

**MINUTES  
UPPER ALLEN TOWNSHIP  
BOARD OF COMMISSIONER MEETING  
6:30 P.M. July 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, Comm Dev Director  
Barry Cupp, Sewer Dept. Manager  
J. Stephen Feinour, Solicitor  
Jason Reichard, Engineer  
Tom Shumberger, Fire Chief

**CALL TO ORDER**

President Martin called the Board of Commissioners meeting to order at 6:37 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 shared that Upper Allen Baseball 9U and Keystone Soccer are doing well.

He shared that the Commissioners received a thank you from the residents in Meadowview regarding paving.

He said there is no meeting on August 2, 2023. August 16, 2023 is the next Board of Commissioners meeting.

He shared that if anyone was present for the agenda item related to 2509 Mill Road Townhouses Land Development Plan, we do have a request for a deferral so there will not be action taken tonight.

**CONSIDERATION/APPROVAL OF MINUTES OF BOARD OF COMMISSIONERS  
MEETINGS – June 7 & 21, 2023**

President Martin asked for any comments or corrections to the Minutes of the June 7 or 21, 2023, Board of Commissioner meetings. There was none and Commissioner Cochran made a **MOTION** to approve the Minutes of the June 7 and 21, 2023, Board of Commissioner meetings, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

**PRESIDENT'S RECOGNITION OF VISITORS**

There are no visitors registered to speak on items not on the agenda.

### **CONSENT AGENDA**

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

Consideration/Approval of Staff Reports  
Consideration/Approval of Bills in the Amount of \$741,016.42  
Financial Security Reduction for 2520 Mill Road, UAT File #21-04-29

### **PUBLIC SAFETY COMMITTEE**

#### **POLICE DEPARTMENT**

##### **Consideration of Approval of Police Civil Service Commission 2<sup>nd</sup> Alternate**

On May 18, 2023, Matthew Witmer withdrew from his position as an alternate member of the Upper Allen Police Civil Service Commission. Mr. Dennis Zerbe has expressed interest in serving on the Upper Allen Police Civil Service Commission. Mr. Zerbe is a Township resident and previously served as the Township's Tax Collector.

Commissioner Walter made a **MOTION** to approve Mr. Dennis Zerbe as the 2<sup>nd</sup> Alternate of the Civil Service Commission, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

#### **FIRE COMPANY**

Chief Shumberger shared that last month, there were 62 calls with an average turn out of eight. August 1, 2023 is National Night Out at Allen Distribution. It will be hosted by Zimmerman's Automotive. August 5, 2023, is the last BBQ of the year. October 6, 2023, is the golf tournament at Rich Valley Golf Course.

### **PLANNING AND ZONING COMMITTEE**

##### **Consideration/Action to Adopt Ordinance Amending Floodplain Regulations in Chapter 245, Article X**

Commissioner Walter made a **MOTION** to adopt Ordinance 826 amending floodplain regulations in Chapter 245, Article X, **SECONDED** by Commissioner Anderson. The motion passed unanimously.

##### **Consideration/Action of LD plan for 2509 Mill Road, UAT File #22-05-02**

President Martin said this has been delayed.

Ms. Boyer shared that Planning Commission will meet on July 31, 2023 at 7:00 p.m.

## **PUBLIC IMPROVEMENTS COMMITTEE**

### **Consideration/Action to Adopt Ordinance Amending Chapter 233**

At the June 19, 2023, Board of Commissioner's Meeting, discussion was had regarding amendments to Chapter 233 concerning updates to speed limits for all roads; yield, and do not enter sign intersections; maximum gross vehicle weight on certain roads; and prohibited parking areas.

The ordinance was advertised in The Sentinel on July 11, 2023. A copy of the advertisement is available at the Township building. The ordinance has been reviewed by the Solicitor and properly advertised. The Board may consider adopting the ordinance, as presented.

Vice President Castranio made a **MOTION** to adopt Ordinance #827 amending certain sections within Chapter 233, known as the Vehicles and Traffic, **SECONDED** by Commissioner Walter. The motion carried unanimously.

## **SANITARY SEWER SYSTEM**

There were no items for discussion.

## **ADMINISTRATION COMMITTEE**

### **HVAC Improvements Proposal to the Township Municipal Building**

Over the past couple of years, the Township Municipal Building's HVAC system has experienced multiple and repeated issues and needs upgrades. Ms. Palmer recommended moving forward with upgrades in a systematic fashion as informed by the Township's Long-Range Facilities Plan (LRFP).

