UPPER ALLEN TOWNSHIP
MINUTES OF BOARD OF COMMISSIONERS MEETING 2
MARCH 18, 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 (absent)
James Adams, Police Chief
Jennifer Boyer, Comm. Dev. Dir. (absent)
J. Stephen Feinour, Township Solicitor
Barry Cupp, Sewer Dept. Manager (absent)
Jason Reichard, Township Engineer (absent)
Tom Shumberger, Fire Chief

President Martin called the 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. Commissioner Anderson and Solicitor Feinour attended by phone.

CONSIDERATION/APPROVAL OF MEETING MINUTES

President Martin asked for any comments or corrections to the Minutes of the February 19, 2020 Board of Commissioners meeting. There were none, and Commissioner Cochran made a MOTION to approve the Minutes of the February 19, 2020 Board of Commissioners meeting, SECONDED by Commissioner Walter. The motion carried unanimously.

PRESIDENT'S ANNOUNCEMENTS

President Martin commented that with respect to the coronavirus that is on everyone’s mind, the Township is taking precautionary measures by separating the seating. He said he hopes everyone stays healthy.

PRESIDENT'S RECOGNITION OF VISITORS

Carl Dallmeyer, of Rolo Court Mobile Home Park, 4775 N. Sherman Street, Mt. Wolf, PA 17347, said he understands that Rolo Court has been a topic of conversation over the last 4-5 months. He said he has been in receipt of a letter from the Board dated February 11, 2020. He said he had a discussion about the letter on March 11 with Sewer Department Manager Barry Cupp, and subsequently memorialized the conversation by way of a letter emailed to Mr. Cupp and Mr. Fazekas. He provided a copy of that email and letter to Board members.

Mr. Dallmeyer said the reason he is speaking to the Board is that it seems that the letter he received on February 11, 2020 was a little misleading in that the insert that was sent with it had a title caption of “Rolo Court Mobile Home Park Sanitary Sewer Service Information,” and the second page of the insert instructed residents to call the Sewer Department if there were sewer backups or if they notice anything. He said that is fine, but he expressed concerned when he spoke to Mr. Cupp that their residents may have been confused because, obviously, since it is a private sewer system, Rolo Court
would be the one that would respond to any emergencies right away, and they have been doing that as long as Rolo Court has been in existence.

Mr. Dallmeyer said he did a bit of investigative work and was able to obtain the actual newsletter ad insert that was sent to the residents, which is a little different than the insert he received. He said the one he received is titled as noted above, and on the back page of the January 23, 2020 letter sent to residents, which he obtained from a resident, the title noted above is omitted from that title page and there is an extra sentence on the back page that says residents should also contact Rolo Court. He provided a copy of the January 23 letter to Board members also. He said he wanted to bring it to the Board’s attention because he understands there has been some discussion among Board members about some issues.

Mr. Dallmeyer said he was contacted by the Board by letter in July of 2017, and Rolo Court responded, but there was no response to that. He said the next official communication he got was from Kodi Hockenberry, informing him that that there would be some work done to Township sewer laterals below their system on December 2, 2019. He said they finished on December 18, 2019 and then he received the February 11 correspondence.

Reading through the Minutes from the Sewer Advisory Board and the Board of Commissioners, Mr. Dallmeyer said it seems as if at least Mr. Cupp has said numerous times that he was going to reach out to Rolo Court regarding problems or issues or concerns, but that hasn’t happened. He said the only other thing they did is due to some private litigation within their mobile home park in late summer/early fall of 2019. He said Rolo Court submitted some Right-to-Know requests and got some documents. In those documents he said there was discussion about trying to obtain an Administrative Warrant to come in and inspect Rolo Court’s system and do smoke testing. He said that was the first he ever heard of it and in response to those Right-to-Know requests he said he instructed his attorney, Stacey MacNeal, with Katherman & Perry, to reach out to the Township’s Solicitor, which she did on October 24, to say we are concerned and to ask if the Township is concerned and if there are issues we need to talk about, and that we would be happy to meet. He said his attorney indicated that there weren’t many concerns and the situation blew over or went away. He said shame on him for not checking the Minutes after that. He said they never heard from the Township’s Solicitor and they reached out on October 24, the day of a Board of Commissioners meeting in which Rolo Court was discussed, he believes extensively.

Mr. Dallmeyer said he is happy to discuss any issues the Board is concerned with. He said he thinks the Board might understand why he has concerns with the February 11 letter and enclosure by Mr. Cupp because it asks his residents to call the Township’s Sewer Department and says the Township would respond. He said he is concerned that he might have some liability if he doesn’t hear about it from his residents and is concerned that the Township might have some liability. But because he was able to dig it up and find the actual newsletter that was sent, he said he thinks the situation isn’t quite as serious as he thought in terms of getting misleading information to the residents. But he said he wanted to open the dialogue. He said he arranged a meeting with Mr. Fazekas and Solicitor Feinour on the morning of tonight’s meeting but that didn’t happen. He said his lines of communication remain open but the Township only contacted him 3 times in 3.5 years.
President Martin thanked Mr. Dallmeyer and said this is the first time most have seen the communication, and the Solicitor will probably want to look at it as well. He said we will look into it. He said he is concerned that Mr. Dallmeyer feels that he is not getting communication or return calls and he thanked him for bringing it to attention of the Board. Mr. Dallmeyer said all correspondence received within last 3 years was directed to him, which is where it should go. President Martin questioned whether staff also has appropriate phone numbers and emails and Mr. Dallmeyer said they certainly do now. President Martin said he has no reason to not believe they had them the last 3 years, and said as a business person in Upper Allen Township, the Board wants to respond to Mr. Dallmeyer appropriately. Vice President Castranio said Mr. Dallmeyer called him last week but he didn’t have all the specifics in his head at the time.

