 44 calls last month with an average of seven people per call. December is averaging three calls a day. The Fire Department had their annual elections. On the Operations side of the house, everything remained pretty much the same. On the Administrative side, Ron Dean has retired, and his son Ken Dean has now taken over as President. He thanked the Lower Allen VFW. They had five AED's that were out of date and the VFW helped us financially with them. The goal for the ladder truck is to get it in service before 2024. The buyer for the current truck will deal with us on our timeline.

Vice President Castranio asked if all the police vehicles have AEDs. Chief Parsons said that the police department has four, so each car out on patrol has one. Commissioner Anderson said they were donated by the Upper Allen Women's Club. President Martin asked if there was a need to let us know as they are certainly known to be affective.

## **EMS REPORT**

President Martin said that you will note the call volume and response times that are improving and they are seeing a little bit of an uptick of available employees and people being trained who want to serve. Commissioner Walter said that is mostly on the paramedic side.

## **PLANNING AND ZONING**

### **DISCUSSION OF THE TOWNSHIP HISTORIC DISTRICTS**

President Martin said that the Board hired a consultant to look at the Historic Districts and how they were formulated and the rationale. We are looking at the report that was accepted, not approved, with input from HARB (Historic Architectural Review Board), Township Staff and our citizens. It is a continuing process.

Ms. Boyer shared that the Township wanted to find out why the districts were created. They were formed in 1975 and that is when the ordinance was created. Mapping at that time was done by hand. We sought clarification to understand why districts were created and where the boundaries are. She has found more information in the records since the last meeting. At one point the Trout run was not even considered, she thinks it is because the map only mapped out three of the four districts. Even though the ordinance identified four and all were all certified. She has to assume a lot about these districts. We want to know why they were created and not just assume. If looking at them from today's standards, would they meet the requirements.

On November 16, 2022, the Board of Commissioners recommended the following changes to the township's four municipal historic districts:

- a. Rosegarden District. Dissolve.
- b. Trout Run District. Dissolve.
- c. Shepherdstown District. District remains, but new boundary is to follow that of the recommendation from Navarro & Wright, plus the removal of 311 Gettysburg Pike.
- d. Yellow Breeches District. Action was tabled until additional information could be provided. See below.

### **Yellow Breeches (McCormick Road) Historic District.**

#### **1. Reassessment Report**

The conclusion from Navarro & Wright is that the district lacks a context and significance for the area. Therefore, it was assumed that when the district was created nearly 50 years ago, the agricultural feeling and setting was a defining characteristic of the district. The district included several buildings from the eighteenth and nineteenth centuries; therefore, the period of significance is assumed to end in 1900. Buildings constructed after 1900 were considered modern intrusions since they lack a feeling and association to the older 18<sup>th</sup> and 19<sup>th</sup> century structures. The millennial mansions do not contribute to the district, only occupying the agricultural fields that were once part of the feeling/setting of the area. The majority of the twentieth century dwellings are not nor have never been associated with agriculture nor milling. They also lack a cohesive feeling of a period and style, leading to a disruption in the historic feeling that was here 50 years ago. The district should be dissolved, because based on the assumed reasons for creating the district, the district lacks a context and significance for the area.

#### **2. HARB Recommendation**

Several HARB members mentioned that this is the most walkable and most enjoyable district in the Township. The district is comprised of large lots and picturesque views. Some HARB members disagreed with the assumption that the district had an agricultural past, and that alone was not rationale for solution. No knowledge as to why the district was created was given.

Several residents spoke about this district. Their comments were:

- a. One person noted the *Early Architecture in Upper Allen Township* Book contained incorrect information about their property, and that it was built before the time described. They also stated a former president had visited the home, among others, and a civil war veteran once lived on the property. They also stated an addition was built onto their home many years ago, and without HARB's approval since it was believed that only McCormick Road was in the district.
- b. Some residents had incorporated historic features into their home even if not within the district. It was not noted what features were incorporated into the homes nor if those features were representative of any other architectural style or period of the district.
- c. One person believed the homes in Allen Glen were set back to support the district. Township staff have found no indication that this is accurate.
- d. One person asked if criteria could be created to apply uniformly to all properties within the district. He mentioned wanting fairness, as properties along the same street had different types of materials (window material was specifically mentioned), making it more difficult to improve their property.

HARB recommended not to dissolve the district and that the boundary should remain as is (Vote 6-0).

### **Board of Commissioners' meeting November 16, 2022.**

Several issues were brought up during the discussion of the McCormick Road (Yellow Breeches) District. First, it was unclear as to which properties are within the district and why. Ordinance 221, adopted on October 22, 1975 (otherwise known as Chapter 155), states the significance of the district is as follows:

McCormick Road Historic District – (Yellow Breeches) approximately 10 properties located on either side of McCormick Road along Yellow Breeches Creek.

*“...The McCormick Road district includes various residential structures but also includes Nauman’s Bridge, a stone arch structure built early in the 19th century and Glen Allen Mill, c. 1835....”*

On September 15, 1976, the Pennsylvania Historical and Museum Commission (PHMC) issued a memo recognizing the McCormick Road Historic District as a certified historic district. It stated, “The survey forms associated with Upper Allen Township are not correlated to the map because of insufficient documentation. Further information on the Upper Allen Historic Districts can be found in Early Architecture in Upper Allen Township published by the Upper Allen Heritage Committee in 1976.” It also noted a better map was needed.

On July 2, 2001, former Assistant Zoning/Codes Enforcement Officer Max Amaechi wrote a letter to PHMC, providing them a copy of Section 155-4 of the Ordinance and the Township’s Official Historic District Map from 1975. There is no record of PHMC’s referenced letter of June 19, 2001, and PHMC was unable to provide a copy.

Chapter 155, Section 3.D. further identifies the Yellow Breeches (McCormick) District as: *“Consisting of an area along both sides of McCormick Road from the Nauman Bridge to McCormick’s Mill, an area along the east side of Arcona Road from the intersection with McCormick Road to a point approximately 500 feet north thereof, and an area along the west side of Arcona Road from the intersection with McCormick Road to a point approximately 800 feet north thereof.”* Map 2 identifies the boundary of the district, as reflecting of the hand-drawn boundary on the 1975 Historic Districts Map.

Chapter 155, Section 4 outlines how the boundaries shall be interpreted where uncertainty and/or discrepancies exist as to the boundaries of the districts as shown on the map:

- A.** Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.
- B.** Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines.
- C.** Boundaries indicated as parallel to or extensions of features indicated in the above shall be so construed. Distances not specifically indicated on this map shall be determined by the scale of the map.

**D.** Where physical or cultural features existing on the ground are at variance with those shown on the map or in other circumstances not covered by the above, the governing body shall interpret the boundaries of the districts.

Upon reading the description and Section 155-4, specifically subsection B., township staff have been interpreting the district boundary to encompass the entire lot lines of the properties within the district. We have consistently interpreted the district boundaries this way for at least the past 15 years. (Map 3 is shows the boundary as interpreted by staff.) However, in the late 1990's, former HARB member Ed LaFond interpreted the boundary differently. He and staff relayed the district only applied to within 250 feet of the centerline of McCormick Road. There is no record as to how or why this determination was made.

