CALL TO ORDER

President Martin called the June 5, 2019 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 Castranio was out of town.

CONSIDERATION/APPROVAL OF BOARD OF COMMISSIONERS MEETING MINUTES

President Martin asked for any comments or corrections to the Minutes of the May 1, 2019 Board of Commissioners meeting. There were none, and Commissioner Anderson made a MOTION to approve the Minutes of the May 1, 2019 Board of Commissioners meeting, SECONDED by Commissioner Cochran. The motion carried unanimously.

PRESIDENT'S ANNOUNCEMENTS

President Martin acknowledged receipt of a letter from Meadowview Resident Phil Gillis related to the decision to delete the walking path from the plans for the retention pond. He questioned why the path grading continues if there is not going to be a walking path. President Martin said the letter will be addressed at the June 19 Stormwater Authority meeting.

President Martin noted receipt of a letter soliciting an annual donation to Messiah Lifeways’ Mechanicsburg Place: A Senior Center & More. He suggested it be discussed at the next Administrative Committee meeting for a recommendation to the full Board. He said he thinks we may have contributed in the past but was not sure if it is budgeted.

PRESIDENT'S RECOGNITION OF VISITORS

There were no visitors signed in for items not already on the agenda.

CONSENT AGENDA

There were no items for consideration.
PUBLIC SAFETY COMMITTEE

CONSIDERATION OF REQUEST FOR OFF-DUTY EMPLOYMENT APPROVAL FOR OFFICER JORY HARLAN

Chief Adams requested approval for a request from Officer Jory Harlan for off-duty employment with the Cumberland County District Attorney’s Office, Bureau of Justice Services, on a part-time, as-needed basis. As part of his duties as Traffic Safety Officer, Officer Harlan has been assigned to the District Attorney’s Office as Deputy DUI Chief, and part of the assignment necessitates being enrolled as a County employee. Chief Adams said Officer Harlan understands that this employment would be secondary to his employment with Upper Allen Police Department and will actively take steps to ensure that this secondary employment has no negative impacts on the Department in any way.

Chief Adams said the position is not a sworn officer position, and hours will fluctuate. He said DUI duties are not as frequent over the winter. As for the forensics part of the job, if Officer Harlan gets called out as part of a team, he will be paid by Upper Allen Township, but if he is called out as the on-call coordinator and is running the team, then it will be the responsibility of the District Attorney’s office. He said it doesn’t change the duties, just who pays for it. Vice President Rigney noted that there is a drop in people’s productivity when they work more than 10 hours per day. He expressed concern about it in this case, but Chief Adams said they can’t be scheduled to work more than 12 hours a day unless it’s an emergency situation. Vice President Rigney questioned whether Officer Harlan might have to call off from his Upper Allen duties because he is involved at the County. Chief Adams said he is familiar with how it is handled and any time any of the guys on any of the teams get called out, they have to track the time they gave to it. At the end of the year they have to do a short evaluation of their activities of the previous year and he said it is monitored so there are no conflicts. Commissioner Cochran said he wants it to be clear whose responsibility it is to pay Officer Harlan in the event that something happens. President Martin said he assumes the Chief will record the hours and if the Board wants to know he can provide it. Chief Adams said if Officer Harlan is doing coordinating for the County he can ask him for it, but he won’t have access to it. Vice President Rigney questioned whether Officer Harlan would be doing County work in his Township office, and Chief Adams said he probably would do it at home. He said it was made perfectly clear to Officer Harlan that outside employment gets done outside of Upper Allen Township.

Commissioner Cochran made a MOTION to approve the request by Officer Jory Harlan to allow off-duty employment with the Cumberland County District Attorney’s Office, Bureau of Justice Services, SECONDED by Commissioner Anderson. The motion carried unanimously. President Martin commented that the Traffic Safety Officers assignment has been a positive, noting that sometimes routine traffic stops result in DUIs and other things.