Commissioner Cochran said he doesn’t know the answer, but asked Mr. Dallmeyer whether he has a responsibility to report to any municipal authorities should he have an overflow from his sewer system. Mr. Dallmeyer said he knows he has a responsibility to report it to DEP. He said he isn’t aware of any Township ordinances that say he has to report it to the Township, and that was going to be one of his questions at the meeting earlier today, to find out where that is. Commissioner Cochran said he thinks that possibly one of the issues was a resident or more calling to say they have sewage flowing down the street and it doesn’t seem like anyone is doing anything, and he thinks that was the first we heard, and we responded that it is private property and we can’t do anything unless we are informed or witness it. As we continue the conversation, he said we have to understand how those relationships work. While Rolo Court’s system is private, he said it eventually dumps into the public sewer system and whatever goes down Rolo Court’s drains goes into our sewer plant. Mr. Dallmeyer said he became aware after reading the minutes that the Township did an I&I study in September of 2019, both above and below their park, to determine whether there were I&I issues going into the system, and according to the Minutes there were not, so at least according to those Minutes it seems that the sewer system is tight.

**CONSENT AGENDA**

Commissioner Cochran made a **MOTION** to approve the Consent Agenda as follows, **SECONDED** by Commissioner Anderson:

- Consideration/Approval of Staff Reports.
- Consideration/Approval of Bills in the Amount of $430,935.38

The motion carried unanimously.

**PUBLIC SAFETY COMMITTEE**

President Martin said there is nothing on the agenda but he thinks the word got out about the Fire Department dedication being postponed indefinitely.
FLASHING LIGHT AT GETTYSBURG PIKE/ENGLISH DRIVE

President Martin said he is making staff aware that it’s his understanding that both the red and yellow flashing lights at the intersection of English Drive and Gettysburg Pike are not always operating with every piece of emergency equipment because of the frequencies of sirens. Fire Chief Shumberger said there is a siren in every vehicle that will trigger it. Commissioner Cochran said he watched an SUV come out and it worked with that, but nothing happened when the engine came out. Chief Shumberger said 9 out of 10 times it works, and it is usually operator error when it doesn’t. President Martin said that is the whole crux—if we can’t get something that automatically eases that for these volunteers to trigger it, then he wants to start over. He said they have been dealing with it for too long. He said he is not blaming anyone in particular but said he wants to get it working once and for all. Commissioner Cochran said it could be not firing when it’s supposed to or is firing when it’s not supposed to because it’s keyed to certain sirens. He said if we are picking something we prefer but that won’t trigger it, then shame on us. He said it sounds to him like it should be part of the standard operating procedure—if you are heading out the door, this is the siren you use. Chief Shumberger said he did email the firefighters about it and he will keep track of it. Mr. Fazekas asked if there is a need for both sirens, and if not, why not deactivate the other one. Chief Shumberger said one is just to get attention rather than trip the signal, and all vehicles have both. He said a lot has to do with whoever is riding in the front seat. He said it’s an educational thing on their part too that they should know which to push. Vice President Castranio said he thinks the first one they push should be the one that activates it.

Police Chief Adams said the reason for multiple tones and siren options is that some grab the attention better and you don’t want multiple vehicles traveling with the same siren because it is very typical that people pull over for the first emergency vehicle and assume it’s clear once that one goes by. He said he concurs with President Martin that for not just volunteers but also for police officers, the last thing they should have to be thinking about is which position their siren is in. He said they are already thinking about the best approach to the situation and now we expect them to worry about which position the siren is in. He said they don’t have to think about a certain switch to push to activate the systems that are in place at intersections, and they shouldn’t have to do it in this case either. He acknowledged that the system at the traffic signals is a different system than the flashing light. But he said he thinks it’s ludicrous in today’s technology world that they have to think about which siren to activate and said it is an additional thing the driver shouldn’t have to worry about. President Martin asked if we could have gone optical at the flashing light intersection like at the traffic signals, but Mr. Fazekas said the discussion never got into those types of specifics. Commissioner Cochran commented that you might run lights without a siren, but he asked if you might run a siren without lights. Chief Shumberger said he thinks if you are running, PA law says if you have lights on, you must also have a siren on. Chief Adams said if you are taking advantage of any other exceptions to the PA Vehicle Code, you have to have both on. To the lay person he said it does seem very simplistic, but until you’ve been in the shoes of emergency responders, you wouldn’t know that when that call comes in you have so many other things you are thinking about that worrying about which position that siren is on is something you shouldn’t have to worry about. Commissioner Cochran said it sounds like we should just eliminate the audio and go with an optical system the same as at the traffic signals.
President Martin commented that he is sure Mr. Fazekas will take care of it because he is probably tired of hearing about it. Mr. Fazekas said he first went after C. M. High, who installed it, then he went back to the engineers to fix it because they designed it.

**MISCELLANEOUS**

Chief Adams said he doesn’t know much about alarms.org and their information to the Board, but of the safest cities in PA in 2020, Upper Allen Township is in the top 10 as the 9th safest city in the Commonwealth. President Martin said for our citizens and others, it’s worth noting in the newsletter.

