

**MINUTES
UPPER ALLEN TOWNSHIP
BOARD OF COMMISSIONER
6:30 P.M., September 20, 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, Absent
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 (absent)
Ryan Kunkel, Deputy Fire Chief

CALL TO ORDER

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

PRESIDENT'S ANNOUNCEMENTS

President Martin shared that there was an Executive Session prior to the meeting to get updates on pending legal issues from the Township Solicitor.

**CONSIDERATION/APPROVAL OF MINUTES OF BOARD OF COMMISSIONERS
MEETINGS – August 16, 2023**

President Martin asked for any comments or corrections to the Minutes of the August 16, 2023, Board of Commissioners Meeting. There was none and Commissioner Cochran made a **MOTION** to approve the Minutes of the August 16, 2023, Board of Commissioners meeting, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

PRESIDENT'S RECOGNITION OF VISITORS

Robert Ptaszek, 2 Hellam Drive

Mr. Ptaszek discussed cleanup around McCormick Park and shared that he picks up trash there. He compared what was offered at Simpson Park to what was offered at McCormick Park. He recommended a minimum of three “please do not be a litterbug, help keep our parks clean” signs. He also recommended trash cans Memorial Day to Labor Day. He said he would also assist with education programs possibly involving school students, VFW, Boy and Girl Scouts. He said he would be willing to adopt this road for litter clean up if the Board wished. President Martin thanked him for his interest and for offering solutions. He said we will talk about this issue with staff and how best we can accommodate.

Theodore Long, of 345 University Avenue

Mr. Long provided the full text of his comments and letters to the Recording Secretary for her to give copies to the Commissioners. He lives on the Messiah University Campus. He owns the lot and architecture; he said it is subject to all taxation of private real estate. He said he is pummeled by noises night and day from Larsen Student Union which sits directly across the street from his house. He shared that there are loud food delivery trucks arriving before 6am. He said that he has a sound meter inside his front door, and it regularly registers 68 decibels BA and 98 decibels BC. It does not make a difference if his doors and windows are open or closed. He has spoken to Mr. Welt to see if Messiah University was exempted from Township code 181-1, prohibited acts. He said that Mr. Welt said they were not and said Mr. Long could use his name as reference. Mr. Long has written to Messiah University President Phipps and the response has been that they are following ordinances. His requests of Upper Allen Township is to officially communicate to Messiah University that it is subject to existing Township code 181-1. This would require it to disinvite all food delivery trucks and scheduled maintenance trucks from arriving or parking until 6am.

President Martin said that if Messiah University is violating a township ordinance, the Township has a responsibility to communicate that.

Lowell Gates, of 1140 Gettysburg Pike

Mr. Gates is the developer of Shepherdstown Crossing Project. Mr. Gates said most of the roadwork is complete. Now that we have the right in to 7-Eleven, we can start the process of closing out the PennDOT HOP. 7-Eleven is held up by their liquor license. They are trying to get an economic development license. They hope to have this resolved in a week or two. He shared that the clock tower is working. Chick-fil-A is mostly done from the site work standpoint. They estimate a November 30th completion date of the building. Linlo Boulevard has been paved. They are going to put the topcoat down around November 8th to have it ready for the church to use. Excavation is continuing on the side of the Boulevard getting ready for the two mix-use buildings. He shared that Pastor Rick Jacobs and Daybreak Church have been a great partner on the project. A walking trail will go around the Daybreak Church property. President Martin asked if the apartments are still a go. Mr. Gates said they are, they had to issue a \$2.5 million letter of credit to PennDOT to cover the roadwork while it was being done. He said that as soon as that is released, their bank will be more willing to loan them more money for the building construction. President Martin thanked Mr. Gates for sharing an update. He said he wished more developers would keep the Township informed along the way. Commissioner Cochran said that he thought on the original plans that the southbound ramp off Market might be longer. Commissioner Walter said it is correct, it was not a change. Commissioner Cochran said that the lane that was put in north bound on Gettysburg Pike, which has cleared up the morning backlog, he thought there was some ability for that, that you could just go around and be almost a whole other lane there that you could use to merge into the flowing traffic or flowing and wanted to go south. Vice President Castranio said it was that way when there was supposed to be a roundabout. Mr. Gates said he wished it had been that way because on Market Street, that straight thru traffic has its own lane, but he thinks people who are making the right turn are hesitant because they feel like they are pulling out in front of them, but actually, there are two separate lanes. Commissioner Cochran said the transition occurs there too; it takes some getting used to. If you are going to go north on 15, stay to the left, if you want to go straight through, you have to slide over to the right. He said it is well marked after the ramp. The Township has talked about maybe doing something before the ramp, similar to what you see off of 83, you see a logo painted on the lane saying that "83 South is in this lane." He thinks that catches people's attention more than just an arrow. Mr. Fraser said the traffic engineer