FIRE DEPARTMENT UPDATE

Chief Shumberger said they should hopefully get the Certificate of Occupancy on the building this week. He said the contractor started tearing up the old pad and reconstructing to install the new one. He said people may see fire trucks exiting out the rear of building rather than the front. President
Martin noted that during the time when they were putting the epoxy on the new floor he was thrilled by the interdepartmental cooperation between Public Works, the Police Department and the Fire Department to park the equipment and come up with solutions to make movements smooth. Chief Shumberger said a lot of that was due to the efforts of Chief Adams.

President Martin said he wants to have a walkthrough of the new building. He said there is still a small punch list and they will move in after a week or so. He said they want to wear the station for a while and dedicate it during Fire Prevention Week in October. Commissioner Cochran suggested a walkthrough at 5:30 on June 19, but that will be determined. President Martin said the Fire Department is getting ready to send out a mailer for Capital Campaign contributions. He said they thought of having a local business in to tour the building as part of those efforts.

Kevin Daldiaz, Geisinger EMS Assistant Chief/Manager of Field Operations Central, introduced himself to the Board and said he will send them quarterly updates. He said he lives in Liverpool, has been married 29 years, has been involved in EMS for 33 years, 29 as a paramedic. All of his time has been done between the City of Harrisburg and West Shore EMS. He said he has worked many years with Chief Shumberger. He is the Deputy Fire Chief and is on the Council in Liverpool. He said he forwarded the March and April statistics to President Martin and he will share them with the full Board. In summary, he said Upper Allen ran 132 calls in March and 157 in April, 585 total for this year. During the same time last year (January to the end of April) they ran 534 calls, which equates to a 9% increase in call volume in this Township alone. High traffic areas are places such as nursing facilities and doctors’ offices. He said 50% of calls were to those types of places and the rest were all others. He noted that there has been a brand new ambulance here at the Upper Allen facility for the last 15 days. It has the new blue and green colors on it. He said Upper Allen got the first one with the changed colors and the crews were ecstatic. He said there was a story on CBS 21 recently about heroin overdoses and narcotics usage noticed over the four counties they cover. He said the amount of response is down and the amount of Narcan use is down, and they can only think that is good news. He said he is hoping people are working through their issues, noting that dealing with narcotics overdoses is not fun to look at. He said he is willing to attend Board of Commissioners or Public Safety Committee meetings any time and will share his information with all Board members.

Vice President Rigney noted previous discussion on mutual aid to Harrisburg becoming a major concern and that there was going to be a major push on to recruit additional personnel to alleviate the situation. He questioned whether that has improved. Mr. Daldiaz didn’t have the numbers, but said the problem is they don’t pay Life Team Pinnacle a dime, so it’s hard for them to tell UPMC what they can and can’t do. We said he worked with Life Team and they were put on sign-on bonuses to try to get people to come to work there. He said we can’t dictate what they do. Regarding the call volume, he said one month was significantly lower, then the next month it was back up to where it was previously. He said the City doesn’t directly affect Upper Allen Township unless we are covering for that truck, and the chances of Upper Allen covering a significant volume are slim. Commissioner Cochran said we had an issue years ago during the time of our agreement, which is based on how many times we have to get mutual aid in to cover the costs. Mr. Daldiaz said they try not to go above 12%. He said services that try to handle all their calls go bankrupt. He said they average 20% mutual aid going out system-wide and the last couple of months, what they provide to the City and Silver Spring has been very close. Commissioner Cochran said that is all well and good except Upper Allen is making a contribution when other municipalities are not doing it, and we made the agreement with the understanding that we should have less mutual aid and would have first call
from our own ambulances. Mr. Daldiaz said 8.3% of the calls in March and 11.5% in April were covered by someone else. He said 10.1% of the calls over a four-month period were covered by someone else. He said when they see 13%, 14% or 15%, then they get concerned. As for transports, he said in general they expect that the ambulance located here should have the fastest response.

**PLANNING & ZONING COMMITTEE**

**ZONING HEARING BOARD HEARINGS FOR JUNE 13**

There are no hearings scheduled.

