

**MINUTES
UPPER ALLEN TOWNSHIP
BOARD OF COMMISSIONERS MEETING – 6:30 P.M.
April 19, 2023**

COMMISSIONERS

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

TOWNSHIP OFFICIALS

Scott Fraser, Township Manager
Kelly Palmer, Assistant Manager
Andy Parsons, Chief of Police
Jennifer Boyer, Staff Planner
Barry Cupp, Sewer Dept. Manager
Josh Bonn, Solicitor
Jason Reichard, Engineer
Tom Shumberger, Fire Chief

CALL TO ORDER

President Martin called the Board of Commissioners 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

President Martin said the Commissioners have received invites to the Elementary Program Community Open House on May 7, 2023. The school district is having open houses at all the elementary schools.

CONSIDERATION/APPROVAL OF MEETING MINUTES

President Martin asked for any comments or corrections to the Minutes of the March 15, 2023, Board of Commissioners meeting. There were none and Commissioner Cochran made a **MOTION** to approve the Minutes of the March 15, 2023, Board of Commissioners meeting, **SECONDED** by Commissioner Walter. The motion carried unanimously.

PRESIDENT’S RECOGNITION OF VISITORS

There were no visitors registered to speak.

Kellen Kenneth Martin, 902 Hertzler Road, Mechanicsburg, PA 17055
Tenderfoot Scout of Troop 190 in Grantham

Mr. Martin shared that he is here studying a commissioner’s meeting for Citizenship in The Community Merit Badge. He is the grandson of President Martin.

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 \$1,0541,946.72
Financial Security Reduction for 2520 Mill Road, UAT File #21-04-29
Financial Security Reduction for Meadowview, Phase VI-B, UAT File #12-1-31

Mr. Fraser shared that a new HR Director, Jacqueline Swanson, will start on May 8, 2023.

Mr. Reichard said that the box culvert has been installed at Mill Road over Trout Run Bridge. Most of the site restoration has been completed. They have placed the first course of pavement and about to place the wearing course. We are waiting on a subcontractor to install the guide rail and do the line painting. We anticipate all the work to be completed by the end of this month.

President Martin shared that the police report stated that in the targeted enforcements there were 13 citations and 44 warnings. In terms of overall safety stops, there were 72 citations and 151 warnings. There are a lot of warnings given that do not turn into citations.

PUBLIC SAFETY COMMITTEE

CONSIDERATION/APPROVAL OF OUTSIDE EMPLOYEMENT FOR OFFICER CHRISTOPHER DESIDERIO

Officer Christopher Desiderio has requested permission to work outside employment with the HACC Police Academy as an instructor assistant.

Commissioner Walter made a **MOTION** that Officer Christopher Desiderio be approved to work outside employment with the HACC Police Academy, **SECONDED** by Vice President Castranio. The motion carried unanimously.

FIRE DEPARTMENT

Chief Shumberger said to be careful with burning. They just came from a mulch fire. They had 67 calls last month with an average turn out of ten. The first chicken BBQ is on May 6, 2023. The fire department participated in active assailant training at the school district.

PLANNING AND ZONING COMMITTEE

ECONOMIC DEVELOPMENT LIQUOR LICENSE FOR 7-ELEVEN

On October 6, 2021, The Board of Commissioners adopted Resolution 1055 to grant the authorization of an economic development liquor license for a 7-Eleven store and Roost Chicken at 151 Gettysburg Pike. In January 2023, the Pennsylvania Liquor Control Board (LCB) requested an amended resolution to reflect the new address to 147 Gettysburg Pike.

The LCE has now requested another amendment to the resolution. Highview Commercial applied

for the license on behalf of 7-Eleven, but they will not be the licensee. The LCB is hereby requesting the resolution be amended to only reference 7-Eleven Sales Corporation as the licensee.

Vice President Castranio asked if we had a hearing on this originally. Ms. Boyer said that was correct. Vice President Castranio asked if our attorney was happy that the legal standing of the hearing is not the same people that we are now writing a resolution to. Ms. Boyer said the solicitor did review this and is ok with acknowledging the amendment.

Commissioner Anderson made a **MOTION** to amend Resolution 1055 to correct the licensee of the economic development license from Highview Commercial to 7-Eleven Sales Corporation, **SECONDED** by Commissioner Walter. The motion passed unanimously.