Chief Adams noted that the Detroit auto manufacturers will be shutting down. He said they just took delivery of the police car that was ordered February 4, 2019 and it is currently being upfitted. He said the car that was ordered July 3, 2019 is scheduled to be built April 1, but based on what he heard, he has no idea when that car will get here. He said he went ahead and ordered the one in the budget for this year and there is no guessing when that will get here. He said the Police Department is blessed, and thanked the Board for looking to the future with their fleet schedule.

Chief Shumberger pointed out a new report in the Board packet related to calls by the Township. He said it is something new that President Martin asked him to include that shows where Upper Allen Fire Department is running calls to. He noted that the report says there were 5 calls not reported. He said those 5 are calls to the Fire Chief that occur if Messiah Village or another place has an auto alarm and they call in before it is actually dispatched. He said the firefighters will call the Chief to let him know it was a false alarm and to find out if they should go or not. He said usually if they have the password and tell him what it is he’ll tell them not to send the Fire Department. He said he just wanted to clarify so the Board doesn’t think they aren’t reporting 5 calls.

**PLANNING & ZONING COMMITTEE**

**CONSIDERATION/APPROVAL OF CERTIFICATE OF APPROPRIATENESS FOR 240 GETTYSBURG PIKE**

Mr. Fazekas reviewed a memo by Community Development Director Jen Boyer as follows. Rkia Hall, owner of 240 Gettysburg Pike, who was in the audience, has made an application for a Certificate of Appropriateness to replace the existing wood windows with vinyl/glass windows on her property. Ms. Hall has stated previously that she would use the same number of light dividers and same exterior crown molding as showing on the current windows. All basement windows would be new construction. Other work being completed at the property includes the replacement of multiple doors on the building addition. Ms. Hall is proposing composite material doors for long-term durability.

The property 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 property 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.
Ms. Hall would like to replace the current windows on the entirety of the property because they are in need for repair/replacement. She was before the Historical Architectural Review Board (HARB) and the Board of Commissioners in 2019 to request permission to replace some of the windows and fence on the property.

On September 18, 2019, the Board of Commissioners issued a Certificate of Appropriateness for replacement and extension of the existing fence along the property. On October 16, 2019, the Board issued a Certificate of Appropriateness to permit vinyl windows to be installed on the third floor and attic of the original structure, with the following conditions:

1. The use of high-quality vinyl or fiber glass material may be used to replace the existing windows on the 3rd floor if the light dividers match the existing windows (6 over 6) and are double hung.

2. The use of high-quality vinyl or fiber glass may be used to replace the existing attic windows if the light dividers match the current design (6 pane) and are single sashed to match the current historical look.

3. The use of high-quality vinyl or fiber glass may not be permitted on the wood addition on the property. These windows shall be replaced with wood to maintain the similar style of what is existing.

The use of vinyl windows deviates from the original materials used and does not align with historic preservation methods. While the applicant has stated before that vinyl material existed on the property, the Township has no record of allowing vinyl windows to be installed. As of 2019, the Township has permitted the applicant to install vinyl windows on certain floors. If permitted to continue, Ms. Hall should use materials, such as dividers, which replicate the look of the existing windows. If not permitted, the Board should take into consideration if the repairs being made are on the main structure or one of its many additions.

HARB members reviewed and discussed the application request on February 18, 2020, and unanimously recommended approval of a Certificate of Appropriateness, with conditions. On February 20, 2020, Township staff submitted written communication of HARB’s decision to the applicant and also notified her of the Board of Commissioner’s meeting of March 18th, at which time the Board will review her request.

Section 10 of Chapter 155 of the Township Code states that 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 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.

Ms. Hall thanked the Board of Commissioners for their willingness to review her case, and reiterated the information stated in Mrs. Boyer’s memo and her reasons for the what she is proposing. She noted that she wants to achieve the same look throughout the property, including the garage and red coffee shop building, which was gutted because it was basically abandoned. President Martin questioned whether she is ok with the conditions proposed by HARB and she indicated that she is. President Martin asked Commissioner Anderson if she is aware of the 6 conditions since she attended the HARB meeting. Commissioner Anderson noted that she is aware of them and is in agreement with them. Commissioner Cochran pointed out that condition #6 indicates that the final design is subject to review and approval by the Township Building Code Official or the Chairman of the HARB, but he said it should be reviewed and approved by both. All other Board members were in agreement.

Commissioner Anderson made a **MOTION** to grant a Certificate of Appropriateness to Ms. Rkia Hall for the request to replace the existing windows and doors on the property of 240 Gettysburg Pike, with the following conditions, **SECONDED** by Commissioner Cochran:

1. The use of double hung, high-quality vinyl or fiber glass material with matching light dividers is permitted to be used to replace the two existing windows on the attic floor facing South York Street.

2. The use of high-quality vinyl or fiber glass windows or doors are not permitted on the coffee shop addition (red clapboard building addition). The two doors shall be four-panel wood doors, and the windows shall be constructed with a wood frame. These windows and doors shall be constructed of wood to be historically accurate.

3. The use of high-quality vinyl or fiber glass material is permitted to be used on the basement, first and second floor windows on the main structure. The windows on the first and second floor shall match the existing windows on the third floor.

4. The front door of the garage building addition shall be replaced with a four-panel, wooden door to match the existing door and be historically accurate. If possible, the transom should be preserved to match the transoms on the main structure.

5. The use of high-quality vinyl or fiber glass material is permitted to be used for the windows on the garage building addition to match those on the main structure.

6. The garage door on the garage building addition may be replaced with a high-quality patio door with sidelights and/or clapboard. The final design is subject to review and approval by the Upper Allen Township Building Code Official and the Chairman of the Historical Architectural Review Board.
Work to be performed shall be in accordance with all applicable codes and ordinances, and in accordance with the building design and specifications as submitted and reviewed by the Historical Architecture Review Board. The motion carried unanimously.