is looking at that. Commissioner Cochran asked if Chick-fil-A is a company store. Mr. Gates said it is a company store, not a franchise. Bill Lindorfer will be the operator.

CONSENT AGENDA

Commissioner Cochran made a **MOTION** to approve the Consent Agenda as follows, **SECONDED** by Commissioner Walter. The motion passed unanimously.

Consideration/Approval of Staff Reports

Consideration/Approval of Bills in the Amount of \$1,021,629.89

Consideration/Approval of Request for Sanitary Sewer Installation Financial Security Reduction for Autumn Chase PRD, Phase III

PUBLIC SAFETY COMMITTEE

POLICE DEPARTMENT UPDATE

Chief Parsons said that traffic signal preemptors are now in all vehicles. He shared that next week three more officers will be attending crisis intervention training. That means 75% of officers will have that training which specializes in de-escalation communication with mentally ill and getting them the services, they need. This week, we hosted a training session on how to properly investigate citizen complaints. Chief Parsons and four other supervisors attended.

FIRE DEPARTMENT UPDATE

Ryan Kunkle, Deputy Chief, shared that there have been two working fires in two weeks.

PLANNING AND ZONING COMMITTEE

Consideration to Schedule a Public Hearing for a Zoning Text Amendment to Chapter 245, Article XVIII, Signs

Township staff have discussed a draft sign ordinance with the Board of Commissioners on several occasions. During the June 21, 2023, meeting, the Commissioners authorized staff to refer the draft ordinance to both the Planning Commission and the Cumberland County Planning Commission for their review. Staff noted that the Cumberland County Planning Commission reviewed the ordinance on July 12, 2023, and recommended approval. The township's Planning Commission reviewed the ordinance during their meetings of July 31st and August 28th, 2023. They, too, recommended approval with a couple of amendments.

Since the Board last reviewed the draft ordinance, some changes have been incorporated into the ordinance, including both Planning Commissions' recommendations. Those changes have been provided to the BOC via a redlined copy.

Ms. Boyer said that the staff has additional comments that they want to run by the Township solicitor. She is concerned they may need to make additional changes to the draft. She does not

want to schedule a public hearing until the Board sees a final draft. She would like to defer for tonight on that. She said tonight, we can take public comment. President Martin would like the Board to have an opportunity to discuss comments received to date and provide input on the final draft so that we feel good about the draft we are presenting for the public hearing. He would still like to get the hearing in by early December. Commissioner Cochran said that a copy has been shared with the Planning Commission but asked if we can put a copy on the website. Ms. Boyer said it is under the Community page. Information about the draft sign ordinance process, including copies of the draft ordinance documents, has been posted online since June. The site is updated as new information becomes available, including public meeting dates and times. There is also a public comment button people can utilize to leave comments, which will be entered into the public record.

Rachel Rowe, Attorney with McNeese Wallace and Nurick representing Paul B. Hardware Ms. Rowe said that at the PC Meeting we were told to give an idea of what we are proposing, and a draft sign design has been presented to the township. She asked if there was any feedback.

Eric Fairchild, of 1224 McCormick Road

Mr. Fairchild gave Mr. Gates credit for presenting what they wanted to do under the ordinance. He said that tied in with what Mr. Welt did a year ago, giving examples. He would like to go further in that direction. President Martins said that the more we can illustrate what we are talking about with pictures the better. Vice President Castranio said the proposed ordinance does have a lot of exhibits.