CERTIFICATE OF APPROPRIATENESS APPLICATION FOR 240 GETTYSBURG PIKE

Rkia Hall of 240 Gettysburg Pike has made an application for a Certificate of Appropriateness to remove the existing cellar doors and replace them with an open staircase to provide access to the basement. The original application called for vinyl French doors, but the Applicant has since decided to reorient the staircase to the side to limit intrusion to the upper floor staircase.

The basement opening would include safety guard side rails on each side of the access, handrailing, and a polycarbonate awning. Pictures of the proposed improvements are included with the application. The Applicant also wishes to add a safety railing along the front stairs. The railing would be of similar design to other existing railings along the front of the property (facing Gettysburg Pike).

The property, located at 240 Gettysburg Pike, is located within the Township's Neighborhood Commercial (C-1) Zoning District and the Shepherdstown Municipal Historic District. This 3-story brick structure was built circa 1860 for hotel use. The property is commonly referred to as the Union Hotel and is the only property within the Township that is listed on the National Register of Historic Places. Its main structure is Georgian style architecture.

STAFF REVIEW COMMENTS

The wood cellar doors appear to be original, according to the 1989 National Registry Application. Removal of the doors would create a visual difference at street level; albeit a minimal one except when traveling southbound on Gettysburg Pike. Staff have no issues with the additional stairwell to allow for access into the basement. The final design must meet all applicable building and zoning code regulations.

If approved, the railing design should be black and of a similar design to create a cohesive look around the building, matching that of other newer/existing handrails/guidrails.

During the HARB meeting, there was discussion of adding a safety gate in front of the stairs (to the basement). This should be considered by the Applicant to prevent patrons from accessing the

stairs when/if access were to be closed to the public. The gate would also provide a level of safety when patrons walk by, preventing someone from falling down the stairs.

HARB RECOMMENDATION

Per Section 155-9.C, Historic Districts Ordinance, HARB shall advise the Board of Commissioners as to whether a Certificate of Appropriateness shall be issued for Applicant's request. In determining whether the permit for the erection, reconstruction, alteration, restoration, demolition, or razing of all or part of any building, the following matters shall be considered:

1. The effect of the proposed change upon the general historic and architectural nature of the district;
2. The appropriateness of exterior architectural features which can be seen from the public street/way;
3. The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the district.

Copies of the permit application request were forwarded to all the Historical Architectural Review Board (HARB) members for their review and recommendation. The HARB members reviewed the application at their March 21, 2023, meeting and unanimously recommended the Board of Commissioners approve the Applicant's request, as presented.

CERTIFICATE OF APPROPRIATENESS

On March 23, 2023, Township staff submitted written communication of HARB's decision to the Applicant. The Applicant was also notified of the Board of Commissioner's meeting of April 19, 2023, at which time the Board will review the Applicant's request.

Section 10 of Chapter 155 of the Township Code states the Board shall consider applications for Certificates of Appropriateness. The Board shall consider factors regarding the application as set forth in Section 155-9.C of the Township Code and the recommendation from HARB.

If the Board approves the application, it shall issue a Certificate of Appropriateness authorizing the Building/Zoning Officer to issue a permit for the work covered, as stated in Section 155-10.D of the Township Code.

If the Board disapproves the request, it shall do so in writing and copies shall be given to the person(s) applying for the permit and to the Pennsylvania Historical and Museum Commission within five (5) days after the decision is made. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive historical character of the district, as stated in Section 155-10.E of the Township Code.

Commissioner Anderson said HARB was very good about asking questions and going over it. She said they checked on everything and did a very good job.

Commissioner Cochran said there is a downspout that looks like it needs to be redirected.

Rkia Hall, of 240 Gettysburg Pike

Ms. Hall said it will be redirected and taking it further away from the building toward the parking lot. There is a drain at the bottom of the parking lot.

President Martin stated that this is a safety enhancement.