#### **Background on LRFP**

The Township's Long-Range Facilities Plan (LRFP) was first formulated and adopted in 2022 as a 20-year long facilities management plan.

The LRFP will be regularly updated to provide the Board of Commissioners and the community with a summary of projects and capital expenditures that are anticipated in the upcoming years.

It should be noted that this is a living document intended to serve as a guide and help prioritize projects and accommodate emerging strategic needs. It will be subject to change dependent on future operations. Individual projects will move forward after they have gone through Board of Commissioners approval.

In the first phase of implementation, funding is focused on priorities for system renewals, such as outdated heating, ventilation, and air-conditioning (HVAC) systems and to correct the worst conditions. The HVAC system issues were the catalyst for innovation of the LRFP and therefore recommended as priority.

## **Proposed Solution**

### **HVAC Improvements Proposal, submitted by EI Associates**

A proposal was submitted by EI Associates. EI Associates developed the LRFP. This proposal includes all Township Municipal Building HVAC improvements in years one through five of the LRFP.

### **Proposed Funding & Background**

As part of the 2023 budget, the Board adopted a “Facilities Escrow Fund”. Financing for this fund came from and will continue to derive from the Township’s Capital Fund.

To jump start the Facilities Escrow Fund in 2023, an approved fund transfer from the Capital Fund to the Facilities Escrow Fund was made in the amount of \$600,000. Moving forward over the next 5 years (first phase of implementation), we propose an annual \$250,000 transfer from the Capital Fund to the Facilities Escrow Fund.

Adam Kerr with EI Associates and Tom Leary with JDB Engineering

Mr. Kerr said they will look at years 1-5 of the HVAC improvements for the Township building. He said the proposal that is in front of the Commissioners includes their collective time to design those improvements, to assist with bidding of those improvements publicly and oversee and observe construction. It is broken down into a base bid (includes replacing control systems) and from there the improvements include a rooftop HVAC replacement, correcting some of the humidity issues and some other minor improvements. Commissioner Cochran said that the current system is 13 years old and has never performed as well as we hoped it would. President Martin confirmed that the digital control system, that is a ¼ million that should be done all at once. He asked if they suggested that be done prior to any replacement of equipment or do you replace the equipment and then do the controls. Mr. Leary said the recommendation would be to replace the controls first. The way it is laid out, the goal would be to do it simultaneously, so you are not paying for things twice. President Martin asked that with the alternates, are they listed in the proposed order of priority from a construction sequence. Mr. Leary said the order of priority is to correct issues as well as to pick up equipment that is close to the end of its useful life. Commissioner Cochran said that we do have enough funds that if bidding comes back, we can go ahead and do as many pieces as possible.

Eric Fairchild, of 1224 McCormick Road

Mr. Fairchild shared that Big Spring School District did a request for proposal for guaranteed energy savings performance contract. McClure and Company was the winning bidder. They are guaranteeing energy savings meaning that if the systems are not properly built, or installed or that the district does not see maximum energy savings, the energy service company can fix the issue or write a check to the district. He said that the project does not include change orders that could impact the final price. Mr. Fairchild wanted to know if that was an approach to consider. President Martin said that is not the approach we are taking because what they do is companies come in and put in new equipment and then guarantee that if it does not perform and have some agreed upon savings that they will make up that deficit. He said there is also some thought that the initial capital cost is sometimes higher than it would be otherwise, and he is aware of situation where there have been disagreements and lawsuits and ways that contracting companies tried to not maintain their

proposed savings. Fairchild asked if it sounds better than it is in President Martin’s experience. President Martin said that would be a fair assessment. President Martin said his comments are not directed at any particular contractor. Mr. Fairchild asked what the total cost was. President Martin said it is \$90,000. Mr. Fairchild asked if that was for everything. Commissioner Cochran said it is just engineering and that we have a general ballpark on each of the items that is available for him to see. Mr. Fairchild said it seems unfortunate given the age of the building. Commissioner Cochran said that some of it is UV filtration, something that has been called to question because of the COVID issues in large buildings like this and that is something new.