Second, it was asked if the homes in the Allen Glen development required review by HARB. The Allen Glen subdivision plan, which was conditionally approved on October 19, 2000, indicated that several properties within the development were within a historic district. HARB did not review the subdivision plan prior to its approval since it was only a subdivision of land. Additionally, a note was placed on the final subdivision plan stating that when homes were constructed on Lots 10-12 (2800-2840 Allen Glen Drive), they would require HARB approval if any portion of the structure was within the historic district. Map 4 is a snapshot of the subdivision plan, which identifies the historic district boundary line as being approximately 250 feet McCormick Road. The homes on these lots were constructed outside of the 250 foot boundary line; therefore, HARB did not review the construction details for these homes. While one person noted at the HARB meeting that the homes in Allen Glen development was set back to support the district, staff have found no formal indication that this is accurate.

Third, some residents indicated some of the information on their property was incorrect. The Commissioners asked if the consultant would be willing to attend a future meeting to discuss. It is normal to encounter discrepancies in tax data information. We also now know that there are multiple inaccuracies in the *Early Architecture in Upper Allen Township* book, even though the book is relied upon as a valid source of information. Research for the book was completed by volunteers who went door-to-door to speak with the residents of the homes. It is possible that inaccurate information was unintentionally given. The book's introduction even notes the detailing and cataloging of the structures was accomplished through "the enlightened owners attuned to the architectural and historical value of their properties".

The crux of the issue is what makes our historic districts? Since there is a lack of clarity from the original designation, determinations were made based on the consultant's own observations and research. Ultimately, the Township can decide if the district is important and why. HARB can be tasked with creating specifications that would or would not make the Yellow Breeches a district.

#### *Determination of the District*

If the Board of Commissioners desires to keep the Yellow Breeches District, the boundary must be better defined so that there are no more inconsistencies in its interpretation. The lack of clarity has given way to different interpretations over time. For example, there is no record as to how or why some HARB and staff members interpreted the district as only encompassing the first 250 feet from

McCormick Road. The property at 2900 Arcona Road was interpreted as being outside the district, yet the resident sat on the HARB board for many years.

The Yellow Breeches District was not the only district to have issues. From 2002 – 2005, HARB and staff only recognized three districts. Trout Run was excluded because it was not shown on the 1975 Historic District Map, even though it was a certified district noted in Chapter 155. This is even more reason why our district boundaries need to be clearly identified.

If the Board of Commissioners desires to keep the Yellow Breeches District, the boundary must be better defined so that there are no more inconsistencies in its interpretation. I have reached out to PHMC, who has confirmed that the district boundaries, as shown on Map 3, would not require recertification. Recertification is only required when the boundary is expanded, or any new districts were to be created. PHMC did ask us to clarify whether the McCormick Bridge should be included in the district when we create the new map. It was unclear as to whether this bridge was part of the district.

PHMC also noted that interpretations of districts are different now than they were fifty years ago. In the 1970's, people didn't perceive 1920 homes and mid-century homes as historic. A district may have a predominant theme or context, but it can also represent other periods of time and change. New buildings can be contributing to a district, and there are some in the district that do contribute with the character, materials, and form of the district overall. Age is not a singular factor, rather a complication of various resources that are deemed important. The Board should ask itself what makes this area unique and is it worth preserving.

### *Conclusion*

Historic resources can be buildings, structures, landscapes, sites, objects, artifacts, open spaces, etc. that have been deemed historically significant in the community. The township can decide what is important to them.

The Board of Commissioners must decide if it wants to keep the Yellow Breeches Historic District. If so, then the district's boundaries must be better-defined.

The Shepherdstown District map has been amended to reflect the new boundary. Ms. Boyer projected it for the audience to see.

She reviewed the newly defined boundaries with the Pennsylvania Historical and Museum Commission (PHMC). They have confirmed that re-certification is not required for the Shepherdstown District, because the newly defined boundaries fall within the previously certified district. Once the final Historic District Map and Ordinance changes are in effect, PHMC will receive a final copy.

They took out four properties on the south side and at the recommendation of the consultant a property on Scenic drive and one on York street.

Commissioner Cochran asked her to share history on HARB. Ms. Boyer said her records say it started in the 2000s, but we have had this district since 1975. She found that it is sketchy in years on who served and when, maybe because it was not written down. There were a lot of meetings where

HARB did not even meet. If an application came before them, the staff mailed info to members of HARB and maybe they called in and gave their recommendations and if they did not feel there was a need to meet, they did not meet. It looks like HARB made decisions and staff issued the permits. Sometimes it looks like only one person on HARB was contacted and that might have been the chair and he made the decision. He wrote a letter that stated his opinion and that was the decision. Only recently did we get into doing things the way there were supposed to be done. She can only go off the information she has. Discussions happened verbally as opposed to formal meeting setting with minutes. Trout Run was not always interpreted as a district, same with Yellow Breeches. Mr. Walsh mentioned that one of our staff members told him he was not part of district, Ms. Boyer found out it was a HARB member that said Mr. Walsh was not on the district. When Allen Glen came through, there was a different interpretation that the district only encompassed the first 200 feet from the center line of McCormick, but if you read the ordinance, it does not say that. That is what was written in the HARB records. How they came to that determination and why remains unanswered. There is a district line on the map. Anyone who built outside of that did not have to go through the HARB review. Someone mentioned about the properties on Allen Glen being set back to support the Historic District. While that may be true, she said she from the boundary line and the subdivision plant, it looks like they built closer to the road in Allen Glen as opposed to McCormick and if they stayed above that property line, they did not have to go through HARB review. It kind of tells a little story of why they were set back to stay out of the Historic District. That would be at the discretion of the property owner how far into the lot, because they are pretty deep, if they wanted to be closer to the road or if they wanted to be further away, it would ultimately be the decision of the property owner.

Ms. Boyer had maps for Yellow Breeches. The most recent map from the 1990's boundary that follows, they tried to outline what was drawn in the 1975 map, that is what she shared as map 2. In that map, you see where the line cuts through the boundaries. However, in the ordinance it says that the boundary that goes approximately, "if following through property lines shall be construed as following such lot lines" so if we take that interpretation and make the boundary encompass the lots as they are today, map 3 is what that district boundary would look like. That is how the Township today for the last 15 years or more has interpreted it. If it is something that the Board of Commissioners decide they want to keep this district, one of the clarification points we want to look at is how to interpret that boundary. Ms. Boyer suggests following the map lines as they are now for future mapping purposes. She asked the consultant from Navarro & Wright to be here tonight in case there was some clarification issues that needed to be addressed.

