

**UPPER ALLEN TOWNSHIP  
BOARD OF COMMISSIONERS/REORGANIZATION MEETING  
February 7, 2024 - 6:30 P.M.**

**COMMISSIONERS**

Kenneth M. Martin, President  
Richard A. Castranio, Jr., Vice President  
Virginia M. Anderson, Assistant Secretary  
Eric Y. Fairchild, Assistant Secretary  
Phil J. Walsh, Assistant Secretary

**TOWNSHIP OFFICIALS**

Scott Fraser, Township Manager (absent)  
Timothy Wendling, Assist. Town. Manager  
Andy Parsons, Chief of Police  
Jennifer Boyer, Comm Dev Director  
Barry Cupp, Sewer Dept. Manager  
J. Stephen Feinour, Solicitor  
Jason Reichard, Engineer  
Tom Shumberger, Fire Chief

**CALL TO ORDER**

President Martin called the Board of Commissioners Regular meeting to order at 6:30 p.m. A moment of silence was held, and the Pledge of Allegiance was recited by all. Roll call was taken by Ms. Boyer. Mr. Fraser was absent.

**PRESIDENT'S ANNOUNCEMENTS**

President Martin welcomed new Assistant Township Manager, Timothy Wendling.

**PRESIDENT'S RECOGNITION OF VISITORS**

There was no recognition of visitors.

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

President Martin shared that we have two sets of minutes to approved. We had the December 20, 2023 minutes in our packet for the last meeting, but they were not approved.

President Martin asked for any comments or corrections to the Minutes of the December 20, 2023, Commissioners Meeting. There were none, and Vice President Castranio made a **MOTION** to approve the Minutes of the December 20, 2023, Board of Commissioners Meeting, **SECONDED** by Commissioner Anderson. The motion carried unanimously.

President Martin asked for any comments or corrections to the Minutes of the January 2, 2024 Commissioners Meeting. There were none, and Vice President Castranio made a **MOTION** to approve the Minutes of the January 2, 2024, Board of Commissioners Meeting, **SECONDED** by Commissioner Fairchild. The motion carried unanimously.

**CONSENT AGENDA**

**Financial Security Reduction for Autumn Chase PRD, Phase 2, UAT File # 22-07-01**

We have inspected the improvements completed through the date of the request. The developer has installed some improvements in accordance with the approved plans and specifications. Therefore, the Board of Commissioners can authorize a reduction in the financial security posted by the Developer with the Township.

The Township is holding a Bond in the amount of \$1,464,481.70 to guarantee installation of the improvements in this development. As provided in the Municipal Planning Code Section 509 (j) and Section 509 (f), we suggest that the Board of Commissioners retain 10% of the estimated cost of the completed improvements to be installed. Therefore, the developer should be required to post new financial security in the amount of \$607,827.00.

When all improvements are completed and the developer dedicates the improvements to the Township, and before the Board of Commissioners accepts the dedicated improvements, the developer should be required to post with the Township financial security in an amount equal to 15% of the installation cost of the improvements for a period of eighteen (18) months.

Vice President Castranio made a **MOTION** to reduce the financial security for Autumn Chase PRD, Phase II, UAT File #22-07-01 from \$1,464,481.70 to \$607,827.00. Township Staff shall release the current financial security to the developer after the developer provides an amendment to the current bond or posts with the Township new financial security in the reduced amount in a satisfactory form as provided for in the Subdivision and Land Development Ordinance., **SECONDED** by Commissioner Fairchild. The motion carried unanimously.

### **Acceptance of the 2023 Planning Commission Annual Report**

At the January 29, 2024, meeting, the Planning Commission approved the annual report of the Planning Commission and directed staff to forward the report to the Board of Commissioners.

The purpose of the report is to meet the requirements of Section 207 of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), which states the Planning Commission shall annually make a written report of its activities to the Board of Commissioners.

Vice President Castranio made a **MOTION** to accept the 2023 Planning Commission Annual Report., **SECONDED** by Commissioner Walsh. The motion carried unanimously.

## **PUBLIC SAFETY COMMITTEE**

### **POLICE DEPARTMENT**

#### **Approval of College Coursework for Officer Powers**

Commissioner Walsh made a **MOTION** to approve Officer Robert Powers to take an Intro to Organizational Conflict Management class, **SECONDED** by Commissioner Anderson.

