UPPER ALLEN TOWNSHIP
MINUTES OF BOARD OF COMMISSIONERS MEETING
MARCH 4, 2020 – 6:30 P.M.

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
Lou Fazekas, Township Manager
Scott Fraser, Assistant Manager
James Adams, Chief of Police
Jennifer Boyer, Staff Planner
Barry Cupp, Sewer Dept. Manager
J. Stephen Feinour, Solicitor
Tom Shumberger, Fire Chief
Dennis Zerbe, Treasurer/Tax Collector (absent)

CALL TO ORDER

President Martin called the March 4, 2020 Board of Commissioners regular meeting to order at 6:30 p.m. A moment of silence was observed, and The Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Fazekas.

PRESIDENT'S ANNOUNCEMENTS

President Martin presented the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year ending 2018 to Scott Fraser, Laurel Yohe, and Julie Roth of the Finance Department. He said our Finance Department is functioning extremely well, noting that they are accurate, responsive, and deserve nothing but the highest marks possible.

CONSIDERATION/APPROVAL OF BOARD OF COMMISSIONERS MEETING MINUTES

President Martin asked for any comments or corrections to the Minutes of the February 5, 2020 Board of Commissioners meeting. There were none, and Commissioner Cochran made a MOTION to approve the Minutes of the February 5, 2020 Board of Commissioners meeting, SECONDED by Commissioner Anderson. The motion carried unanimously.

PRESIDENT'S RECOGNITION OF VISITORS

Chasity Sultzbaugh, of 986 Pondtown Road, Dillsburg, noted that she is a public health dental hygienist and was in attendance to discuss water fluoridation in Upper Allen Township. She noted that Suez Water is considering taking fluoride out of Upper Allen Township’s public water supply and asked the Board to consider not having it removed, noting the susceptibility of the community, especially children, and that it really does reduce cavities. Without fluoride, she said we will see an increase in cavities and other health issues. President Martin responded that the decision and responsibility is with Suez Water and he suggested that they get word to them.

Cheryl Ross, of 1901 Dartmouth Street, Camp Hill, said she is a registered dental hygienist who works in clinical dental hygiene and also instructed at HACC. She said she has worked in Lemoyne,
Camp Hill, and Harrisburg over the past 20 years. She indicated that she has the same concern. She said Suez has had Upper Allen Township’s water for 20 to 30 years and it’s been fluoridated. She said she understands they will merge with two other Townships that are not fluoridated and in her experience, it’s not just the younger population, but everybody, that will be affected. She said she has adult patients from middle age to seniors who have spoken about how they wish they had fluoride in their water because maybe they wouldn’t have health problems such as infections, tooth loss, problems with nutrition because of missing teeth, and added costs. She said fluoride is proven by the ADA and medical associations, and they all back it. She questioned whether the population here has been notified of the fluoride removal. Some Board members remembered seeing something in their water bill. She also wondered if the paperless population was informed so people could bring up their concerns. President Martin asked why they are taking the fluoride out and Ms. Hill said she thinks it’s because of the expense. President Martin thanked her for the information and noted that he was not aware, but he again urged her to talk to Suez Water.

Vice President Castranio said Suez probably has to go through the PUC (Public Utility Commission), and Commissioner Cochran asked whether they have inquired through the PUC. He said they are the agency that Suez would deal with, noting that the Township doesn’t have much influence for any of the utilities. Ms. Hill said ABC27 interviewed a local office manager for a dental office and she thinks some of the information was inaccurate because they talked out getting fluoride from sources other than water. She said that fluoride is different, and getting fluoride in your water gets it into your system from the inside out.

Donna Murray, of 431 Delancey Court, Mechanicsburg, said she also is a public health dental hygienist and has worked at HACC. She said Suez acquired the water system 20 to 30 years ago and at that time it is her understanding that there was a fluoride clause in it. She said she is seeking that information as to whether fluoride has to remain a part of the system. She said they have inquired and have not heard anything back. She also said she received no letter in her bill like others did, unless she missed it. She said they are supposed to notify the public, and it appears that they did through the bill and no other way. She said she also has questions on a letter that was sent to some of her customers. She said parts of it are misleading regarding removal of fluoride and also that there is no regulatory requirement to add it to the water. She said that is correct, but it should be the public’s decision. She said they claimed that handling the fluoride in the treatment process puts their employees at risk, but said there is a protocol for handling all chemicals, not just fluoride.