Consideration/Action for Prelim/Final LD Plan for 2509 Mill Road, UAT File #22-05-02

Ms. Boyer shared that the applicant asked that their plan be tabled to give time to have a new traffic study done and then address concerns. The applicant was to provide a written time extension to the Township. We had to have it on the agenda for action if we did not receive the time extension. By the time the agenda had gone out, Ms. Boyer had not received the time extension. She received it after the fact. That is why it was rescinded and now a mute issue.

Consideration of a Rezoning Request for Autumn Chase and Schedule a Public Hearing

President Martin shared that on the distributed agenda, there was going to be a rezoning request for Autumn Chase, but it had been withdrawn. Ms. Boyer said yes, the developer withdrew the petition.

Announcement

Ms. Boyer shared that on October 4, 2023, there will be a public hearing at 6 p.m. regarding the ordinance for the amendments for daycares.

PUBLIC IMPROVEMENTS COMMITTEE

Street Opening Application for 1910 McIntosh

This is tabled until the October 4, 2023, Board of Commissioner Meeting.

Street Opening Application for 2188 Hastings

The Township has received a request from UGI to install a new gas service at 2188 Hastings Drive. To install a new gas service, UGI would need to open cut three 2'x5' areas on Hastings Drive and a 3'x5' area on the sidewalk. The paving restoration would be a 12' x 30' area across the entire length of Hastings Drive. UGI would like to start the work in October. Hastings Drive was paved in 2020, so the street opening request requires approval from the Board.

Mike Kempf, of 604 Freedom Road

Mr. Kempf spoke on behalf of his daughter who is out of Town. Her home was destroyed by fire and she wants to switch to gas.

Commissioner Castranio made a **MOTION** to approve the request by UGI to perform street cuts within the right-of-way along Hastings Drive, as presented. The Applicant will be required to pay all applicable fees and perform all required temporary and permanent restoration to the openings, as present, in accordance with Chapter 217 of the Township Ordinances, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Street Opening Permit Request for 345 Gettysburg Pike

The township has received a request from Veolia to install a new water service for the residents of 345 Gettysburg Pike. To install the new water service, Veolia would need to open cut a 10' x 32' area along Gettysburg Pike due to the existence of other utilities in the area. Work on the new service line is expected to take a day to complete. This portion of Gettysburg Pike was paved in September 2023, so the street opening request requires approval from the Board.

Beatriz Dundas with Veolia

Ms. Dundas shared they would like to provide a $\frac{3}{4}$ inch water service for the property. She shared that Gettysburg Pike was just replaced and that there is a sewer main and gas main in the area, so they cannot bore under the road. The contractor will open cut, so they can properly locate the utilities to avoid any issues. They will then do a final paving restoration over the 10x32 foot area. She said Veolia is here to proceed with their water installation service, to provide reliable and safe drinking water to this customer.

President Martin asked what the timeline was. Ms. Dundas said the plan is have the work done and paved before winter.

Vice President Castranio asked Jason Reichard, Township Engineer, if he is okay with the Veolia detail. Mr. Reichard said that based on the description provided this evening, yes.

Commissioner Castranio made **MOTION** to approve the request by Veolia to perform a street cut within the right-of-way along Gettysburg Pike, as presented. The Applicant will be required to pay all applicable fees and perform all required temporary and permanent restoration to the openings, as presented, and in accordance with Chapter 217 of the Township Ordinances, **SECONDED** by Commissioner Cochran. The motion carried unanimously.

Vice President Castranio said it is nice that the utility company shows up to our meetings.

Consideration /Enactment of the Updated Pollutant Reduction Plan

A public hearing was held on September 20th, 2023, to receive testimony regarding the updates that were made to the Township’s Pollutant Reduction Plan (PRP). It was also held to meet requirements stated within the Townships general MS4 permit with the PA department of Environmental Protection (DEP), where we must solicit public input when any major adjustments are made to our PRP.

Commissioner Cochran made a **MOTION** to enact the updated Pollutant Reduction Plan, **SECONDED** by Vice President Castranio. The motion carried unanimously.