Commissioner Fairchild asked the amount of the expenditure. Chief Parsons confirmed it was \$1,901.00 for 3 credits.

## **FIRE DEPARTMENT**

Chief Shumberger shared that the new truck is in service. He reported that January has been slow.

Vice President Castranio shared that the annual banquet was held at Messiah University.

### **Consider/Approve Adopting the Update to the Emergency Operations Plan of Upper Allen Township**

Ms. Boyer shared that this must be in place under a PEMA directive. It must be updated every two years. We provide a copy of the resolution to Cumberland County. Ms. Boyer said there are only a few changes to the plan. Valerian Curd is our Emergency Management Coordinator.

Commissioner Walsh asked who the designated information officer was. President Martin said Chief Parsons and Scott Fraser are the speakers.

Commissioner Walsh made a **MOTION** to approve Resolution 1093 updating and adopting the Emergency Operations Plan, **SECONDED** by Vice President Castranio. The motion carried unanimously.

## **PLANNING AND ZONING COMMITTEE**

### **Consideration/Action of Zoning Map Amendment Request by Messiah University to rezone 403 Grantham Road from Medium-Density Residential to Institutional**

Ms. Boyer shared that there was a public hearing on this issue earlier in the evening. The Board is now in a position that they may consider taking action on the rezoning request.

Vice President Castranio said it makes sense to continue the institutional zone along there, but he is disappointed that adjoining property owners were not in support of it. He said if he was making this request, he would have been in touch with the neighbors and asking them come to the meeting in support.

Commissioner Fairchild said that the University is a premier asset of the community and that he looks to them to show some leadership and wishes there would have been some better communication. He said he did see Ms. Shafer talk to the neighbors after the hearing.

Commissioner Anderson made a **MOTION** to approve Ordinance 834 amending Chapter 245, Article III, Section 3.3, to modify the Upper Allen Township Zoning Map to rezone the property at 403 Grantham Road, Parcel ID NO. 42-3-2112-029EX, together with the portions of the rights-of-way to the centerline of both Grantham Road and West Lisburn Road that adjoin said property from the medium-density residential district (R-2) to the Institutional District., **SECONDED** by Vice President Castranio. The motion carried unanimously.

Ms. Boyer said there is a planning meeting on February 26, 2024.

## **PUBLIC IMPROVEMENTS COMMITTEE**

## **Consideration/Approval of Purchase and Installation of 6' Vinyl Fence on Northern Boundary of Municipal Campus.**

The Upper Allen Fire Company Department has requested that the Township consider installing a fence along its Western boundary. The fence is being requested to help delineate and provide privacy to both the residents and the Department. To help determine where the fence would be located the Township had C.S. Davidson mark the survey boundary.

The Township's Public Works Director received a quote from R & S Fence Company of Dillsburg for a COSTARS pricing of \$12,895.09. This price would be for the installation of a 6' high tan vinyl fence for 312' of length.

This was not a budgeted expense within the 2024 Approved Township Budget. Funding is available within the Capital Reserve Fund without modification to the annual budget. Commissioner Castranio made a **MOTION** to authorize the purchase and installation of the requested fence from R&S Fence Company of Dillsburg for a price not to exceed \$12,895.00., **SECONDED** by Commissioner Walsh. The motion carried unanimously.

Commissioner Fairchild asked if the neighbors are aware of this and if we were cutting down good trees. President Martin said he believes they do. Chief Shumberger said that the survey company went out and put markers with the blue flags on the entire length. Chief Shumberger said the limbs are starting to fall off. We will not have to take any trees down to put the fence up. The Township will send a letter neighbors.

## **SANITARY SEWER SYSTEM**

### **Consideration/Adoption of Resolution to Approve Application for 2022 PA DCED COVID -19 PA H2O Grant for Lisburn Trunk Sewer Project**

Mr. Cupp said this resolution changes the name of one of the officials executing the document from Kelly Palmer to Timothy Wendling, the new Assistant Township Manager.

Commissioner Fairchild states the grant is for \$1,037,919.00. He said the project estimated cost in 2021 was \$1,210,000.00. He said he saw that the cost share was going to be 79.3% Upper Allen Township and 20.7% by Rider Musser. He asked how that worked in relation to the million dollars.