CONSIDERATION TO REAPPROVE WINDING HILLS, STAGE 5(C), LOTS 361-395, FILE #18-05-01C

Mr. Fazekas reviewed a memo by Community Development Director Jen Boyer, as follows. On June 6, 2018, the Board of Commissioners conditionally approved the above-referenced plan. Condition #16 stated that the plan must be recorded no later than June 6, 2019 or the plan would be considered disapproved. The June 6, 2019 date was defined from the preliminary plan approval for Stages 5(B) and 5(C), where the developer had agreed to record both final plans within 12 months following the date of approval of the preliminary plan. The first two conditions require minor updates to the plan. The remaining conditions (3-16) are administrative, except for Condition #15, which has since been completed. The Board of Commissioners is in the position to consider the re-approval of this plan.

Vice President Castranio said he will abstain because he is employed by the applicant’s engineer. Commissioner Cochran said the plan should have been recorded by June of 2019 and here we are in March of 2020. He said he would think if he was a developer with a deadline and he wasn’t going to make it, he would come in before it expired. He said he thinks this plan is expired, and he doesn’t think this is appropriate. Commissioner Anderson said it’s not an extension, it’s a reapproval. President Martin questioned whether there any changes that have occurred. Mr. Fazekas said we have a plan, and staff reviewed it, and it was on the Planning Commission agenda as well; however, Vice President Castranio noted that if it had been at Planning Commission, Mrs. Boyer’s memo would say so, and it doesn’t. Mr. Fazekas said he can check on that. He said he doesn’t know any specific hurry at this point for the reapproval and can bring it back for the Board if necessary.

President Martin said this is a lapsed plan. Commissioner Cochran said even with a time extension, he thinks it should be submitted before it expires, and the applicant should not wait 9 months after it has expired and then ask for a time extension. Or, he said you’d think the applicant would be here. Mr. Fazekas said he’s in South Carolina, and President Martin said he must not care or he’d have someone else here. Mr. Fazekas said the Board has the option to table it until the next meeting. Commissioner Cochran said he doesn’t think the Board is in the position to consider the reapproval of this plan because it might be a reapproval under new guidelines, but Commissioner Anderson said she doesn’t think that is the case. President Martin questioned whether a plan has to be resubmitted under the current guidelines if it expires. Vice President Castranio said you still have an approved tentative plan. He said it only has to meet the approved preliminary plan. He said the Winding Hills PRD has a tentative PRD, which was approved, so it just has to be in conformance with that, which it is. But he said he doesn’t have any problems with what everyone else has said. He said when the Board approved the tentative plan of the PRD, in effect that served as a preliminary plan, and President Martin said now this is really the final plan submission or reapproval. He said Winding Hills is an asset to the community and lots of people live there, but personally he gets a bit amazed at developers that let things lapse and just assume the Board of Commissioners will say it’s ok. He said
to him that is as much of the issue as anything because it shows a lack of respect for the Board. Commissioner Anderson pointed out that applicant Mike Greene usually does come.

Commissioner Cochran wondered why the Board would go another 180 days and questioned if we have to do it. Vice President Castranio said that is the normal for an approved plan but Commissioner Cochran said we already gave them 180 days and that ran out. Vice President Castranio said right now that plan is expired and a new plan is before the Board, so they are asking for reapproval with the same conditions. President Martin said he is not in favor of this but could be persuaded. Commissioner Anderson said it doesn’t matter if it is tabled. Commissioner Walter said another concern is that it is literally a new plan, so he questioned why it wouldn’t have gone to Planning Commission. Mr. Fazekas said staff was going to recommend no Planning Commission meeting in March because of the current situation with the coronavirus. He said we are getting more and more concern from all the volunteer boards. President Martin said he’s not aware there is any reason this has to be dealt with now or in 2 months or 4 months, and Vice President Castranio agreed.

Commissioner Anderson made a MOTION to TABLE, to be resubmitted through the Planning Commission for consideration in accordance with the traditional process. SECONDED by Commissioner Cochran. The motion carried unanimously, with the exception of Vice President Castranio, who abstained because he is employed by the applicant’s engineer.

**CONSIDERATION/APPROVAL OF TIME EXTENSION FOR ELMWOOD ELEMENTARY LAND DEVELOPMENT PLAN, FILE #18-01-02**

On April 19, 2018, the Board of Commissioners conditionally approved a preliminary/final land development plan for the Elmwood Elementary School, UAT File #18-01-02. Condition #11 stated that the plan must be recorded within 180 days or the plan would be considered disapproved. The 180-day time was to expire on October 16, 2018. On October 3, 2018, the Board of Commissioners granted a time extension until April 14, 2019. On April 4, 2019, another time extension was granted until October 11, 2019. On October 2, 2019, a third time extension was granted until March 31, 2020.

On March 13, 2020, staff received another time extension request. The applicant is still working with PennDOT to receive a Highway Occupancy Permit (HOP) for access and other improvements along Shepherdstown Road. Since the Board’s last meeting, the applicant has received sign-off from Southpoint, and PennDOT has accepted a right-in/out drive concept for their south drive. Since PennDOT has not yet issued the HOP, the applicant is requesting another 180-day extension to receive the HOP and record the plan.