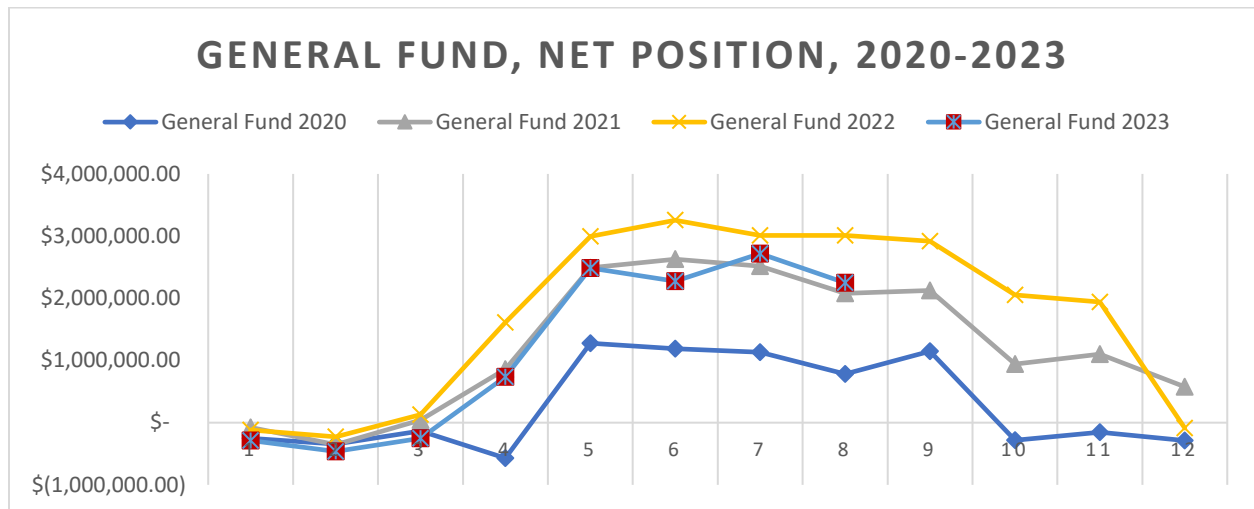
SANITARY SEWER SYSTEM

Mr. Cupp said progress is slow for the Grantham Wastewater Treatment Plant improvement project. A masonry wall has been constructed. Equipment continues to be delivered at a slow pace. Mr. Cupp said the press is to arrive in November.

ADMINISTRATION COMMITTEE

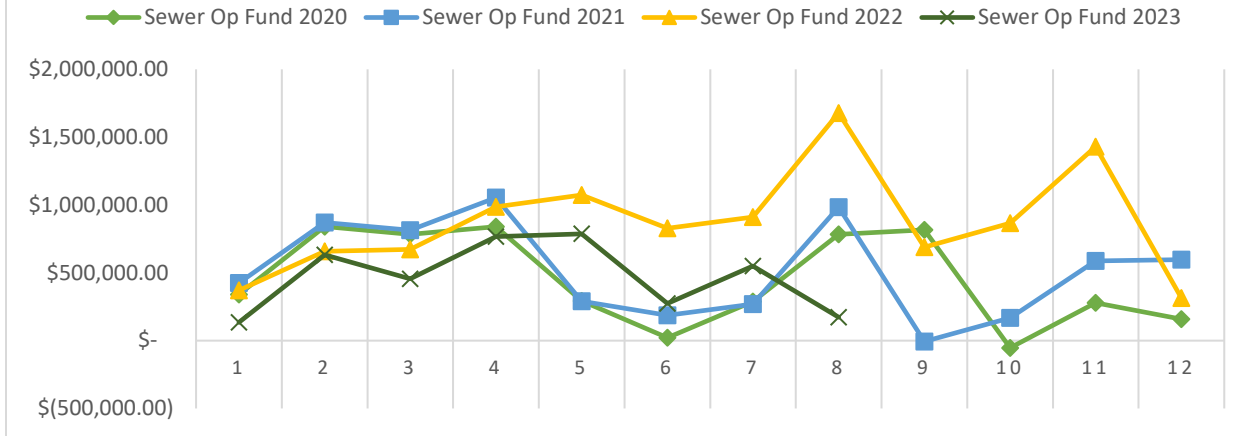
Budget Update

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



At the end of August, General Fund Expenditures (all expenditures plus transfers) of \$1.09MM exceeded General Fund Revenues of \$624K by \$469K. This matches prior years trends, with 2023 exceeding net position 3 of the last 4 years (2022 exceeded 2023). Revenues in August were mostly made up of Local Enabling Taxes (mainly Current Year Earned Income Tax), a large Cable TV Franchise payment, and building permits are still coming in steadily. Most expenses were personnel and insurance related. Additionally, the Township made a large GOB debt service principal and interest payment.