Discussion occurred regarding whether Rider Musser was responsible for their portion before or after receiving the grant amount. Mr. Cupp said when the agreement was made, we did not have a grant. He said the fact that Upper Allen Township got a grant to offset their obligation does not impact what Rider Musser owes. President Martin said the Township should be covered with no out of pocket cash.

Commissioner Fairchild said the whole project is being done to improve capacity for the Oakwood Hills Development and anything that may feed into it. He was concerned about the capital and operating cost, that the Township is not subsidizing on the front and back end.

Commissioner Fairchild would like an update on the plans at Oakwood Hills. Ms. Boyer will reach out to the Developer. He wants to make sure we are complying with the conditions of the

grant.

Vice President Castranio made a **MOTION** to adopt Resolution 1094 to approve application 2022 PA DCED COVID-19 PA H2O grant for Lisburn Trunk Sewer Project, being resolved that the name changes of Scott Fraser, Township Manager and Tim Wendling, Assistant Township Manager be completed., **SECONDED** by Commissioner Anderson. The motion carried unanimously.

President Martin requested that Mr. Fraser provide a white paper clarifying the funding and the breakdown. President Martin will work with Scott Tocherman for an update on Rider Musser. Ms. Boyer will also reach out to Rider Musser.

Mr. Cupp said the new sludge screw press is installed and we are making sludge cake. The rest of the improvements are nearing completion. The only major outstanding item is the roofing. They are waiting for better weather and ventilation fans to complete the roof.

### **ADMINISTRATION COMMITTEE**

There were no items to report.

### **PARK AND RECREATION COMMITTEE**

#### **Consideration of Funding Request from Upper Allen Mechanicsburg Baseball Association for Middle Baseball Field at Koser Park**

The Township took over management and maintenance responsibilities at Koser Park in 2023. Upper Allen Mechanicsburg Baseball Association (UAMBA) plans to make improvements to the middle field at Koser Park to include new backstops and partial grading. The field was last used for organized sports a few years ago and saw limited maintenance by Mechanicsburg Borough. The total cost of the proposed improvements is \$26,224. UAMBA is requesting a contribution of \$10,000 to assist in this project. The requested funding is not budgeted but could be reprogrammed or allocated from fund balance if directed.

UAMBA's request first went to the Park and Recreation Board in January. The Board received the request favorably and recommend approval.

Scott Steffan, of 21 Conway Drive

Mr. Steffan shared that the scoreboards for West and South arrived today.

Mr. Steffan shared their need for another field since they lost Finkenbinder Field. There are three fields at Koser Park and they would like to renovate one of them. After discussion about not knowing the long-range plans for the park from Mechanicsburg Borough, it was decided that UAMBA would pause the plan at this point. Mr. Steffan and the Township decided they did not want to invest money in renovations that may not be part of future plans for the park. President Martin said we are supportive of interacting with the Borough and encourage them to get started on a Master Plan.

## **Discussion and updates regarding Grantham Park**

It was shared that in 2007, an independent study was completed, and a master plan was created for Grantham Park. An inlet pipe was still providing fresh water to the pond. A recommendation from the study was to dredge the pond to a 6-8ft depth. In 2019, the pond was showing lack of fresh water and bad quality water. Improvements were made by flushing the inlet pipe and adding risers to the overflow pipes thus raising the water level approximately another foot. In 2020, a handicapped fishing platform was added by a local Eagle Scout. Aerators were added and a biological treatment program was started to improve the water quality.

In 2022, Professor David Foster and Messiah University's Biology and Environmental Science Class conducted and presented a study to Township staff. A recommendation was to dredge the pond to an 8ft – 12 ft depth, reestablish the pond banks and add native plantings. The inlet pipe was no longer producing flow and unable to be flushed due to extensive root intrusion.

In 2023, the Pennsylvania Fish and Boat Commission was alerted to a public finding of an invasive fish species. Findings were presented of a very low population of game fish. Dredging was again a recommendation to improve the pond's overall health. Talks continue with State agencies on recommendations and assistance. Water levels began receding early fall. Attempts were made to pump fresh water into the pond multiple times. In late fall, a determination was made that a leak was present, and we would not be able to keep up with a temporary water source.

Funds were budgeted in 2023 to establish a permanent water source different than the current intake pipe. This was determined not to be a feasible option and funds were switched to engineering. Design and planning were to take place in 2024 with a project scope to propose for the 2025 budget.