Dick Castner, Construction Manager with Mechanicsburg School District, said they are requesting another time extension to allow them to continue what they have to do for the HOP. Mr. Fazekas said one of the issues was that they needed Southpoint to sign off, and PennDOT wouldn’t approve their plan until they got that sign off, so it took longer than normal. Commissioner Cochran said one of his pet peeves is the design of right-in, right-out intersections when they are set up so people can ignore them and make illegal turns across traffic. From the sketch, he said it doesn’t look too difficult to ignore this one. He asked if we can make it a more pronounced turn so people would find it more
difficult. He said as we look at the right-in, right-out in front of Turkey Hill, it is routinely ignored, and we can’t post a police officer there all day. He said sooner or later there will be an accident. Mr. Castner said he will check with PennDOT to see if there is a way to do it. Commissioner Cochran said there is a similar situation at Cumberland Parkway and Starbucks, and they are going to rectify that for us. He asked Mr. Castner to do whatever he can do to make it more difficult for illegal left turns, and said it will be appreciated. Mr. Castner said he would probably reinforce both right-in and right-out, but he committed to get their engineers to question PennDOT and if they can change it, it would be no problem for the School District. President Martin suggested even to just angle it differently would make it more difficult. Vice President Castranio said this right-in, right-out would really greatly affect Southpoint. Mr. Castner said PennDOT dictated a right-out only, and he met with Southpoint and it went well. He said they had some back and forth and they agreed that they felt, for their purposes, the best situation would be a right-in and right-out, so the School District agreed to that. Commissioner Cochran said he is not as concerned with people taking a left out of there as he is with people cutting into it illegally. He noted that it would be completely on the School District property and not on Southpoint property. Mr. Castner said he will pursue it and will also interact with Mrs. Boyer with an update.

President Martin said that looking at the chronology, this is time extension #4. After #3, he said he asked the engineer if he was sure he had enough time and he confidently said it was enough. He said he does understand why it was not, and will probably vote for it, but suggested that Mr. Castner remind that engineer that it is #4. Mr. Castner said the engineer is very well aware but he will remind him. Given that they are working with PennDOT and engineers regarding the angles, President Martin questioned whether Mr. Castner is sure that September is enough time or whether the Board should make it until the end of the year. Mr. Castner indicated that he is ok with the end of the year. Vice President Castranio said even if the Board gives them over 180 days, he would like to see them come back so the Board can find out what the holdup is. Commissioner Cochran said he would probably be more sympathetic with government shutdowns going on right now. He said the pandemic is beyond their control and at least we’d know they tried. Commissioner Anderson suggested that the Board give them until the end of December 2020 but ask for a report in 180 days. Mr. Castner said he has no problem with that.

Following the discussion, Commissioner Anderson made a MOTION to approve a time extension for the revised preliminary/final land development plan for Elmwood Elementary School, UAT File #18-01-02. The modifications, deferrals, and conditions of approval, as granted on April 19, 2018, shall remain in effect. The applicant shall have 180 days to satisfy all conditions and record the plan or the plan will be considered disapproved. The new end date in which to satisfy all conditions of approval and record the plan will be September 27, 2020. SECONDED by Commissioner Cochran. The motion carried unanimously. Mr. Castner commented that he was here on time and didn’t let it lapse, unlike the previous plan, and noted that everyone in the Township has been amazingly responsive to the School District.
PUBLIC IMPROVEMENTS COMMITTEE

CONSIDERATION/APPROVAL TO AWARD BID FOR 2020 ROAD IMPROVEMENTS PROJECT

Mr. Fazekas noted that action was taken at the regular meeting on February 19, 2020 to authorize C.S. Davidson to advertise for bids for 2020 road improvements. The roads scheduled for improvement include all the streets in Georgetown and Canterbury development. Bids were opened on Monday, March 16 and the bid tabulation was shared with the Public Improvements Committee that same day.

The total cost for road improvements alone is $974,476.15. The cost for sewer manhole restoration is $46,622 and for stormwater improvements the cost is $71,310.75. The Sewer Reserve Fund includes $75,000 for manhole frame and cover raising. The Stormwater Reserve Fund has $575,000 budgeted for stormwater infrastructure improvements. The Stormwater Authority took separate action to approve the stormwater bid amount.

The bid also included an alternate to pave the connecting access drive in Winding Hill Park North from the existing paved parking lot to the large gravel parking lot. This will reduce the dust as vehicles access the parking area leading to the new soccer fields. The access drive runs parallel to the new playground area installed in 2018 and 2019. Funding will come out of the Park Development fund, which has a balance of $659,494.

The 2020 budget includes $850,000 in the Permanent Improvement Fund and $500,000 in the Liquid Fuels Fund. The total cost for road improvements will come in under budget by $375,523.85.

Commissioner Cochran questioned whether the sewer costs should be excluded, but Mr. Fazekas said they don’t require a separate action.

Commissioner Cochran made a MOTION that the Board of Commissioners award the low overall bid for 2020 Road Improvements to Kinsley Construction, Inc. in the amount of $1,021,098.15 (excludes stormwater improvements that were approved separately by the Stormwater Authority), SECONDED by Vice President Castranio. The motion carried unanimously.

Commissioner Cochran made a MOTION that the Board of Commissioners award the low bid for Alternate No. 1 in the amount of $25,875 which extends the connecting drive between the existing paved parking lots, to Kinsley Construction, Inc. Payment will come out of the Park Development fund balance. SECONDED by Vice President Castranio. The motion carried unanimously.