SEWER OPERATING FUND NET POSITION, 2020 - 2023



The Sewer Operating Fund had a decrease in position in August, with total position continuing its net surplus in the amount of \$172K. Most of the revenues collected were sewer rentals.

Most of the August expenditures were personnel and insurance related. Additionally, a large debt service principal and interest payment was made.

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

As required by Pennsylvania Act 205, the Administration must submit the next year’s Minimum Municipal Obligation (MMO) to the Board of Commissioners prior to the end of September. The Township is responsible for a total MMO of \$870,676 in FY 2024.

The 2024 MMO for the Uniform Pension Plan is \$484,968, which is a decrease of \$11,699 from 2023. Based on the most recent Uniform Pension Plan valuation (1/1/2021), the Township has actuarial accrued liability of \$13,690,171 and a current market value of \$12,816,634 (6/30/23). Based on the liability and the current market value of the Township’s Uniform Pension Plan is underfunded by \$873,537 placing the plan at 93.62% funded. Act 205 outlines that municipalities whose percentages of liabilities that are funded 90% or over are “not distressed”.

The 2024 MMO for the Non-Uniformed Pension Plan is \$220,693 which represents a decrease of \$2,829 from 2023. Based on the most recent Non-Uniform Pension Plan valuation (1/1/2021), the Township has actuarial accrued liability of \$8,743,467 and a current market value of \$8,008,663 (6/30/23). Based on the liability and the current market value, the Township’s non-uniformed Pension Plan is 91.5% funded. Funding levels above 90% are considered “Not Distressed” by the PA Auditor General.

The 2024 MMO for the Non-Uniform Employees Retirement Plan is \$165,015 based on projected salaries for members of this plan in 2024. The plan has the Township contributing 10% of each member’s salary each year.

Vice President Castranio asked what the percentage of annual return on investment is set at. Mr. Fraser will confirm and share with the Board.

PARK AND RECREATION COMMITTEE

Ms. Palmer shared there is a Park and Rec meeting next Wednesday at 6:30 p.m.

The Township's first Fall Festival is next Friday, 4-9 p.m. at Winding Hill North Park. There will be food trucks, live music, hayrides, municipal alley and community groups. Ms. Palmer gave a shout out to several groups. Alba Orthodontics provided the inflatables and staff. Grantham Church is sponsoring games. The Cumberland County Sheriff K-9 and Cumberland County 911 will be there. Upper Allen Woman's Club has partnered with us on this event, they have secured craft vendors and community groups. They are also sponsoring and coordinating a canned food drive in partnership with New Hope Ministries. You can find a list of things they are collecting on the Township website.

The Township had a joint rec meeting last week. Vice President Castranio shared that there was a summer playground program at Fisher Park that had 178 Upper Allen Township kids. The Koser Park summer playground program had 70 kids from Upper Allen Township and 75 from Mechanicsburg Borough. They were thankful for the improvements the Township had made at Koser Park. Ms. Palmer shared that 900 meals were served to the kids. She said it is access to food that some of these kids might not have. Commissioner Cochran spoke for the Upper Allen Woman's Club when she shared that they have donated to the program.

MISCELLANEOUS

Solicitor Update

There were no items for discussion.

Tax Collection Committee (TCC) Update

There were no items for discussion.

Capital Region COG Update

Several Township officials participated in the September 18th Golf Outing.

Municipal Advisory Board (MAB) Update

There were no items for discussion.

Pennsylvania State Association of Township Commissioners (PSATC) Update

Commissioner Anderson said the Summit is coming up in two weeks.

Commissioner Cochran made a **MOTION** to adjourn the meeting at 7:35 p.m., **SECONDED** by Commissioner Anderson. The motion carried unanimously.