In summary, she said there is a deadline of March 8 for comments to be submitted to DEP. She questioned the timing of the notification and questioned whether the public knows about it. She said other communities have had this same fight and when their Board wrote a letter it did slow down the process and created awareness with DEP. President Martin said he doesn’t know if this Board can take a position or not, but asked that she get the information to us and we will see. He wondered what Suez’s counter argument is and he said it feels like we are going backwards. Ms. Murray said there is a state dental director and she is in support of the fluoride. Commissioner Cochran asked if she wrote a letter and Ms. Murray said she doesn’t know but she intends to reach out later in the evening. Consensus of the Board was that if Ms. Murray gets the information to them right away, we can write a letter requesting additional time for comment. Commissioner Anderson commented that years ago, when she was a teacher, she had to give fluoride pills out to kids who didn’t have it in their water.
Commissioner Cochran made a **MOTION** to write a letter to DEP requesting an extension to the comment period for 30 days because the Board feels that the efforts of Suez Water were not adequate. **SECONDED** by Commissioner Walter. The motion carried unanimously.

**CONSENT AGENDA**

There were no items for consideration.

**PUBLIC SAFETY COMMITTEE**

There were no agenda items, but with respect to the Coronavirus, Chief Adams noted that the Police Department was proactive about a year ago in getting the police cars treated with PermaSafe Antimicrobial Protection System, which kills 99% of viruses, fungi, etc. They have also stockpiled face masks and other normal things they use, and ordered additional disposable gloves, which they use on a regular basis. Even if they don’t need them for Coronavirus, he said they will still be used. He said he has been communicating with Mr. Fazekas on the subject also. Commissioner Cochran said Lysol is supposedly 99.9% effective, but the 1% that it’s not effective against includes Coronavirus. Chief Adams said he talked to the vendor today and it was confirmed that it will be effective for Coronavirus. Mr. Fazekas said the administrative staff could use the window in the lobby to pass documents through and we have a drop box for payments. He said he has also talked individually with department heads and asked them to come up with a plan for the operation of their departments. He said our maintenance employee will sanitize common areas more frequently. Commissioner Cochran said bleach seems to be the universal virus killer. He asked what we know about EMS’s operations. Mr. Fazekas said they are taking proper precautions with gloves and masks, but he doesn’t have any further detail. Chief Adams said the reality is that this is something the Police Department deals with on a regular basis before Coronavirus was even discussed, as far as dealing with contagious people and communicable diseases. He said the Police Department already has arrangements with the dry cleaner where they use special bags for uniforms that are contaminated with blood and other things. Commissioner Cochran noted that swine flu killed 118,000 Americans and 16 million have been affected, but we don’t hear about it because it’s not as contagious as this.

President Martin said there was a Public Safety meeting since the last Board of Commissioners meeting. He said there are a couple of roads/streets that Public Safety is asking to be considered for speed studies, and Chief Adams said the topic is included in his monthly report, which will be before the Board at the March 18 meeting.

Chief Shumberger had no comments.

**PLANNING & ZONING COMMITTEE**

**ZONING HEARING BOARD (ZHB) CASES FOR MARCH 12**

The property owner of 260 Cumberland Parkway (Starbucks) is seeking a Variance to add a 4’ diameter sign to the east elevation over the drive-thru. Mrs. Boyer said they are already proposing the two that are allowed but they are asking for a third. She said they have been working with Community Development for some time and their original request was for a lot more signs, but they have removed much of what they originally wanted. Commissioner Cochran commented that
Dominos said they had to have all these signs, and they haven’t put any up at all. Mrs. Boyer said they just applied for their permit. President Martin said he hopes if the Starbucks variance is granted, that the sign is not illuminated. Commissioner Anderson commented that they knew where the piece of property was when they came in for plan approval, and she doesn’t think they have been very cooperative, as they have parked in Dollar Tree’s spaces and blocked their delivery trucks. Commissioner Cochran said the Board should express opposition to another lit sign. Vice President Castranio said he typically sides with the businesses, but he doesn’t think they have proved a hardship. Commissioner Cochran said if a sign is really necessary at the drive-thru, they should move the one from the Arby’s side of the building. Mrs. Boyer said she will pass the Board’s comments along to the Zoning Hearing Board.

HARB CASES FOR MARCH 17

There are no cases scheduled.

PUBLIC IMPROVEMENTS COMMITTEE

Mr. Fazekas noted that the bids for the 2020 road improvements project will be considered at the March 18 meeting.

SANITARY SEWER SYSTEM

CONSIDERATION/APPROVAL OF CHANGE ORDER NO. 1 FOR THE GRANTHAM WWTP MISCELLANEOUS IMPROVEMENTS PROJECT

Mr. Cupp noted that Change Order No. 1 for the Grantham WWTP Miscellaneous Improvements Project, dated February 13, 2020, is necessary for surface restoration and paving work around the new Grit/Grease Pad and for exterior repair and coatings work on concrete treatment tank structures during more favorable weather conditions. Change Order No. 1 for Shiloh Paving & Excavating, Inc. consists of an extension of the substantial and final completion dates by 137 days to May 29, 2020 and June 28, 2020, respectively. There is no cost adjustment associated with the Change Order.