MISCELLANEOUS

President Martin noted that he drove down Hemlock Road in Grantham where the recent fire occurred. He said the road is bad but Vice President Castranio reminded him it is scheduled for work in 2023. He wondered if the Township has funds to do anything prior to that.
Chief Adams noted the gridlock on S. Market Street between Kim Acres Drive and the Mechanicsburg Middle School traffic signals. He said he asked staff to have PERCS review the current programming with PennDOT and if appropriate, consider a new traffic study. He said there is also gridlock at Lisburn Road and the Route 15 southbound ramp and he made a similar request to have PERCS review it and possibly consider a traffic study. Additionally, he said the current speed limit on Bumble Bee Hollow Road is posted at 25 mph. He directed his traffic safety officers to do an updated study. The study found that the 85% percentile speed is 43 mph. They also reviewed the crashes in a 5-year period and there were 22 documented crashes. Of those, speed did not contribute in 16 crashes, 2 were unknown hit and runs, and 4 were possibly related to speed being a factor, but there was also snow, ice, or sleet reported for those 4. He said he thinks it is appropriate for a traffic study to determine the appropriate speed. He said it seems on the surface that the road is posted at too low a speed.

Mr. Fazekas said we’ve had issues with trucks making right turns off of southbound 114 in Bowmansdale and hitting the control box. He said we went back to PennDOT about it and Mr. Reichard did a quick review regarding relocating it. He said trucks can’t make the turn now based on where the stop bars are on Lisburn Road. He said they are too close to the intersection and the control box has been taken out several times now. If reported, it becomes an insurance claim. He said the stop bars have to be relocated. Commissioner Cochran said the trucks have to swing out into traffic to make the turn. Mr. Fazekas said he is still waiting for PERCS to get back to see if the lights are working in accordance with the permits and if not, he will get authorization to do the studies Chief Adams mentioned. He said he may also have them look at this as well. He said the only other option is additional right-of-way from the property owner of the lot on the corner, but right now it is up for sale. He said either option will have to be submitted to PennDOT for approval. President Martin questioned whether it is totally the Township’s responsibility, and Mr. Fazekas said it is, because the Township took ownership when it was installed according to PennDOT. He said PennDOT already told him that if the pole has to be moved, it would be our responsibility. President Martin wondered if bollards would be a good solution, but Mr. Fazekas said he doesn’t know if they would be strong enough to keep the box from being damaged.

SANITARY SEWER COMMITTEE

AUTHORIZATION TO AWARD BID FOR ALLENDALE INTERCEPTOR EXTENSION AND REPLACEMENT PROJECT

Electronically via PennBid, the Township received bids on March 10, 2020 for the above referenced project. The work involves new and replacement sanitary sewer construction consisting of approximately 5,300 l.f. of 18-inch PVC pipe and 20 precast concrete manholes. There were 12 bidders on the project with bids ranging from $887,887.00 to $2,536,140.00. The 2020 estimated budget for construction of this project was $1,144,515.00; the engineer’s estimate for construction was $1,450,000.00.

A Bid Recommendation letter from GHD dated March 12, 2020, provided to Board members along with a bid summary and tabulation of bids, highlights the details of the bids. GHD has reviewed the Contract Documents for the bidders and has determined that they appear to be complete and correct.
All required permits associated with this project have been received and acquisition of temporary construction easements is currently underway.

Commissioner Cochran questioned why we would budget $300,000 less than it will cost. Mr. Fazekas said that was the initial estimate and it was revised in the projected budget later. President Martin asked if Wexcon worked for us before and Mr. Fazekas said they have not worked for us, but GHD knows them and they are reputable. Commissioner Cochran noted that half of the bids came in lower than the estimate.

Commissioner Walter made a MOTION to authorize the appropriate Township representative to issue a Notice of Intent to Award the contract for the Allendale Interceptor Extension and Replacement Project to Wexcon, Inc. in the amount of $887,887.00 and to authorize the appropriate Township representative to issue Notice of Award for the same, after the Solicitor certifies that bonds and insurances have been furnished in compliance with the Contract Documents. SECONDED by Vice President Castranio. The motion carried unanimously.

CONSIDERATION/APPROVAL OF EXHIBIT TO AGREEMENT WITH GHD TO PROVIDE DESIGN, BID AND AWARD, AND CONSTRUCTION PHASE SERVICES FOR THE LISBURN ROAD TRUNK SEWER REPLACEMENT PROJECT

Exhibit A-26 to the Agreement between the Board of Commissioners and GHD for Preliminary and Final Design, Bid, Award and Construction Phase Services for the Lisburn Road Trunk Sewer Replacement Project, dated March 12, 2020, was provided to the Board for consideration. A Task Fee and Breakout Schedule was provided in Table 1 of Exhibit A-26; the total for all tasks is $69,500.00.

The purpose of the Lisburn Road Trunk Sewer Replacement Project is to upgrade the existing trunk sewer to accommodate future buildout in the Grantham Drainage Basin (East), including all proposed phases of Oakwood Hills development. This work shall consist of the installation of approximately 3,060 l.f. of new 12-inch PVC sanitary sewer (1,237 l.f. in Grantham Rd; 1,823 l.f. in rights-of-way). Per an Agreement with Rider Musser Development, LLC, the developer will participate in costs associated with this project with a cost share of 25 percent.

Mr. Fazekas recommended not approving the Bid, Award or Construction Phase services at this time because it may be another year until it starts. President Martin said he likes Mr. Fazekas’ suggestion.