**HARB CASES SCHEDULED FOR JUNE 18**

The owner of 304-306 Gettysburg Pike is seeking a Certificate of Appropriateness for replacement windows. President Martin said even if they had a grill inside the window it would look more historic, and Vice President Rigney agreed. Mrs. Boyer said staff is reaching out for more details. Vice President Rigney said he counted about 6 homes that only have single panes in that area. Mrs. Boyer said it might have happened before it was a historic district.

**CONSIDERATION/APPROVAL OF FINAL LAND DEVELOPMENT PLAN FOR VA CLINIC, UAT FILE #19-03-1B**

The proposed project is for the conversion of an existing stormwater management basin to an underground facility for the construction of additional parking and access drive improvements on site. The proposed project will add 45 new parking spaces at the rear of the property that abuts Route 15 and provide full internal access for existing tenants. The proposed use of the subject property is consistent with Upper Allen Township Zoning Ordinance.

The applicant has requested a deferral of Section 220-16.B to install sidewalks along Ritter Road. There is no sidewalk along Ritter Road or nearby within Rossmoyne Business Park. Staff supports a deferral until the Township deems a sidewalk is necessary for the business park.

The Community Development, Sewer, Police, Fire, and Public Works/MS4 Departments, as well as the Township Engineer and Cumberland County Planning Commission were notified on March 4, 2019 that this plan was available for review, and comments were received from all. The Upper Allen Township Planning Commission unanimously voted to recommend approval of the applicant’s requested deferrals at its March 25, 2019 meeting. They also unanimously voted to recommend approval of the applicant’s plan with conditions. The applicant has since revised its land development plan to address several outstanding conditions. Resubmission of the plan occurred on May 1, 2019. The remaining conditions should be considered when taking action on the plan.

John Murphy, P.E., of Alpha Consulting Engineers and Lowell Gates, the applicant, were present. Commissioner Cochran questioned if sidewalks will ever be done there and if so, when they should start. Vice President Rigney noted that there are a lot of walkers in that area. Mr. Fazekas commented that there was once a petition to put a walking network there but it was shot down by Lower Allen Township. He said they striped their side and then we striped ours the following year. Commissioner Cochran suggested that as people come in with plans maybe we should start putting
sidewalks in. He said if we are going to do them, you have to start somewhere. Commissioner Anderson said if we are thinking of going that direction, we need to see how many sidewalks we have deferred in Rossmoyne, because we didn’t always defer them. Mrs. Boyer said the Subdivision/Land Development Ordinance didn’t require them until 2005, and a lot of the buildings were built in the 90s and sidewalks were at the discretion of the Board. She said American Mint might have a deferral from the 2011/2012 timeframe. Vice President Rigney questioned whether the Board has the power to insist on sidewalks under the 1st Class Township Code and Mrs. Boyer indicated that the Board does have that power, regardless of any deferrals. Commissioner Cochran said what concerns him is it that doesn’t look like there’s any allowance for future sidewalks, so if we come back later the owners will be upset and won’t want to put them in. Mr. Murphy said they are connecting sidewalk out to the bus stop and back to the VA building, but Commissioner Cochran said there’s no way to walk from there to other buildings. As it is now, he said people will just have to walk through the parking lot. Mr. Murphy said sometimes when you retrofit an existing building, you have to get creative to locate a path or sidewalk, so down the road they might have to do that, and he thinks it might be appropriate for a deferral. He said as the project progresses, if there are things that can accommodate walking internally, they will do them.

Mr. Gates noted that as it stands now, the VA will occupy all of 5070 and there are multiple tenants in 5072, so the tenants wouldn’t be walking back and forth between buildings. He said it might be nice to have sidewalks on the inside of the loop where the terrain is more level than on the outside of the loop. He acknowledged that there are a lot of walkers there and said he owns properties on both sides of the road. Vice President Rigney said most plans show the sidewalk on the plan and then the Board can defer them if they decide to. Mr. Murphy said he’s happy to do that. Mrs. Boyer noted that Condition #2 does already state that if a deferral is granted, the applicant must show the deferred improvement on the plan.