President Martin said so what he heard is that there has been a lot of attention given to historic districts and meetings, but there is not a good crisp trail of documentation and knowing what we have done. So maybe this discussion we are going through is appropriate, so it is well documented, and well described in a future or amended ordinance and properly put on a map so there is not as much ambiguity. Ms. Boyer said this is that first step, we need to define our districts and boundaries first, we want a better map and a set of criteria. Because if you are in an historic district and you want to do something to the exterior to the home, there will be standard criteria that you will have to abide by to make sure it keeps in harmony and the intent of the property itself and when it was constructed and the district as a whole. We need to define the boundaries and be clear on them and have that information and then from there and why they were created so that we can create an appropriate set of criteria. One thing to keep in mind is that each district is looked at separately. The criteria we create could be different for Yellow Breeches compared to Shepherdstown. Homeowners when they go to do projects, they will know what they can and cannot do.



President Martin asked if municipalities in Pennsylvania are required to have historic districts or is that at the discretion of the municipality. Ms. Boyer said it is at the discretion of municipalities.

President Martin opened the floor for community speakers. He asked if you want to ditto something a previous speaker said, say that and then give new information. He asked that comments be limited to five minutes.

Joe Botchie, of 4001 Ashburn Way, Mechanicsburg, Chairman of the HARB

Mr. Botchie said that HARB recommended retention of Yellow Breeches. He said HARB respectfully disagrees with the Navarro & Wright opinion that it be disbanded due to its historic integrity has been diminished due to modern intrusions. He shared that the definition of historic integrity according to the National Register of Historic Places Bulletin 16A is “the authenticity of a properties historic identity evidenced by the survival of physical characteristics that exhibited during the properties pre-historic or historic period. Historic integrity is the composition of seven qualities.

Mr. Botchie supplied a hard copy of his talking points and the information he was sharing with the Recording Secretary and is included at the end of the minutes.

Mr. Botchie said he believes all four districts possess the criteria he shared, especially Yellow Breeches Historic District as it currently exists. He urged the Township to retain the Historic District, but define boundaries better as indicated.

President Martin asked if Mr. Botchie was referencing as a point of information the document that the consultant used as reference for the study or was he objecting to that as a source of information. Mr. Botchie said he was objecting to the use of the words “modern intrusion” and the definition of historical integrity.

Phil Walsh, of 443 McCormick road

Mr. Walsh shared that he reached out to neighbors and those who work with historic preservation and tried to compile some thoughts together with regards to their position on the status of the Yellow Breeches Historic District. He gave a copy of his remarks to the Recording Secretary, and they are attached to the end of the minutes. He shared that more than 1,100 citizens signed a petition opposing the dissolution of the Yellow Breeches Historic District, and that number grows daily.

President asked if the Board could have a copy of the signatures. Mr. Walsh said yes and continued to read from his written remarks.

At the end of his remarks, he asked that the Board vote to retain the Yellow Breeches Historic District. Alternatively, if he asked that if the Board does not vote to retain the Yellow Breeches Historic District, we ask the Board to pause its decision regarding a possible dissolution of the Yellow Breeches Historic District until an adequate assessment of the Yellow Breeches Historic District is performed using the proper state standards and adequate research and documentation, in consultation with the Pennsylvania Historical and Museum Commission. Mr. Walsh gave a copy of the petition and signatures to President Martin.

Commissioner Cochran asked if there was a mechanism that permits only Township residents from signing it. Mr. Walsh asked why the Township would not allow people outside the area. He said that most people have a direct connection. Commissioner Walter said it is a local issue and it carries

more weight being a state resident at minimum. Mr. Walsh said that all landowners in the Yellow Breeches Historic District are on the list and that only one did not sign as he is an associate of the Township Solicitor. Vice President Castranio said that the act that Mr. Walsh keeps referring to, it does not curb growth or channel growth like you thought it would. The actual historic district itself does not control density or growth. It is only tasked to look at the exterior of the building. Vice President Castranio said that he wanted to make sure that Mr. Walsh knew he was not curbing development. President Martin said he thought he heard Mr. Walsh say that the district was set up to be a tool for managing development. Mr. Walsh apologized and said that it was a poor choice of words. He said in his mind, if a subsequent owner of the Mill of the Montgomery property, 928 McCormick Road decided that the parking there is terrible, he can decide that the mill needs a new roof in a couple years, I am just going to tear it down and get more parking. Mr. Walsh said he believes that having the historic district designation allows for some opportunity for HARB to intervene with regards to what happens to that Mill. Vice President Castranio said that is correct.

Commissioner Cochran said it was also a concern he had because he has been online and following some of the comments and even the sheet you gave us for the petition, it says “the establishment of the Historic District nearly 50 years ago ensured that this area so rich in history and exemplified by its architectural surrounded and enhanced by natural scenic beauty would be protected from development, not keeping with historic...” Commissioner Cochran said there are people online saying that the Township wants to do away with the district because we want to develop the area, we do not want to develop the area. Mr. Walsh said he could correct that online. Commissioner Cochran said there is no land in there that could be developed, they are all single lots. Mr. Walsh said harping on the word development here is a bit of a red herring. He said what we are trying to do is preserve the historic district. Commissioner Cochran said, okay, but you have used the word development and that is what picked up online.

Bob Johnston, of 2651 Glen Court, representing Allen Glen homeowners. President of HOA Mr. Johnston asked if the historical district for the benefit of the township residents only since you are challenging the petition? Mr. Cochran said no, but he questions what percentage of the population are we talking about? If you are talking about the Township, it is 1000 out of 23,000. If we are bringing in California, now we are talking about the United States. Mr. Johnston asked if the 21 owners in the Historic District carry more weight? Commissioner Walter said absolutely.

Mr. Johnston said when he bought his property, he did not know there was an historic district. He asked Ms. Boyer why two homes were permitted to be built, but not told when they went for their building permit. Ms. Boyer does not know what the property owners were told. She said the difference in the interpretation is that HARB had interpreted the line to be 200 feet from the center line of McCormick. How or why, they came up with that determination, she said there is no record of it. She said when they Allen Glen subdivision plan came through, it was noted and came through it was noted and recorded as such so when the property owner bought a lot, if it was built above property line, it did not have to go through HARB for review.

Mr. Johnston said he is familiar with the subdivision document, and he does not think the historic district is referenced. He asked if on the proposed lines, is there some type of rule, that the historic district has to follow the property lines based on map #3. Ms. Boyer said that is based on what the ordinance is going off of. She said the Township mapped #3 based on the language on the ordinance to show what we believe the district boundaries should look like. She said that the map from 1975, someone transposed what they believed to be the image that was drawn on 1975 map to make it look

this way and that is map #2. She said that if you read through the ordinance and follow the lot lines as they are, it should look this way. It is a matter of the map was from 1975, it does not reference parcels or properties it is hand drawn and hatch marked. They relied on the ordinance language to define how the boundary was interpreted.

President Martin said that staff took a written ordinance and tried to pictorially put it on there. However, that does not mean that is what we are proposing or that is what it should be or has to be.