Vice President Castranio made a MOTION to approve Exhibit A-26, items 3a, b and 4 to the Agreement between GHD and Upper Allen Township for Design Services in Connection with the Lisburn Road Trunk Sewer Replacement Project in the amount of $50,500. The estimated fees for each subtask shall not be exceeded without prior authorization from the Board of Commissioners. SECONDED by Commissioner Walter. The motion carried unanimously.
CONSIDERATION OF APPOINTMENT TO SEWER ADVISORY BOARD

Commissioner Walter noted that on March 10, the Sewer Advisory Board Selection Committee interviewed Mr. Michael Gillespie, P.E. for a position on the Sewer Advisory Board. Mr. Gillespie appears to be well qualified for the position and has worked in the wastewater industry for over 40 years. He said it was a good interview and Mr. Gillespie answered all questions well. He said Barry Cupp and Bob Haines of the Sewer Advisory Board were also in attendance. President Martin commented that the full Board normally meets the candidates but he is fine doing it this way. He noted that Mr. Gillespie is an owner of Envirep, Inc. He questioned whether he bids on equipment or whether the Township buys from him or has had dealings in the past. Mr. Fazekas wasn’t aware of it and Commissioner Walter said he didn’t bring it up, but he said he made it clear that Mr. Gillespie would have to abstain from voting if his company gets involved in anything. Mr. Fazekas said if we go out to bid and they are low bidder, he doesn’t see any reason why we can’t accept the bid, but he would have to abstain. Commissioner Walter said he is aware of the situation. He added that he is well qualified.

Commissioner Walter made a MOTION to approve the appointment of Mr. Michael Gillespie to fill the current vacancy on the Sewer Advisory Board, to complete a term that will run through December 31, 2021. SECONDED by Vice President Castranio. The motion carried unanimously.

ADMINISTRATIVE COMMITTEE

BUDGET UPDATE

Mr. Fazekas reviewed Mr. Fraser’s February Fiscal Report as follows.

The information presented in this report is based on historical numbers generated in 2017, 2018, 2019 and year to date 2020. The report focuses on the two main operating funds—General and Sewer Operating.

At the end of February, General Fund expenditures (all expenditures plus transfers) of $633,000 exceeded General Fund Revenues (revenues minus fund balance) of $538,000 by $95,000. The majority of the expenses in February are related to payroll and insurance payments. Most of the revenue collected in January is related to prior year income tax and current year real estate transfer taxes.

The Sewer Operating Fund is currently in a net surplus position at this early part of the year in the amount of $841,000. This will fluctuate throughout the year during lulls in sewer rental collections and large debt service payment periods.

At this early point in 2020, the 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.
Mr. Fazekas said in light of what’s going on with the coronavirus, management will take a closer look at limiting non-essential expenditures that we can control. He said we will have to tighten belts a bit with the markets taking a dive. Commissioner Cochran said he thinks we are in a good financial position and will be able to meet all budget expenditures without issue, and the surplus we have, if necessary, will be adequate between Sewer and General Funds. Mr. Fazekas said if earned income takes a cut of 25%, we would run down some of our reserves but would still be ok. He said we just have to bite the bullet on non-essential purchases.

CONSIDERATION/ADOPTION OF RESOLUTION ADOPTING THE VOLUNTEER FIRE SERVICE AWARD PROGRAM AND PROVISIONS PERTAINING TO THE PROGRAM FOR VOLUNTEER FIREFIGHTERS

Mr. Fazekas provided a copy of the Volunteer Fire Service Award Program (VFSAP) as well as a copy of the VFSAP Enrollment Form, VFSAP Summary of Plan Provisions, rough estimate of costs based on current membership, and list of current eligible members. He noted that the Fire Chief reviewed the draft plan, and provided the Credit Requirements found in Appendix A. The Chief will provide the certified list of eligible members at a later date. The Township’s Labor Attorney also reviewed the documents and did not have any issues with them.

The Administrative Committee reviewed the VSAP documents on at least two occasions and provided feedback. In addition to a few minor revisions, it was also suggested that the Board make the effective date January 1, 2019. A copy was provided to all Board members on March 3, 2020 with a recommendation to provide comments by March 11, 2020.

A resolution officially establishing the VSAP must be adopted by the Board to implement the program. The Board must also approve the list of eligible Volunteer Fire Fighters.

Commissioner Cochran asked Chief Shumberger about the opinion of the Fire Department Board, and whether they see shortcomings in the program. Chief Shumberger said it will take a bit to get it implemented and track it. He said he thinks it will help with retention and recruitment, and he hopes the members can see the long-term benefits of it. He said some of the younger ones won’t see it right away but he hopes it will keep some of the older guys around.

Commissioner Cochran made a MOTION to adopt Resolution #1020 establishing the Volunteer Fire Service Award Program and the provisions pertaining to the program for Volunteer Fire Fighters, effective January 1, 2019, and to approve the list of eligible Volunteer Fire Fighters. SECONDED by Commissioner Walter. The motion carried unanimously.

AUTHORIZATION TO ADVERTISE GENERAL FUND BUDGET CHANGE

A modification has been requested to the General Fund budget of $1,000,000. The additional expenditure would be funded from the Township’s fund balance.
Commissioner Cochran made a **MOTION** to authorize appropriate Township personnel to advertise the amended 2020 General Fund budget for action on April 15, 2020, **SECONDED** by Vice President Castranio. The motion carried unanimously.