A collaboration with C.S. Davidson has presented the following actions for an expedited project scope.

1. Obtain proper permitting through DEP
2. Acquire adjacent property easements and replace the 6" intake pipe with an 8" pipe
3. Dredge the pond to feasible depth
4. Clay pack the pond bottom and restabilize the pond banks

Mr. Reichard shared that there is currently zero flow into the pond. He said a preliminary project cost is \$430,0000 without engineering and suggested looking for grants. Dredging will be the most expensive cost of the project. Commissioner Fairchild asked if that could be done in-house. Mr. Reichard said that was initially the suggestion until they realized how extensive the project would be and it would be too much for in-house. They also need a place to take the materials.

## **MISCELLANEOUS**

### **Solicitor Update**

Mr. Feinour announced that their law firm merged with Cohen Seglias. Effective February 1, 2024. Nothing will change for the Township.

Mr. Feinour shared that Mr. Taylor is here to talk about the McCormick farmhouse. Most if not all of the work has been done and they are awaiting final inspections.

He has had communication with an attorney for the PA Liquor Control Board to move forward with the petition for exemption from the amplified music requirements of the liquor control act. It was shared that the majority of municipalities who have filed petitions for exemption were seeking to expand the amplified music capabilities, not restrict them. The Township is looking to restrict them, which can be done, but it is a more unusual practice. He should be able to share more at a future Board meeting.

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

There was no report.

### **Capital Region COG Update**

President Martin said they had a Safer Grant meeting. They are looking for more applications and more participation because there is money to be expended in the grant.

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

Vice President Castranio shared that they met on January 29, 2024. The County is working on short term rental software that will be provided to Townships and Municipalities. The P25 radio project will not be up and running until the end of 2025. January 27, 2025, is Cumberland County is 275 years old. They are looking to form a committee to create celebrations.

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

Commissioner Anderson was not able to attend the executive board meeting.

### **PUBLIC COMMENT**

Mathew Taylor, of 900 McCormick Road and 1174 McCormick Road

Mr. Taylor shared that the home was moved on December 2, 2023. He shared that 99.9% of the work has been completed and requested the release of the additional \$30,000.

Mr. Reichard shared that the only concern is the finished grading and seeding is not adequate. It has been backfilled and there is light seeding with minimal mulch that was visible. He said there will be a need to return to the sight to correct it in warmer weather. Mr. Taylor suggested a \$500 holdback until that is done. They have Dillsburg Septic under contract to address that.

President Martin said that Mr. Taylor will need to work with staff regarding an appropriate hold back and put it in a request. Mr. Taylor read a portion of the agreement that said the escrow shall be distributed to Taylor upon successful completion and transfer and relocation of the structure of the property. It says nothing about backfilling, grading or seeding. He is happy to do it, but it is not part of the escrow agreement.

Commissioner Fairchild asked if the Board needed to meet again for the release of Mr. Taylor's

money or if it could be handled administratively. Vice President Castranio said the motion at the last meeting did not state that they had to come back before the Board. Mr. Feinour said that the final step could be handled administratively as long as everyone is satisfied that the work is done. President Martin said they defer to staff to set the hold back to complete the grading.

Jim Cochran, of 384 Allison Avenue

Mr. Cochran said that Commissioner Fairchild made a comment about prevailing wage being prevailing profit. He said his understanding is that when you pay prevailing wage that gets passed through to labor and it is audited. There is no additional profit to anyone other than the people working the job. We have to pay more because that is the union rate in Philadelphia. Commissioner Fairchild said it is giving it from the union standpoint and the business owner standpoint, that there is a profit component and either way the Township pays more.

Mr. Boyer asked if there was any action or direction on how to proceed with Grantham Pond. President Martin said it was an update other than to start looking for external funding. Mr. Reichard said that the Park Director and Township Manager are looking for directions on how to proceed. Commissioner Fairchild said he thought the easement was a bit up in the air and that staff and Steve need to research that. President Martin said that in terms of overall direction, we are supportive of moving forward with planning and research.

Commissioner Anderson made a **MOTION** to adjourn the meeting at 8:24 p.m. **SECONDED** by Vice President Castranio. The motion carried unanimously.

There was no executive session.