Mr. Johnston said his concern is that you change the map and Becker's house does not fit the guidelines. He said he understands from reading online that the whole reason for engaging Navarro & Wright was over the development where the Chick-fil-A is going. Commissioner Cochran said that was the catalyst, but once staff started looking at what are the historic districts, prior to 1990, there were bits and pieces here and there with nothing coherent or cohesive in what was done with historic districts or even HARB.

Mr. Johnston said he was skeptical that within the past 18 months, two Allen Glen residents received letters from the Township inquiring about purchasing property from them with the intent of creating additional parking for McCormick Park. Commissioner Cochran said that they both said no, the Township moved on and there has been no further action with them and no further conversation. The plans we have to improve parking at McCormick Park are different now and we do not need any extra land. We were trying to correct a traffic safety problem and we have found another way we can correct that and that is the way we are proceeding now, and it will not take anyone's land. Mr. Johnston asked if the new plan includes increased parking. Commissioner Cochran said yes.

President Martin said we are discussing plans with our Township Engineer. Commissioner Cochran said it is parallel parking and we would make it one-way. He said it is a safety issue. We decided maybe the best way is one-way to Allen Glen Drive and put parking along the bank side of the road and leave the traffic closer to the property owners. Mr. Johnston asked if there was any intention of taking any property of any of the existing homeowners. Commissioner Cochran said none whatsoever. President Martin said he cannot speak for future Boards, but this Board has no intention.

Mr. Johnston said he moved out there because of the environment. He is not in favor of any increasing the capacity at McCormick Park or the traffic down McCormick Road and any traffic led through our subdivision. Commissioner Cochran said that is to be understood, but in your subdivision are public highways. Commissioner Cochran said they used to be yours, you did not want them, you did not want to take care of them, they were not built to standard originally, you had to improve them to have the Township take them over and now the Township has taken them over and they are public streets. Commissioner Cochran said we have this with you and with other neighborhoods where there is a park nearby and there are people from the park, parking on our street, no there are people from the park, parking on a public street. Their taxes pay for that street, just like your taxes do. There are people whose taxes pay for the park that do not live on McCormick Road and they have every right to have a safe place to park when they come there to use the park. Mr. Johnston said he understood that, but clarified that Allen Glen asked for the roads to be assumed. They were to be built to Township standards and the inspector from the Township verified and the residents of Allen Glen had to spend 10's of thousands of dollars to bring it up to standard because whoever inspected them from the Township. Commissioner Cochran said he did not believe that is correct, your developer cut corners when he put those streets in, and they did not

meet the Township standards. Commissioner Walter said that they (Allen Glen) added 10's of thousands of dollars afterwards. Mr. Johnston said absolutely, but someone from the Township had signed off that the roads met Township standards. Commissioner Walter said that was after you spent the extra money. Mr. Johnston said that was not correct, but that is fine. Vice President Castranio said that when the subdivision got approved, they asked for a waiver not to build the roads to standard. Commissioner Cochran said they did not cheat; they just did not build to standards because they were going to be private roads and you can build a private road anyway you want to. Mr. Johnston said he apologized, but that was his understanding when he entered the subdivision so if his information is incorrect, he will apologize.

Craig Lahar, of 2751 Allen Glen Drive

Mr. Lahar asked if this Township Board is considering eliminating the Yellow Breeches Historic District. President Martin said it has not been determined.

Mr. Lahar asked Vice President Castranio if it is possible to put a parking lot based upon development and zoning and coding, is it possible to put a parking lot directly on the land that is listed as a historic district area? Vice President Castranio said that an historic district has nothing to do with parking that he is aware of. He said you would have to read the law. Ms. Boyer said when you are dealing with historic districts and you are dealing with uses, those are two different things. When you are saying can a parking lot be built, as a stand alone parking lot, that is a use. That use is in the zoning ordinance, just like in the R1 district, if you go into the zoning ordinance, you will see a list of permitted uses. That is what can be built and used in the R1 district. A stand-alone parking lot, no. That is completely separate as to whether or not any property is in an historic district or on an historic list. Those are two very separate things. You hear a lot of this in the 70s when they started talking about historic preservation and we did it to stop encroachment of development coming near our land. It was not the historic district that stopped encroachment, it was zoning and subdivision. Historic districts were separate because you can build in an historic district. She said it is important for everyone to understand that they are two different things.

Mr. Lahar said that what he understands is that a parking lot could be put on a piece of historic zoned area based upon the zoning. He also hears that the Board is considering eliminating the Yellow Breeches as an historic district. President Martin said correct, just like the township is considering all four. Mr. Lahar said that Commissioner Cochran said that at the present time, they are not planning on taking any land from any landowners to put in a parking lot. Commissioner Cochran said that is correct and on the screen now, is the street side parking that we are looking at to see if we can make it fit and make it safer.

Mr. Reichard said the proposal is restricting the existing 2-way traffic flow down to a single lane, the roadway varies between 16 and 18 ft in width. We are proposing to make that a single 12-foot lane and establishing a 9ft wide parking lane. The plan does not necessarily increase the capacity for parking, what it does is eliminates the existing stone and gravel areas and converts those into a lawn area so we can expand the green space between the creek and the paved improvements. Adding a little more buffer for recreation. The plan really designates about 38 spaces in its current form. There has been discussion of potentially reducing that number or even expanding that mainly to provide a safer means to park vehicles along that area in somewhat of a controlled manner. We talked about adding a split rail fence that would run parallel with that parking to help further prevent vehicles from entering into that green space.

Josh Willets, of 1164 McCormick Road

Mr. Willets lives there, but not in historic district. He said that just because we have not needed the protection of an historic district, it does not mean that we will not need the protection of an historic district in the future. He shared that he is in favor of keeping the historic district, redrawing the lines on map #3 makes sense.

Eric Fairchild, of 1224 McCormick Road

Mr. Fairchild shared a definition of an historic district, “a historic district is an area that possesses a sufficient concentration, linkage or continuity of buildings, structures, sites, objects or open spaces united historically by plan or physical development. A district may comprise both distinctive features and features that lack individual distinction. A district may contain buildings, structures, sites, objects or open spaces that do not necessarily contribute to the significance of the district. A district may include areas that act as a visual buffer to protect the character and significance of the historic district.” He believes the Yellow Breeches Historic District fits this definition to a T, as plain as the nose on your face. He said he does not know why there should be any question about why it exists. President Martin asked what the source of the definition was. Mr. Fairchild said it was from National Register Bulletin that Navarro & Wright also used.

Mr. Fairchild said without the HARB standards of review, there would be disharmony, use of inferior incompatible materials and reduced property values. He said one bad neighbor could ruin it for many. He said no one other than real estate developers have asked for the boundaries to be re-assessed or for certain properties to be removed from an historic district. He cited the 2013 Comprehensive plan, pages 28-31. He said that residents have been presented with a consultant study they did not ask for which contains numerous errors, omissions, and faulty assumptions. The report views all structures built after 1900 as modern intrusions and said this is disingenuous. He said Commissioners accepted the consultants report without notifying residents that it was even being considered or by seeking the input of the Pennsylvania Historic Museum Commission which must to his understanding must approve any changes to the districts or the ordinance.