**TOWNSHIP EFFORTS RELATED TO CORONAVIRUS (COVID-19)**

Chief Adams updated the Board on steps the Police Department has taken to minimize the chances of his officers contracting and/or spreading COVID-19. He also expressed concerns that currently there is no accepted protocol to immediately test first responders for COVID-19 when warranted. Mr. Fazekas also gave an update on efforts in Administration, and potential staffing options. Commissioner Cochran suggested possibly having employees work 3 staggered 12-hour days but get paid for 40 hours. He said he thinks its imperative that people still get paid. He said even if we go to a staggered schedule we could buy takeout lunches from local businesses, which are probably hurting. Commissioner Anderson said she has a concern about holding the primary elections in the building and what decisions will be made relative to that. She said we need to be thinking about the lines associated with that because the crisis won’t be over by then. She said some states postponed their primaries and others went ahead. Commissioner Cochran commented that Democrats are suing Ohio for postponing the elections. President Martin said he assumes that is a County issue. Mr. Fazekas said he thinks it’s too early to make a decision at this point, but he said we could limit access to the back of the building if necessary. Commissioner Cochran said he saw somewhere where they had strips of painters tape on the ground and people advanced from strip to strip as the line moved, to keep them apart. Commissioner Anderson said there is also concern about touching the machines. Commissioner Cochran said he understands you have to be very careful with gel hand sanitizers and then picking up computer paper that mobile printers can use because there is actually a chemical on that paper that can make the gel absorb into the skin easier.

**PARK AND RECREATION COMMITTEE**

**CONSIDERATION TO AWARD BID FOR PARK STORAGE BUILDING AT WINDING HILL NORTH**

The approved 2020 Upper Allen Township budget contains $125,000 in the Capital Fund for the construction of a 60’ x 80’ pole building located at Winding Hill Park North. This facility will be used by employees assigned to park maintenance duties and will be the main storage site for Township-owned park maintenance equipment. The building will increase efficiency as the design will allow for loaded vehicles to drive through, thus reducing loading and unloading requirements. The project was properly advertised and the bids were opened on March 17, 2020. There were four bidders with bids ranging from $113,491 to $181,633. Low bidder was Dutchman Contracting, LLC of Lancaster.

Vice President Castranio made a **MOTION** to award the contract for the Winding Hills Park North Park Maintenance Utility Building Project to Dutchman Contracting, LLC at a cost not to exceed $113,491, **SECONDED** by Commissioner Cochran. Mr. Fazekas noted that Public Works will do most of the site work. The motion carried unanimously.
MISCELLANEOUS

There were no items for discussion.

SOLICITOR UPDATE

In reference to Mr. Dallmeyer’s remarks at the beginning of the meeting regarding him not responding to Stacey MacNeil, Solicitor Feinour said he did not leave her hanging. He said she explained their concerns regarding statements made to residents that the Township was considering smoke testing of sewer lines in Rolo Court and she explained from their perspective what the cause of the backups was, and she didn’t believe testing would accomplish anything, and also that if the Township was going to enter the park property without their consent they would need an Administrative Warrant. He said he immediately passed that on to Mr. Fazekas and the issue of the smoke testing became moot, so the bottom line was there was nothing to report back to her. He said he interpreted Mr. Dallmeyer’s comments to suggest that we ignored them, which was not the case. Solicitor Feinour said he felt that it wasn’t appropriate to engage in debate during the public comment portion of tonight’s meeting.

Solicitor Feinour said he is trying to keep track of Executive Orders and information coming out from the Municipal League regarding extension of time deadlines and statutory deadlines. He said the Supreme Court handed down an order canceling trials and court proceedings through the first week of April, and generally any statutory deadline that would expire within the next two weeks if not beyond is being extended. He said it’s a challenge to keep on top of it because it is constantly changing. He said he will submit memos to the Board on the issues of the Fire Company asset transfer and is also assuming the Board wants to discuss the issue of providing sewer capacity potentially to a neighboring municipality. He said he wasn’t sure if the Board is having an Executive Session but given the circumstances, he can give is input by a separate memo to the Board. He thanked them for letting him participate by phone.

TAX COLLECTION COMMITTEE UPDATE

Mr. Fazekas said Sue Pinti, Executive Director of Cumberland County Tax Bureau, sent out an email regarding the IRS time extensions and possibly the state tax as well, so other than possibly extending the deadline to file, she is monitoring the situation and will keep us apprised.

CAPITAL REGION COG UPDATE

Regarding the SAFER (Staffing for Adequate Fire and Emergency Response) grant for fire companies, President Martin noted that the Township has adopted a Resolution so if in fact the money becomes available, we will be prepared.

MUNICIPAL ADVISORY BOARD (MAB) UPDATE

There was no update.
PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS (PSATC) UPDATE

Commissioner Anderson said everything the PSATC had scheduled has been cancelled.

MISCELLANEUS

Commissioner Anderson thanked the Board for allowing her to participate by phone.

Mr. Fazekas noted that the only plan on the Planning Commission agenda for this month is Willows at Ashcombe. He said May 21 is the deadline for the Board to take action and staff doesn’t believe the owners will be concerned if we don’t take action by then. He said the Park & Recreation Board has no reason to meet. He recommended cancelling those two meetings and to consider cancelling the April 1 Board of Commissioners meeting too, noting that there are no items as of now from Department Heads that are time sensitive. He recommended that if the Board does continue to meet, they should do it at the second meeting of the month because that is also the day for the scheduled Stormwater Authority meeting and the meeting where the warrant list is approved to pay the bills. President Martin agreed, but didn’t want to commit to cancelling the April 1 meeting yet. Consensus of the Board was to cancel the Park & Recreation Board and Planning Commission meetings for March.

EXECUTIVE SESSION

President Martin recessed the regular meeting to Executive Session at 8:45 p.m. for discussion on a legal issue.

ADJOURNMENT

President Martin reconvened and adjourned the regular meeting at 8:55 p.m. with no further actions taken.