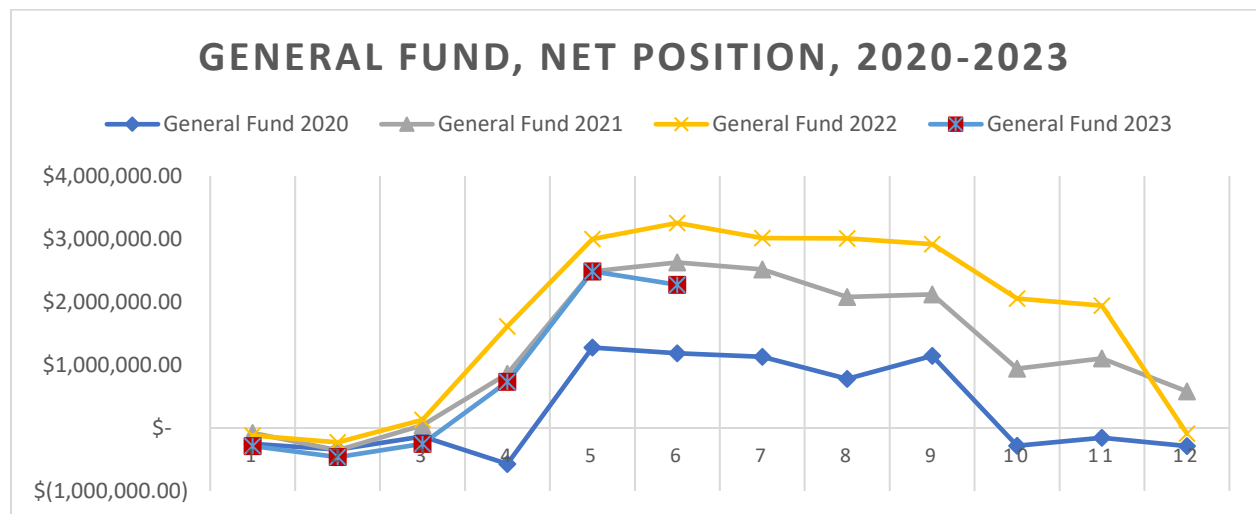
President Martin said that the motion before them is to hire these firms to design the systems and then to bid it out and then oversee the construction and make sure they are installed per regulations and that price includes all of those steps within the five-year plan, but it may get done sooner than five years, but it is still that comprehensive bit of work. He said it is going to be billed their time and material not to exceed. Commissioner Cochran said the whole project is close to \$850,000 without their fees.

President Martin asked in terms of schedule, how soon do you think we would be ready to put out the first bid package. Mr. Kerr said two to three months. President Martin said that it is conceivable that we could begin the work in 2024.

Commissioner Cochran made a **MOTION** to accept the HVAC Improvements Proposal submitted by EI Associates at a cost not to exceed \$90,000, **SECONDED** by Commissioner Walter. The motion passed unanimously.

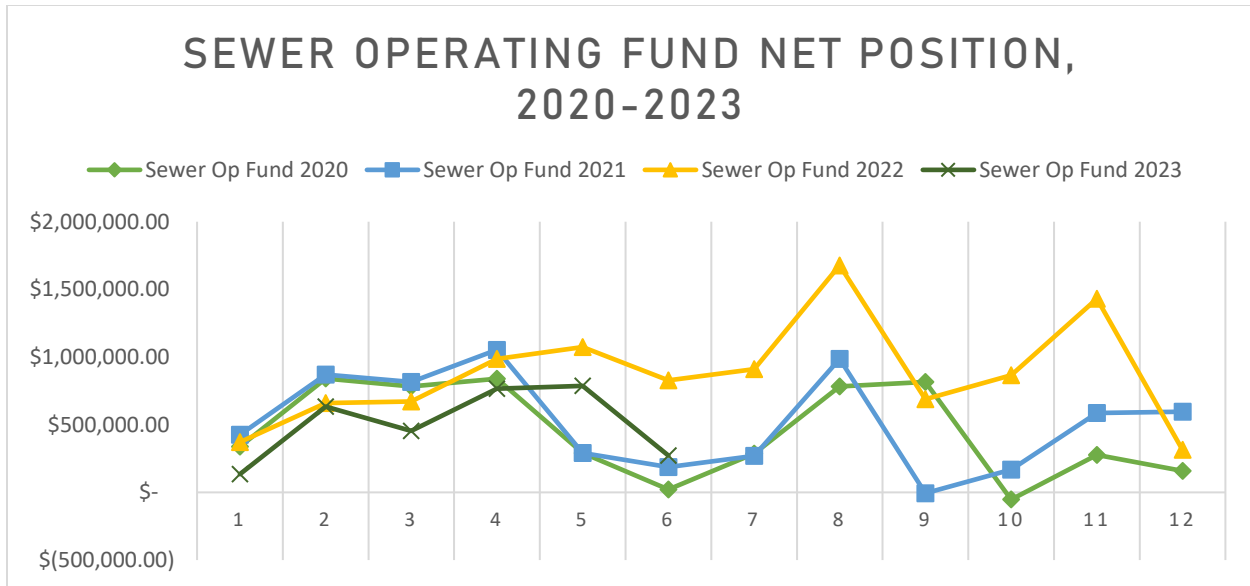
### Budget Update

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).