Vice President Castranio questioned whether we didn’t give them enough time in the original contract. Mr. Cupp said the first two parts of the work, which were the bulk of the work, were done before the original deadline, but they basically ran out of good weather. He said you have to have proper temperatures in order for the coatings to adhere to the concrete for this third part of the concrete. President Martin commented that a good job is probably more important than dates. Commissioner Cochran said he is not averse to giving an extension, but he noted that substantial completion was January 15 and the Change Order is dated February 15. He questioned how long they have known they weren’t going to make the deadline. He said 60 days after the substantial completion date is not good. He said we knew last fall, and questioned why they dragged their feet until now to ask for a Change Order.

Mr. Cupp said WWTP Supervisor Bill Anderson and GHD were in discussions about it, and there didn’t seem to be any urgency to formally submit the Change Order because everybody knew we couldn’t apply these coatings in cold weather. He said the main reason it wasn’t really pushed is that it doesn’t have any detrimental effect. He said the ground is too wet to do grading. He said GHD
presented a draft Change Order for this, and it was discussed, and we didn’t feel they asked for enough time, so we asked them to add another 30 days to it due to spring rainy weather. He said about a month ago we did have an initial Change Order in-hand and we asked GHD to go back and increase the time. Commissioner Cochran said a month ago was still one month past. He said this wasn’t well managed.

Vice President Castranio made a MOTION to approve Change Order No. 1 to the contract with Shiloh Paving & Excavating, Inc. providing an extension of the substantial and final completion dates by 137 days to May 29, 2020 and June 28, 2020, respectively, with no contract cost adjustment. SECONDED by Commissioner Walter. The motion carried unanimously.

President Martin asked Mr. Cupp to prepare an update on Rolo Court

ADMINISTRATIVE COMMITTEE

Mr. Fazekas noted that there is a meeting scheduled with representatives of the School District on March 9 to discuss the present uncertainty over the Joint Recreation Agreement.

PARK AND RECREATION COMMITTEE

CONSIDERATION/APPROVAL OF PARK BENCH AND TREE DONATION POLICY

Mr. Fraser noted that the Township receives requests to place memorial trees or benches within its parks a few times a year. In the past these requests have been handled on a case-by-case manner, resulting in inconsistencies in donation levels, placement and quality. In an effort to simplify the process and ensure fairness and consistency, staff has drafted a Memorial Tree and Bench Policy, which is designed to provide potential donors with standardized language that ensures that future donations are treated equally and that the Township remains in control of its park design and maintenance. The trees and benches selected in the draft policy were determined based on previously-developed plans, or with consideration to existing improvements.

Mr. Fraser said in certain cases people have donated things and expected them to be there forever; however, if someone donates something, it belongs to the Township and we can move it if we want to. He noted that Parks Maintenance Supervisor Chad Krebs made our park benches uniform, to be put on concrete pads to accommodate wheel chairs, for example. Other benches will have a pad underneath but not as extensive. For trees, PA natives are recommended, and the Township has plans for what trees can go at what parks. Additionally, Township management can make the call that we don’t need benches or trees. Mr. Fraser said each donation comes with a small plaque and the only guarantee of longevity is if a donated tree dies within 5 years, we will replace it. He said we don’t plan to move trees unless it is for a construction project. He said the long and short of it is that we need to get into a position where people know what they are getting, we don’t promise that things will be there forever, and we have uniformity. He said the Park & Recreation Board saw the draft policy in January and is in agreement with it.

Commissioner Cochran made a MOTION to approve the memorial Tree and Bench Policy, SECONDED by Vice President Castranio. The motion carried unanimously. The motion carried unanimously.
Vice President Castranio asked if we will advertise, and Mr. Fraser said there is no plan to advertise, but if someone inquires, now we will have a policy.

Mr. Fraser noted that improvements to Miller’s Crest park are completed and inspected, and are now open. He said Spring Run park has been hard to finish due to wet weather, but it should be done by mid-March.

**MISCELLANEOUS**

**TAX COLLECTION COMMITTEE UPDATE**

There was no discussion.

**CAPITAL REGION COG UPDATE**

There was no discussion.

**MUNICIPAL ADVISORY BOARD UPDATE**

There was no discussion.

**PA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS (PSATC) UPDATE**

There was no discussion.

**SOLICITOR UPDATE**

There was no discussion.

**EXECUTIVE SESSION**

President Martin recessed the regular meeting at 7:25 p.m. for an Executive Session on a potential legal matter.

**CONTINUANCE AND ADJOURNMENT**

President Martin reconvened and adjourned the regular meeting at 8:10 p.m. with no further action.