Commissioner Anderson made a MOTION to defer the requirements of Section 220-16.B to install sidewalks along Ritter Road until such time as the Township deems the improvement necessary. No sidewalk exists along this stretch of Ritter Road within the Rossmoyne Business Park. SECONDED by Commissioner Cochran. The motion carried unanimously.

Commissioner Anderson made a MOTION to approve the Final Land Development Plan for the VA Clinic Parking & Circulation Expansion, UAT File #19-03-01B, with the following conditions, SECONDED by Vice President Rigney:

**STORMWATER**

1. Section 214-13 of the Stormwater Ordinance requires groundwater recharge controls to be implemented to reduce post development stormwater runoff volume. The designer has indicated that the site is located in an area underlain by limestone bedrock and that conventional methods are not recommended for volume control. In accordance with Section 214-13.D of the Stormwater Ordinance, the designer has chosen street sweeping as an alternate BMP to be provided in lieu of volume control. We recognize that street sweeping has been identified in the PA BMP manual as an acceptable water quality practice; however, we do not concur with the pollutant load efficiencies utilized by the designer. PADEP more recently published the BMP Effectiveness Values chart for use by MS4s for development and implementation of the Pollutant Reduction Plans. The BMP Effectiveness Values chart lists...
“Street Sweeping” to have a pollutant removal efficiency of 9% TSS, 3% TP, and 3% NO3. The BMP Effectiveness Values chart further details that “Street sweeping must be conducted 25 times annually. Only count those streets that have been swept at least 25 times in a year. The acres associated with all streets that have been swept at least 25 times in a year would be eligible for pollutant reductions consistent with the given BMP effectiveness values.” We request the designer revise the pollutant removal efficiencies utilized in the calculations and further evaluate alternatives for water quality improvements. The PCSM notes contained on the plan sheets should also be updated to reflect the ongoing maintenance responsibilities of the street sweeping program.

ADMINISTRATIVE

2. Any deferral granted by the Board of Commissioners shall be listed on the final plan, including the date in which such action was granted, in accordance with Section 220-10.B(3) of the Codified Ordinances of Upper Allen Township. All deferred improvements shall be shown on final plans as future improvements. A note shall be placed on the plan indicating that all deferrals are granted “…until such time as the Board of Commissioners deem the improvement necessary.”

3. The applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-13 of the Codified Ordinances of Upper Allen Township.

4. The applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to insure construction of the improvements and/or concrete monuments shown on the plan, and the applicant must enter into an agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-13 of the Codified Ordinances of Upper Allen Township. The financial security shall contain the provision that the Township shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.

5. The applicant must also furnish financial security to the Township in an amount equal to 10% of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-52.B of the Codified Ordinances of Upper Allen Township.

6. The applicant must obtain approval of the Erosion and Sediment Control Plan from the Cumberland County Conservation District and furnish to the Township a copy of the County’s approval as required in Section 220-27 of the Codified Ordinances of Upper Allen Township.

7. The applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-9.C(2)(e) and 220-10.B(1)(b) of the Codified Ordinances of Upper Allen Township.
8. All plans, profiles or drawings required under the provisions of this chapter shall include a certification by a Pennsylvania-registered professional engineer attesting that all elements of the plan are in conformance with the Township Code and applicable state regulations, as required by Section 220-15.N(3) of the Codified Ordinances of Upper Allen Township.

9. The applicant must sign the plan and have the signatures notarized according to Section 220-9.C(2)(dd) and 220-10.B(1)(a) of the Codified Ordinances of Upper Allen Township.

10. The applicant shall enter into a Stormwater Best Management Practices Maintenance Operation and Maintenance Agreement with the Township and pay all applicable fees, in accordance with Section 214-20.E of the Codified Ordinances of Upper Allen Township.

11. The applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions and regulations as may be in effect from time to time concerning the proposed development.