Ms. Boyer said that Pennsylvania Historic Museum Commission (PHMC) only has to certify the district if you are expanding it or creating something new. Since these are already certified, PHMC would not get involved and the Township did reach out the PHMC a few years ago about these districts to gather some information so saying they have not been consulted is misleading. She said that if we keep the district the same as it is now, PHMC would not need to certify that.

Commissioner Cochran asked for clarity, you said we have removed properties from the Historic District for developers, when did that happen. Mr. Fairchild said he did not say that, he said it was only real estate developers that asked for, for Shepherdstown is what he was referring to. Commissioner Cochran said that property was not in the historic district via the map and that is what the developer had used. Ms. Boyer said that was correct. Commissioner Cochran said we did not remove anything from any historic district.

Mr. Fairchild said he was reviewing the Historic District Ordinance 155, there are a lot of tools you already have at your disposal to interpret boundaries, survey of additional buildings under the powers of HARB. One of the biggest things he has notices is that HARB is empowered, or the Township is to have a public relations program. He thinks that has been one of the shortcomings that not many people have understood what the HARB does or how it could be helpful. He said there is also language about individual historic sites and structures which he thinks others have

wanted to get to at some point. There is also language in 155.13 about signage and it seems we can go a long way at having signs at the entrance to every historic district. President Martin asked for a copy of what he was reading from. President Martin said Mr. Fairchild made several assertions about faulty assumptions and/or sources from our consultant and he said he thinks it is only fair that we have an opportunity to look at those so we can fact check the work of our consultant. Mr. Fairchild gave the copy to the Recording Secretary.

Robert Mumma, of 719 McCormick Road

Mr. Mumma said he was a developer and he said he did paving in Allen Glen that you were talking about. He said it met all the specs that we had agreed to with the Township both in materials and thicknesses. Commissioner Cochran said yes, for a private road, not for a public street. Mr. Mumma said exactly. Commissioner Cochran said they were to be private roads initially, and he corrected himself. Mr. Mumma said he did not. Commissioner Cochran said that after Vice President Castranio mentioned it, he said, you did not meet public street requirements, but you met private road requirements. Mr. Mumma said we did not cut any corners. Commissioner Cochran said you met private road requirements which do not meet public road requirement. Commissioner Cochran asked if he knew when he built the roads that they could not be public roads. President Martin said Mr. Mumma was right, you did not cut corners for private roads. Commissioner Cochran said Mr. Mumma took a less expensive method of building a road. Mr. Mumma said it was not about money, it was about the materials used were a different grade of asphalt which was used on public roads too. Commissioner Cochran said not in the fashion, the design of the roads did not meet the Township's current spec for a public road, is that correct? Mr. Mumma said it met the specs that the Township agreed to. Commissioner Cochran said for a private road. Mr. Mumma said the Township sent an engineer out every day watching what happened. Commissioner Cochran said he met the specs for a private road. Mr. Mumma said the Township engineer approved everything. Commissioner Cochran said when the residents wanted to make it a public road, and have the Township take over the maintenance of it, they did not meet the requirements. Mr. Mumma said that was their decision and thinks they made a mistake, and this is proving they made a mistake because the Township is getting ready to turn that into a madhouse out there.

President Martin asked where. Mr. Mumma said McCormick Drive. He said the idea that the Township is not widening it and you are not expanding the area for parking is wrong. He said the Township is making a mistake by telling these people you are not doing that. Mr. Mumma said he sat there and watched them do that this past summer. He said they added parking areas to McCormick Road on the side of the road to the creek. Mr. Reichard said we did stream bank stabilization, we laid back some of the vertical slopes to a 3 to 1 to improve the grading from that roadway surface down to the creek. It was part of a pollution reduction plan project that the Township took on, and there was no additional parking. Mr. Mumma said they filled in areas of the creek. Commissioner Cochran said we stabilized banks. Mr. Mumma said as he understands it, the boundary line of York County and Cumberland County is the high-water mark of that creek. Commissioner Cochran said he believes York County has the majority of the stream. Mr. Mumma said they filled in York County property to do this extra work so they could get more parking places. Commissioner Cochran said it was not a parking space project, it was to stabilize the bank. The bank was collapsing. Mr. Mumma said he watched the whole thing and that is why he is raising the issue that the Township is not trying to increase the parking along there – that is exactly what you are trying to do. Commissioner Cochran said right now, people park randomly, what we are trying to do is organize the parking along there and make it safer and increase the green space between the edge of the stream and where a car parks. Mr. Mumma would like the Township to look at the

agreement that we had with this Township when we gave them the rights to grade the park there. He said it was to allow fisherman to park their cars there and go in the creek and fish it anytime they wanted to. They cannot fish it most of the time in the summer because of what the Township has done with the park. He wanted to make sure that you all understand as far as he is concerned and having watched this, it is the Township that is causing the problem by making it more parking. You have to make it less. That is what the people that live along that road are entitled to. People in Allen Glen are entitled to that because that is what they had when they bought there. Mr. Mumma said McCormick Road itself is historic itself. It is the first paved road in the state of Pennsylvania.

Frank Grumbine, of 400 N. Street, Harrisburg

Representing the Pennsylvania Historical Museum Commissioner, a state agency

Mr. Fraser asked if he would be speaking on behalf of the state. Mr. Grumbine said yes. Mr. Fraser asked if this is official comment by the Commonwealth. President Martin asked if Mr. Grumbine was here at the instruction of a State Agency to address Upper Allen Township. Mr. Grumbine said he is here to provide whatever assistance the Township needs. He said he is here to provide technical assistance and not here to make any additional comments.

Ms. Boyer said that map #3 was discussed with the consultant from Navarro & Wright. President Martin said this map or the intent of it has been seen by HARB and in these meetings. President Martin said we will have to review the map and make sure the map and the ordinance match.

Commissioner Walter made a **MOTION** to keep the Yellow Breeches Historic District the boundary of this district will be interpreted as Map #3, **SECONDED** by Commissioner Cochran.

Judy Bailey, of 450 E. Lisburn Road

She said by approving the motion as interpreted as Map #3, you are excluding the Lambert House and the other houses up further on the creek. President Martin said that we can always come back. Ms. Bailey asked if there was a time they could be included. President Martin said he is not going to put a date to it, but there is HARB, Planning and other places to discuss it.