At the end of June, General Fund Expenditures (all expenditures plus transfers) of \$1MM exceeded General Fund Revenues of \$795K, decreasing the township’s positive net position. Revenues in

June were mostly made up of current year Local Enabling Taxes. Building permits are still coming in steadily. The majority of expenses in June are related to payroll and insurance payments.



The Sewer Operating Fund is currently in a net surplus position at this mid-point of the year in the amount of \$272K. June dipped in position as expected as sewer rental collections made up most of the revenue and dropped off this month. This matches the prior year trendlines and was expected. This will fluctuate throughout the year during lulls in sewer rental collections and large debt service payment periods. Most of the expenses were insurance and personnel related. A large payment to the Lower Allen Township Sewer Authority was made as well.

At the end of June, 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 of Adoption of Resolution to Shred Records

The Finance Department has records that meet the requirements to be destroyed and that requires a resolution.

Commissioner Cochran made a **MOTION** to adopt Resolution No. 1087, a Resolution of the Township of Upper Allen, Cumberland County, Pennsylvania, Authorizing the Destruction of Records, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

### PARK AND RECREATION COMMITTEE

#### Consideration to Install Sensory Garden Trails at Winding Hill Park North

The proposed 2023 Budget and 2023 paving contract include grading and trail work adjacent to the Winding Hill Site improvements. The purpose of these is to improve drainage. Within the area of disturbance is an open area directly behind the playground. Staff are proposing to install

a Sensory Garden in this area. A Sensory Garden is an interactive garden to identify all 5 senses (Sight, Sound, Smell, Taste, & Touch) through plants.

To move forward with this proposal, trails would need to be constructed to delineate and provide access to this area. I am recommending that we move forward with the construction of these trails in 2023, while the overall area is under construction and adjacent trails are being paved. The benefits are that we will realize a 25% in cost savings by not disturbing the area again next year, eliminate dual mobilization and staging costs, and ensure project continuity and coordination.

This was not an expense included in the 2023 budget. By moving forward, we will overspend line 38-454-730 by \$18,815.00. This will bring our 2023-year end projected fund balance to \$147,160.

Eric Fairchild of 1224 McCormick Road

Mr. Fairchild asked how wide the trails are. Ms. Palmer said they are six feet wide. President Martin complimented staff as one of the hallmarks of this Township, is that we want to make it a quality living area for all folks. He said Upper Allen Parks help to accommodate kids that have difficulty on the spectrum and this is another example of something that kids can benefit from.

Commissioner Cochran made a **MOTION** to authorize Pennsy Supply to complete the installation of sensory garden trails at a cost not to exceed \$18,815.00, **SECONDED** by Vice President Castranio. The motion carried unanimously.

Ms. Palmer said that there is a Park and Rec meeting on Wednesday, July 26, 2023 at 6:30 p.m. She said there was a movie night at Friendship Park last Friday evening and the attendance was estimated around 500. The next movie night is August 18, 2023. A Fall Festival will take place on Friday, September 29, 2023, 4-9 p.m. at Winding Hill North Park. The Township will have a presence at National Night Out.

## **MISCELLANEOUS**

### **Solicitor Update**

There was no report.

### **Tax Collection Committee (TCC) Update**

There was no report.

### **Capital Region COG Update**

President Martin shared that Gary Myers, Executive Director, was in the hospital but is home and recuperating.

### **Municipal Advisory Board (MAB) Update**

There was no report. There is a meeting at the end of this month.

**Pennsylvania State Association of Township Commissioners (PSATC) Update**

Commissioner Anderson said there is a meeting on Sunday. They are looking at working with a company to encourage the townships who are not members.

An Executive Session followed the meeting to discuss contractual and labor issues.

Commissioner Cochran made a **MOTION** to end the Executive Session at 8:29 p.m., **SECONDED** by Commissioner Anderson. The motion passed unanimously.