12. The applicant shall pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.

13. The applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of approval by the Board of Commissioners or the plan will be considered disapproved. Since the final land development plan is approved with outstanding conditions, the signature block for the Upper Allen Township Board of Commissioners shall state the date in which the conditional approval is granted. A second line shall be added to state, “The conditions of approval were satisfied this ____ day of ________, 2019.”

14. Prior to obtaining the county signature for final plan recording, the applicant shall provide a CD that includes a .dwg AutoCAD file that shows all parcel boundaries, lot lines, building footprints, road rights-of-way, edge of pavement, and any utility or easements (public and private).

Since there are conditions on the approval of this plan, the plan will be rejected unless the owner/applicant agrees, in writing, within thirty (30) days, to comply with and abide by the specific conditions of approval. The motion carried unanimously.

CONSIDERATION OF CONDITIONAL USE APPLICATION

Staff received a Conditional Use (CU) application and land development plan for 260 Cumberland Parkway for a proposed Starbucks. Per the Neighborhood Commercial (C-1) Zoning District, drive-through facilities are permitted as an accessory use with approval of a CU permit. All conditional use applications require a public hearing before the Board of Commissioners. The Township has 60 days from the date of application to hold a hearing and render a decision.
Mrs. Boyer provided several potential dates for the hearing and noted that once a date is selected, staff will advertise the hearing in The Sentinel Newspaper. The hearing notice shall be posted in the newspaper every week for two consecutive weeks week prior to the hearing date.

Commissioner Anderson made a **MOTION** to advertise a public hearing before the Board of Commissioners, to be held on July 3, 2019 at 6:00 p.m. The public hearing will be held to receive testimony regarding a Conditional Use Application for 260 Cumberland Parkway, to permit an accessory drive-through element for a project, in accordance with Section 245-6.2, Table VI-1, Use #69 of the Zoning Ordinance. **SECONDED** by Commissioner Cochran. The motion carried unanimously.

**PUBLIC IMPROVEMENTS COMMITTEE**

**CONSIDERATION OF REQUEST TO REDUCE FINANCIAL SECURITY FOR OAKWOOD HILLS, PHASE 1A, UAT FILE #17-09-01B**

Staff received a letter from H.E. Black’s office (the developer’s engineer) requesting a reduction in the financial security posted for the above-referenced plan. The improvements completed through the date of the request have been inspected and it was determined that the developer has installed some improvements in accordance with the approved plans and specifications. Therefore, the Board of Commissioners is in a position to authorize a reduction in the financial security posted by the developer with the Township.

The Township is holding a bond in the amount of $1,962,890.80 to guarantee installation of the improvements in this development. As provided in the Municipal Planning Code Section 509(j) and Section 509(f), staff suggests that the Board of Commissioners retain 10% of the estimated cost of the completed improvements and 110% of the estimated cost of the remaining improvements to be installed. Therefore, the developer should be required to post new financial security for $1,159,266.80. 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.

Commissioner Cochran made a **MOTION** to reduce the financial security for Oakwood Hills, Phase 1A, UAT File #17-09-01B from $1,962,890.80 to $1,159,266.80. 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 Vice President Rigney. The motion carried unanimously.

**SANITARY SEWER SYSTEM**

President Martin questioned where we stand as far as the Allendale Interceptor/Legacy Park pumping station issue. He said the Board of Commissioners will probably get a recommendation from the Sewer Advisory Board but at some point he suggested we take it through the Administrative Committee in terms of financing if necessary. Mr. Fazekas said as far as the next phase, we are going back to Landmark for three proposals and should get them back by the end of the month, so it
will be back on Board of Commissioners agenda. He said we just finalized the developer agreement today and it will be on the Administrative Committee agenda. President Martin questioned whether the pumping station is a temporary or permanent solution. Mr. Fazekas said it will go away and the concern was whether the cost to replace and refurbish the pumping station would be less expensive, and it turns out that it is not. He said there has been discussion on whether the pumping station will last long enough until we complete everything, and he believes that it will.