Bob Johnston, of 2651 Glen Court

Mr. Johnston said two of his neighbors will be impacted by this. One of the lots is currently vacant. He said the difference from what Ms. Boyer said, if they were not within that 200 feet from the center point of McCormick Road, they would not be subject to HARB, but now what we are doing is saying that Tom Becker's vacant lot there, that his son is going to build on, the entire lot is now subject to HARB and he did not purchase that property with the understanding that it would be subject to the Historic District. President Martin said he cannot answer that question, but that is going to be subject to the way the ordinance is written. Mr. Johnston is asking that consideration be made for existing property owners who purchased it without that understanding. President Martin said with you being HOA President, he understands his position, but if that is a concern to the Homeowners, they should voice it to the staff or this Board. Mr. Johnston said he does not know that it was going to go this far tonight. Vice President Castranio said we would still have public hearings after this. Commissioner Anderson said that when the ordinance is written, you would have time to come in and speak on that. Commissioner Cochran said when we clarify lot lines, we need a public hearing? Ms. Boyer said we are going to have to advertise the ordinance to make the amendment, so there will be other public meetings where we will come back to this Board and to HARB to discuss not only the map, but also the ordinance. Commissioner Cochran said, just so we are clear, it will not specifically be a hearing, it will be the advertising of the ordinance. If you are

looking for a hearing, you are not going to see it, you are going to see the advertising of the ordinance. Ms. Boyer said for the record, everyone that was listed in the districts, she sent letters out to them when the Township started this process and told them that they could attend the meetings and follow along on our website under development projects. There is a section for Historic District Assessment. It is continuously updated.

The motion carried unanimously.

President Martin said we heard you and we kept it.

Bruce Swartz, of 1025 Apache Trail

Mr. Swartz asked why the areas are grey on the map. His pond is gray. Ms. Boyer said the properties that are grey, are actually blue, but on the screen it shows up as grey. Those properties are the ones that were listed in the Early Architecture book. Everything that is white is not. The ponds look grey, but they are actually supposed to be blue.

### **PUBLIC IMPROVEMENTS COMMITTEE**

#### **CONSIDERATION/ADOPTION OF AN ORDINANCE AMENDING THE ILLEGAL DISCHARGE ORDINANCE, ORDINANCE # 721**

During the Stormwater Authority Meeting on December 21<sup>st</sup>, 2022, Discussions regarding amendments to the Illegal Discharge Ordinance – Ordinance # 721 were held. These discussions, and the documents provided to the Authority at that time, detailed minor changes to the Illegal Discharge Ordinance that would make it consistent with our Stormwater Management Ordinance – Chapter 214 that we are in the process of updating.

Additionally, the Stormwater Authority recommended approval of this ordinance and for the Board of Commissioners to consider adoption.

Vice President Castranio made a **MOTION** to authorize the appropriate staff to advertise the ordinance to amend the Illegal Discharge Ordinance, and to schedule a public hearing to be held on Feb 1, 2023, beginning at 6:15 p.m. to discuss the proposed amendments. The Board shall hear testimony during the public hearing. Following the close of the public hearing, the Board may consider taking action to either approve or disapprove the proposed ordinance during the regularly scheduled meeting of the Board of Commissioners, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

#### **CONSIDERATION/ADOPTION OF AN ORDINANCE AMENDING CHAPTER 214, STORMWATER MANAGEMENT ORDINANCE**

During the Stormwater Authority Meeting on December 21<sup>st</sup>, 2022, Discussions regarding amendments to the Stormwater Management Ordinance – Chapter 214 were held. These discussions, and the documents provided to the Authority at that time, detailed the changes being made to Chapter 214 and that it will be repealed and replaced by the new ordinance provided.



Additionally, the Stormwater Authority recommended approval of this ordinance and for the Board of Commissioners to consider adoption.

Vice President Castranio made a **MOTION** authorize the appropriate staff to advertise the ordinance to amend Chapter 214, Stormwater Management Ordinance, and to schedule a public hearing to be held on February 1, 2023, beginning at 6:15 p.m. to discuss the proposed amendments. The Board shall hear testimony during the public hearing. Following the close of the public hearing, the Board may consider taking action to either approve or disapprove the proposed ordinance during the regularly scheduled meeting of the Board of Commissioners, **SECONDED** by Commissioner Castranio. The motion carried unanimously.

### **SANITARY SEWER SYSTEM**

#### **AUTHORIZATION TO BID THE GRANTHAM WASTEWATER TREATMENT PLANT MISCELLANEOUS IMPROVEMENT PROJECTS**

The final plans and specifications for the Grantham WWTP Dewatering System Upgrade Contract, which entails improvements and modifications to the Operations Building to accommodate a new sludge dewatering press and related equipment, as well as other miscellaneous improvements to the Operations Building, have been completed by GHD. Throughout the course of the design process, there has been extensive involvement with staff and coordination with GHD, Kappe Associates (CoStars equipment vendor), BDP (screw press manufacturer), and PSI (general contractor). GHD and staff have discussed the status of this project in detail at the monthly Sewer Advisory Board meetings.

The total estimated construction cost for the miscellaneous improvements (bid portion) of this project is \$575,000; the total estimated cost for miscellaneous improvements, including engineering design, permitting, anticipated bid phase and construction phase engineering services is \$687,250. This project was budgeted for in 2022 and is again budgeted for in 2023 utilizing funds from the Sewer Revenue Reserve.

The tentative schedule for this project is as follows:

- Bid Advertisement - December 2022
- Bid Receipt Deadline/Bid Opening – February 1, 2023
- Award Contract – February 15, 2023 BOC Meeting
- Issue Notice to Proceed – April 2023
- Misc. Improvements Construction (Mobilization through Completion)
- Kappe/BDP Equipment Replacement/Installation & Start-Up – August-October 2023

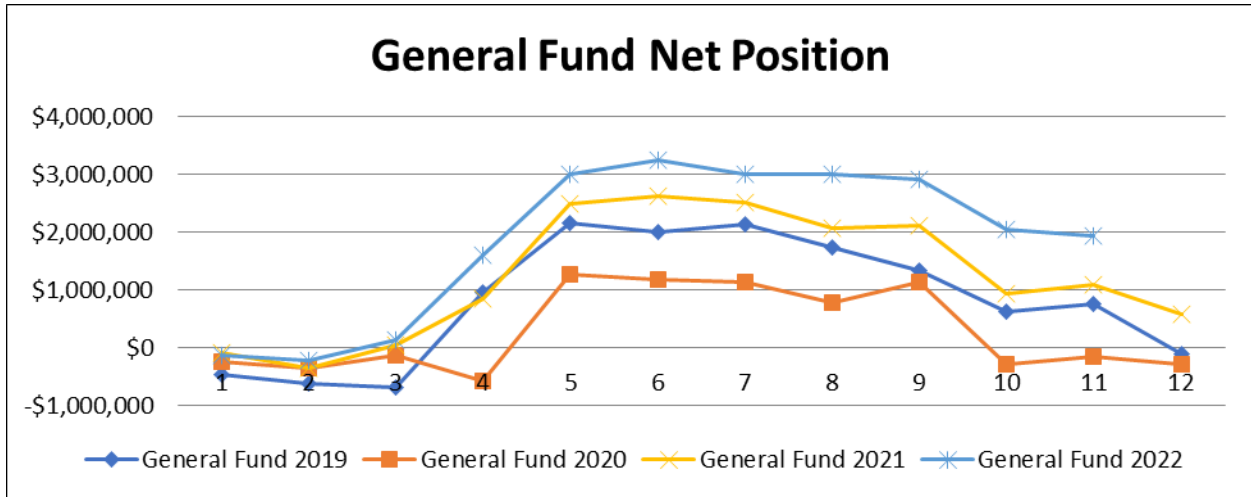
Upon authorization, the project will be advertised electronically on-line using PennBid.