SUGGESTED MOTION

Commissioner Anderson made a **MOTION** to grant a Certificate of Appropriateness to Ms. Rkia Hall for improvements to 240 Gettysburg Pike. The improvements shall include removing the existing cellar doors and replacing them with an open staircase along the side of the building, providing access to the basement. The stairwell shall have appropriate hand railings, safety guard rails, and a polycarbonate awning. There shall also be a safety hand railing along the front stairs of the building, similar in design to the other hand railings along the front of the building facing Gettysburg Pike. The improvements shall be in accordance with all applicable building and zoning codes and ordinances, and in accordance with the building design and specifications as submitted and reviewed by the Historical Architecture Review Board, **SECONDED** by Commissioner Walter. The motion passed unanimously.

Ms. Boyer shared that there is a planning meeting on April 24, 2023, at 7 pm. There is a public hearing on May 3, 2023, at 6:15pm for Ag Security.

PUBLIC IMPROVEMENTS COMMITTEE

AUTHORIZATION TO AWARD CONTRACTS FOR THE 2023 ROADWAY IMPROVEMENT

The Approved 2023 Upper Allen Township Budget contains \$1,350,000 in the Permanent Improvement and Liquid Fuels Funds for the 2023 Road Paving Project. Additional funding is included from the Park Improvement Fund, 2021 GO Bond Fund, Sewer Reserve Fund, and Stormwater Authority Fund for various paving and repair projects. Total estimated construction costs related to the Permanent Improvement Fund and Liquid Fuels Fund is \$1,448,349 with another \$910,650 estimated costs being associated with the other listed funds.

Bid opening for the 2023 Road Improvement Project took place on Monday, April 17, 2023. C.S. Davidson opened the bids and sent the Township Manager a copy of the bid tabulation.

Mr. Reichard said the 2023 Roadway project consisted of three contracts. Contract #1 was for the primary paving and miscellaneous roadway repair work, paving associated with parks, and various stormwater and sanitary sewer improvements. We received two bids. The low bidder was Penny Supply. Their base bid was \$1,916,350. Mr. Reichard offered a favorable recommendation for approval of Contract #1 to Penny Supply.

Mr. Reichard shared that the second contract is a preservation contract for chip seal and micro surfacing. We received three bids. The low bidder was Stewart and Tate in the amount of \$277,514. He offered a favorable recommendation for approval of the contract #2 to Stewart and Tate.

The third contract was also for preservation work. It is ultra-thin wearing course treatment. Asphalt Maintenance Solutions was the only bidder in the amount of \$203,273.24. Mr. Reichard offered a favorable recommendation for approval of contract #3.

Commissioner Anderson said we need to make our residents aware that we are doing this kind of spending and trying to keep up with our roads. Commissioner Cochran said we have a half a million dollars in here to do Winding Hill Park which is coming out of the bond, which we will not do every year. He also shared that some of the money for this also comes from stormwater because there are some stormwater issues. Vice President Castranio said there is also sanitary sewer money in the project.

Vice President Castranio made a **MOTION** to award Contract #1 to Pennsy Supply in the amount of \$1,916,350, **SECONDED** by Commissioner Cochran. The motion passed unanimously.

Vice President Castranio made a **MOTION** to award Contract #2 to Stewart and Tate in the amount of \$277,514, **SECONDED** by Commissioner Cochran. The motion passed unanimously.

Vice President Castranio made a **MOTION** to award contract #3 to Asphalt Maintenance Solutions LLC in the amount of \$203,273.24, **SECONDED** by Commissioner Cochran. The motion passed unanimously.

Frank Smith, of Pennsy Supply Incorporated

Mr. Smith shared that he wants to give the Township a quality job. He was the estimator and will be the project manager. President Martin said the staff has indicated, that the extent that we can get paving finished before schools starts. Mr. Smith said if not, they will probably do the park last. He thinks Meadowview is a big area they can take care of quickly. President Martin shared that Meadowbrook likes to be involved and to over communicate. Mr. Smith said they will use message boards.

President Martin said that at the last meeting there was a resident here about Bumble Bee trash collection and he believes it has been resolved. Mr. Fraser said that the trash company will back into the areas once and pick up trash on one side of the road. This will reduce risk of accidents and hitting anybody.