Commissioner Cochran made a **MOTION** to authorize the appropriate Township officials to advertise for bids the Grantham WWTP Dewatering System Upgrade Contract, **SECONDED** by Commissioner Walter. The motion carried unanimously.

### **ADMINISTRATION COMMITTEE**

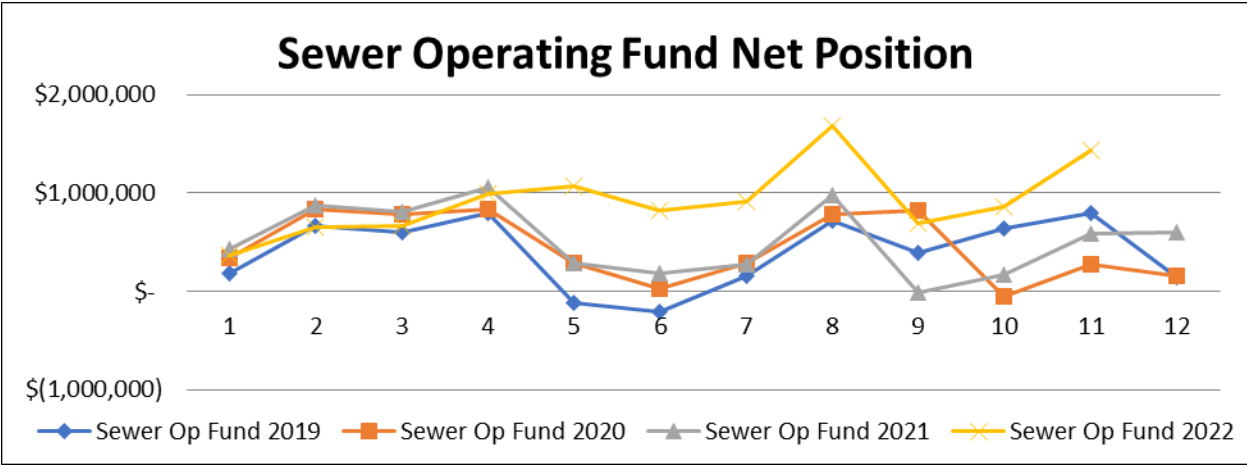
## BUDGET UPDATE

The information presented in this report is based on historical numbers generated in 2019, 2020, 2021 and year to date 2022. In this report, Ms. Palmer focused on the two main operating funds (General and Sewer Operating).



At the end of November, General Fund Expenditures (all expenditures plus transfers) of \$659K exceed General Fund Revenues of \$546K by \$113K. 2022 is still exceeding net position for 3 out of the last 3 years. Revenues in November were mostly made up of Local Enabling taxes (Real Estate Transfer Taxes, Earned Income Taxes, and Local Service Taxes) cable TV franchise fee payment, and the PennDOT snow removal contract payment. Building permits are still on the rise. Most expenses are personnel and insurance related. All the 2022 Debt Service payments have been made and the General Fund will make all scheduled transfers in December.

Overall revenue and expenditure positions in November 2022 are \$10,609,780 (an increase of 7% compared to 2021) and \$8,667,464 (a decrease of 1% compared to 2021) respectively. Most of the difference is attributed to revenue in our local enabling tax categories (particularly Real Estate Transfer Tax), building permits are up 56% YTD as compared to 2021 YTD. Earned Income is also being collected at the highest level it's ever been countywide. Additionally, Expenditures remain pretty much level when compared to previous years.



The Sewer Operating Fund net position increased in November, with the total position continuing its net surplus in the amount of \$1.43M. The increase in position was expected and consistent with previous years’ trends. Most of the revenues collected were sewer rentals.

Most of the November expenditures were personnel and system operations related.

At the end of November 2022, township expenditures are being managed within budgetary constraints. None of Upper Allen Township’s Funds are currently at risk of operating in a deficit; all funds’ revenues (Revenue plus Fund Balance) exceed expenditures.

**CONSIDERATION/APPROVAL TO PURCHASE KUBOTA RTV-X11000**

The proposed 2023 Budget, line item #38-454-700 includes \$35,000 for the purchase of a cabbed utility vehicle. The cabbed utility vehicle will be used for plowing operations in the Township’s parks, park sidewalks and detention/retention ponds.

During the course of the Township’s public Budget meetings, The Board and Staff discussed the purchase of a Toro UTX. Since that time Toro has imposed their 2023 price increases, taking the price over \$38,000. Staff has done alternative price and product comparisons with John Deere and Kubota. Staff is recommending the purchase of the 2023 Kubota Cabbed Utility Vehicle as the machine is comparable in working capacity.

Commissioner Cochran made a **MOTION** to authorize the purchase of the 2023 Kubota Cabbed Utility Vehicle Purchase – Kubota RTV-X1100 at a cost not to exceed \$33,862.58, **SECONDED** by Commissioner Walter. The motion carried unanimously.

Commissioner Cochran made a **MOTION** to authorize the sale of the existing 2014 Polaris Cabbed Utility Vehicle in 2023 via legally approved divestiture methods, **SECONDED** by Commissioner Walter. The motion carried unanimously.

**APPROVAL OF C.S. DAVIDSON RATES**

C.S. Davidson, Inc. is requesting to be retained as your Engineer of record. We are committed to providing you with the highest level of service at a reasonable rate. In order to continue providing a high level of service to the Township, we must adjust our service fees to cover increasing operating

costs and to remain competitive in the market to retain and attract talented employees.

We have conducted a rate analysis for professional engineering services based on staff members who contributed effort toward projects completed during the 2022 calendar year. Based on our analysis, we are projecting a ten percent (10%) rate increase for the 2023 calendar year.

Mr. Reichard said the goal is to meet the mid-point range in wages.

Vice President Castranio made a **MOTION** to accept C.S. Davidson's 2023 Rates, **SECONDED** by Commissioner Walter. Commissioner Cochran voted no. The motion carried 4-1.

### **APPROVAL OF GHD SEWER ENGINEERING RATES**

The average increase with the staff is 7.8%. There is no increase to the annual services retainer. We provide and bill for services in multiple ways, which include retainer related tasks, as needed engineering services, and specific project related services.

Commissioner Cochran made a **MOTION** to accept GHD Sewer Engineering rates for 2023, **SECONDED** by Vice President Rick Castranio. The motion passed unanimously.

### **CONSIDERATION/APPROVAL OF ORDINANCE ADOPTING THE BUDGET FOR THE 2023 CALENDAR YEAR, AUTHORIZING EXPENDITURES AND LEVYING TAXES**

Mr. Fraser said the major components are that the real estate taxes are remaining the same at 2.65 mills. The Township is lowering its sewer rate \$50 annually. Overall, the total budget for the Township is \$25,616,058. That is split over 13 funds that fund all aspects of municipal operation including, but not limited to public safety, capital infrastructure, sewer operations and park maintenance and general administration.