Mr. Fraser said at the last meeting, a resident was here from Webbercroft. Mr. Fraser said he was met with and that has been taken care of. The cold patch was coming up. We sent Mr. Stazewski and Mr. Barge. They explained why it was pulling up. There is damage. When the Township goes in later, they will put in hot patch, and it will take care of a lot of the damage. Commissioner Cochran asked if we were taking care of any apron damage. Mr. Fraser said they would have to rip it out if the Township is going to do it. Mr. Fraser said it has been cracked sealed many times. They are functional and they work fine, but it is not aesthetically pleasing. The ground underneath

is soggy in spots.

Mr. Reichard said the updated road plan will go on the web within a month.

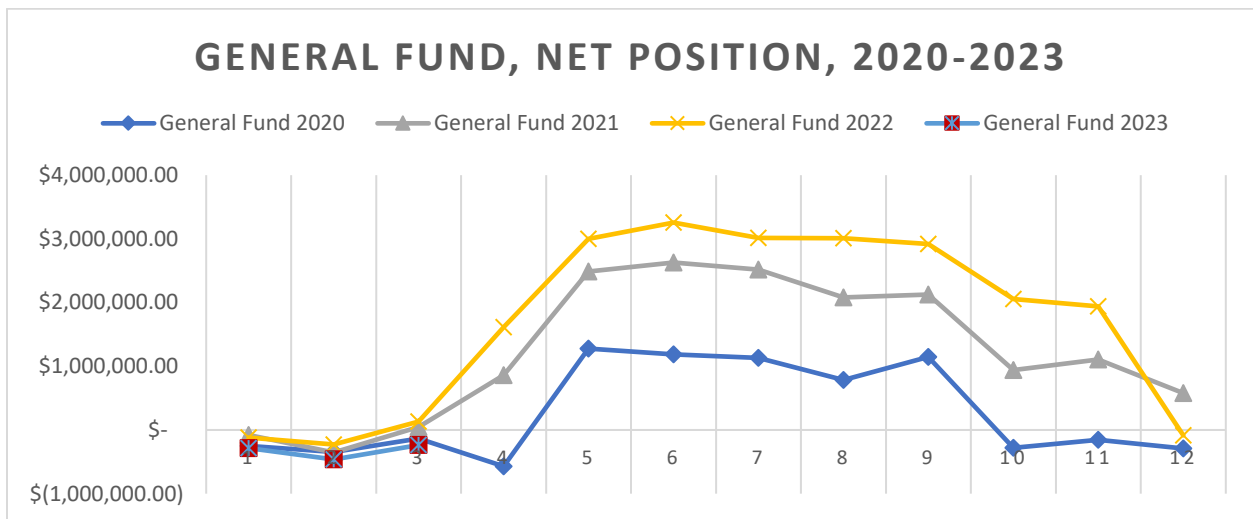
SANITARY SEWER

There was no report.

ADMINISTRATION COMMITTEE

BUDGET UPDATE

The information presented in this report is based on historical numbers generated in 2020, 2021, 2022 and year to date 2023. In this report I will focus on the two main operating funds (General and Sewer Operating).

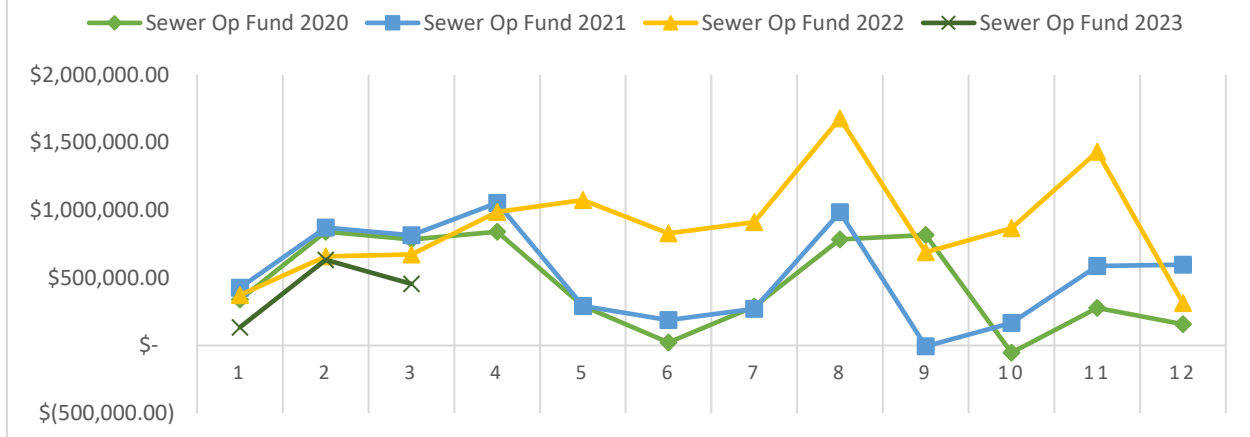


March 2023 Net Position #: (237,102)