Commissioner Cochran made a **MOTION** to approve Ordinance 819, an ordinance of Upper Allen Township, Cumberland County, Pennsylvania, adopting the budget for the 2023 calendar year, authorizing expenditures and levying taxes, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

### **CONSIDERATION/APPROVAL OF ORDINANCE APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSES OF THE MUNICIPAL GOVERNMENT HEREINAFTER SET FORTH DURING THE CALENDAR YEAR 2023**

Commissioner Cochran stated that he is deeply concerned about the spending in the Police Department.

Commissioner Cochran made a **MOTION** to approve Ordinance 820, an ordinance appropriating specific sums estimated to be required for the specific purposes of the municipal government hereinafter set forth during the calendar year 2023, **SECONDED** by Commissioner Walter. Commissioner Cochran voted against the motion. The motion carried 4-1.

**CONSIDERATION/APPROVAL OF RESOLUTION SETTING THE DATES FOR  
MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE  
CALENDAR YEAR 2023**

Commissioner Cochran made a **MOTION** to approve Resolution 1076 setting the dates for meetings of the Board of Commissioners for the calendar year 2023, **SECONDED** by Commissioner Walter. The motion carried unanimously.

**APPOINTMENT OF NEW TERM EXPIRATION DATE FOR STORMWATER  
AUTHORITY MEMBER GINNIE ANDERSON**

Commissioner Cochran made a **MOTION** to reappoint Commissioner Anderson to the 5-year term on the Stormwater Authority, **SECONDED** by Vice President Castranio. Commissioner Anderson abstained. The motion carried unanimously.

**CONSIDERATION/APPROVAL OF RESOLUTION ESTABLISHING A REVISED  
GENERAL TOWNSHIP SCHEDULE OF FEES**

Commissioner Cochran made a **MOTION** to approve Resolution 1077 establishing a revised general Township schedule of fees, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

**VOLUNTEER BOARD APPOINTMENTS**

President Martin said there are two expiring terms on Planning. Barry Natwick was going to step down but did not want to leave a vacancy on the board. He is willing to be reappointed and then he would resign when we found another nominee. Garth Wales is willing to fill the other vacancy.

Paul Rigney is up for Zoning Hearing Board.

Sewer Advisory Board has a vacancy and Kathy Ferrari is interested.

In Park and Rec, the three members whose terms are up are willing to serve again.

There are two expiring terms on HARB. President Martin said he found out recently that Joe Botchie, who is on the Board as an architect, does not reside in the Township. Ms. Boyer said as an architect or real estate broker, you do not have to be a resident, unless a Township designates that they should. Commissioner Anderson recommended seeing if we could get an architect from the Township first. Joseph Cooper is willing to serve again, but he has not attended any meetings.

Mr. Feinour said it is within the Commissioners discretion to appoint a Township resident. Vice President Castranio read the 1961 act and it said HARBS were different, and they have to meet the specific requirements in that act. Mr. Feinour said that is true. Commissioner Cochran asked if we could leave it open, look for someone and if no one steps forward, appoint Mr. Botchie in January or something. Mr. Feinour said yes. President Martin asked staff to contact Architects who live in the Township.

Commissioner Anderson made a **MOTION** to appoint Barry Natwick and Garth Wales to Planning

Commission, Paul Rigney to Zoning Board, Kathy Ferrari to Sewer Advisory Board, Jason Saposnek, Nick Christie and Christina Dryden to Park and Recreation, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

**CONSIDERATION/APPROVAL OF RESOLUTION ESTABLISHING A POLICY TO IMPLEMENT AND APPLY GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT 54**

Commissioner Cochran made a **MOTION** to approve Resolution #1078, a resolution of the Board of Commissioner of Upper Allen Township, Cumberland County, Pennsylvania, establishing a policy to implement and apply governmental accounting standards boards (GASB) Statement 54, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

**CONSIDERATION/APPROVAL OF 2023 HUMANE SOCIETY AGREEMENT**

Commissioner Cochran made a **MOTION** to approve the appropriate Township personel to enter into an agreement with the Humane Society of Harrisburg Area for the 2023 Municipal Domestic Animal Protection Services at a cost of \$250 to be paid no later than January 31, 2023, **SECONDED** by Commissioner Walter. The motion carried unanimously.

**SECURITY IMPROVEMENT TO MAIN MEETING ROOM**

Mr. Fraser said that this was to install bullet proof sheeting along the main Board of Commissioners Desk.

Commissioner Cochran made a **MOTION** to authorize appropriate Township personnel to contract with Centurion Construction Group for a cost not to exceed \$20,770, **SECONDED** by Commissioner Walter. Vice President Castranio voted no.

Eric Fairchild, of 1224 McCormick Road

Mr. Fairchild said the Police Chief and the Fire Chief are in the room. President Martin said the Fire Chief is not armed. Mr. Fairchild asked if the Commissioners have a panic button and how reinforcements are recruited. Mr. Fraser said they have panic buttons.

The motion passed 4-1.

**AUDIO/VISUAL IMPROVEMENTS TO MAIN MEETING ROOM**

Mr. Fraser shared the request to install new commercial grade audio/visual projectors in the main meeting room and the back room.

Commissioner Cochran made a **MOTION** to authorize appropriate Township personnel to contract with Sage Technology Solutions under the COSTARTS program for a cost not to exceed \$54,672 for audio/visual improvements to the main meeting rooms at the Township Building, **SECONDED** by Commissioner Anderson.

Bob Johnston, of 2651 Glen Court

Mr. Johnston asked if we investigated other programs for pricing. President Martin explained that COSTAR does the bidding for us.

Josh Willets, of 1164 McCormick Road

Mr. Willets shared that this is his industry, it seems high, but he knows Sage Technology and he knows they are doing a lot more than just two projectors if they are disconnecting those and running them separately and switching. It is in line, plus the COSTAR program controls the cost.

The motion carried unanimously.

### **PARK AND RECREATION COMMITTEE**

Next week's meeting is cancelled.

### **MISCELLANEOUS**

#### **SOLICITOR UPDATE**

There was no report.

#### **TAX COLLECTION COMMITTEE (TCC) UPDATE**

There was no report.

#### **CAPITAL REGION COG UPDATE**

There is no meeting this month. January is annual dinner meeting.

#### **MUNICIPAL ADVISORY BOARD (MAB) UPDATE**

There was no report.

#### **PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS (PSATC) UPDATE**

There is an Executive Board meeting the first weekend in February in Pittsburg, Commissioner Anderson is planning on attending if it does not snow.

#### **PUBLIC COMMENT**

Karen Overly-Smith, of 855 Oak Oval

Ms. Overly-Smith shared that we have a nice quality of life here and they liked Santa visiting. The Santa and Mrs. Claus that were to be part of the Messiah Lifeways drive through event got COVID and Jim Salter filled in. The event was much better organized this year, it was not as crowded.

There was an Executive Session to discuss personnel at 9:14.