At the end of March, General Fund Revenues of \$807K exceed General Fund Expenditures (all expenditures plus transfers) of \$582K by \$225K. Revenues in March were mostly made up of Local Enabling Taxes (mainly prior years' Earned Income Tax). The majority of expenses in the first quarter of the year are related to payroll and insurance payments. Historically, it is normal and expected for the first quarter to end in a net negative position.

April is expected to continue the upward trend and make a shift into a positive net position as real estate taxes are collected and transferred from the Tax Collector.

SEWER OPERATING FUND NET POSITION, 2020-2023



March 2023 Net Position #: 454,684

The Sewer Operating Fund is currently in a net surplus position at this early part of the year in the amount of \$454K. The small dip in position in March was expected. This will fluctuate throughout the year during lulls in sewer rental collections and large debt service payment periods. Most of the revenues collected in this period were sewer rentals. Most of the expenses were insurance and personnel related.

After March 2023, 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.

PARK AND RECREATION COMMITTEE

There is a meeting next Wednesday, at 6:30, and a representative from C.S. Davidson will be there to give updates on the infrastructure for Generations Park. It will then be brought to the board of commissioners.

The Township is starting to ramp up advertising for our “All Together at Winding Hill South” event. This is a reading day event in partnership with the Simpson Library. We will post on social media channels. It was sent to the school district today and they will send it out through their channels. The Rec Department will send it out as well. It will be June 17, 10am to 2pm. There will be a children’s author, children’s musician, games, crafts and food trucks.

MISCELLANEOUS

SOLICITOR UPDATE

There was no update.

TAX COLELCTION COMMITTEE UPDATE

There was no update.

CAPITAL REGION COG UPDATE

President Martin said there was a COG meeting this week. There is an app called AskRail and you can by location figure out any cargo that is going on the tracks through that area. If there is an incident, it can tell you what kind of cargo there is. Commissioner Cochran asked if there is a way we can tell if warehouses are warehousing any dangerous materials in the Township. Chief Shumberger said he would know what they have through Tier 2 reporting system, it is kept on file. Commissioner Cochran asked if we have Tier 2 now. Chief Shumberger said that Messiah University has it in their labs and a couple warehouses.

President Martin said at COG, they talked about the Camp Hill situation with political signs. There are expression signs and there are also political signs. We will have to follow the story and the outcome of that suit that could have ramifications in other municipalities.

They are trying to regulate games of chance vs games of skill. More and more convenience stores and local shops are having various games in their dining area or sitting area so there is just an awareness of how you go about regulating those.

How to handle hoarders in municipalities was talked about.

Repeat violations when there is someone violating an ordinance, you have to file suit every day, and then district magistrates do not want to do that, so how do municipalities and a district magistrate go about working together to curb or control repeat violators. There are no answers, but it will be brought up in future programming.

The COG Auction is July 19,2023 at Fair Oaks School in South Middleton Township. It is a good way to dispose of merchandise. It brings in revenue for Counsel of Government.

Cumberland County will have a tire recycling event on May 15, 16 & 17, 2023.

MUNICIPAL ADVISORY BOARD UPDATE

There was no update.

PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS UPDATE

Commissioner Anderson said there was a meeting scheduled in May, but it is going to be canceled because they realized it was close to the election day and people might want to go out and campaign.

PUBLIC COMMENT

Karen Overly Smith, 855 Oak Oval

She shared that the article in the Sentinel about the treatment plant was great and she was proud to be on the sewer advisory committee. She said it is great to have information about infrastructure on the front page. Commissioner Anderson shared that the Women's Club took lunch to the employees at the sewer plant. President Martin said we have a well-functioning sewer department.

Commissioner Cochran made a **MOTION** to adjourn, **SECONDED** by Commissioner Walter. The motion passed unanimously.