ADMINISTRATIVE COMMITTEE

AUTHORIZATION TO ADVERTISE PUBLIC HEARING FOR VERIZON FRANCHISE AGREEMENT RENEWAL FOR JUNE 19, 2019 DURING THE BOARD OF COMMISSIONERS MEETING

Mr. Fazekas noted that one of the requirements before entering into a new Verizon Cable Franchise Agreement is to hold a public hearing to receive public input. The negotiations are almost completed so a public hearing needs to be conducted as soon as possible. He recommended conducting it during the regular Board of Commissioners meeting on June 19. President Martin asked for information on the current agreement versus what we are proposing. Commissioner Cochran noted that it is awful trying to deal with Verizon to get service to his new house. Mr. Fazekas relayed the difficulty in getting Verizon to come out to do necessary work related to the Legacy Park project. He said he asked Attorney Dan Cohen to put something in the new agreement to address it and to impose fines for delays. He said the Township has had a long history of issues with Verizon. President Martin noted that Comcast isn’t any easier to deal with.

Commissioner Cochran made a MOTION to authorize the appropriate Township officials to advertise the public hearing to be conducted on July 3 at 6:25 p.m., SECONDED by Vice President Rigney. The motion carried unanimously.

AUTHORIZATION TO SCHEDULE A PUBLIC HEARING REGARDING AN APPEAL TO THE CODE ENFORCEMENT OFFICER'S DETERMINATION OF PROPERTY MAINTENANCE CODE VIOLATIONS FOR 519 LAVINA DRIVE

Commissioner Cochran made a MOTION to table, SECONDED by Commissioner Anderson. The motion carried unanimously. Commissioner Cochran noted that the Solicitor will attend the next Administrative Committee meeting to discuss the property code issue and it will then be brought back to the June 19 Board of Commissioners meeting for discussion.

PARK AND RECREATION COMMITTEE

CONSIDERATION/APPROVAL TO RENAME WINDING HILLS PARK

At their second meeting in May, the Board of Commissioners discussed and then requested input from the Park & Recreation Board on the suggestion to rename Winding Hills Park to correspond with the road it is on and to correct the directions. The Park & Recreation Board discussed it at their May meeting and recommended that the Board of Commissioners move forward with the renaming of Winding Hills Park to Winding Hill Park.
Vice President Rigney made a **MOTION** to rename Winding Hills Park, located at 900 and 901 E. Winding Hill Road, to Winding Hill Park, with a North/South designation. **SECONDED** by Commissioner Cochran. President Martin, Vice President Rigney, and Commissioner Cochran voted yes; Commissioner Anderson voted no, noting that there is controversy over what the name of the road actually is.

### CONSIDERATION/APPROVAL OF JOINT RECREATION COMMITTEE AGREEMENT

Mr. Fraser noted that the Mechanicsburg Area Joint Recreation Committee Agreement commits Upper Allen Township to costs associated with the operation of the Mechanicsburg Area Recreation Department through June 30, 2025. The previous agreement will expire on June 30, 2019. He said there were no comments of note from the Township’s Park & Recreation Board (P&R) and renewal is recommended. Mr. Fraser said in his opinion Upper Allen has gotten more value out of this agreement in recent years than in previous years and our residents are using the facilities more. Commissioner Anderson said at one time she felt this committee met more often than once a year as a joint board and she feels that there are times when situations come up that the group should try to solve. Vice President Rigney said Upper Allen was always represented by a member of the Board of Commissioners and somewhere along the line it became P&R instead. He said if something important came up we might want to have a Commissioner speaking rather than a P&R member. Commissioner Anderson said she thinks both used to be on, but only one could vote. President Martin agreed that if there is action taken it would be wise to have a Commissioner there, and wondered if the current setup would preclude that. Mr. Fraser said it would not, and suggested that Upper Allen designate a meeting to occur on the fourth Tuesday of a certain month, for example, so there is a date certain already set up. He said the School District hasn’t been the impediment to having a meeting; it is usually the municipalities. President Martin said he likes Commissioner Anderson’s suggestion to have a Commissioner as a representative. Commissioner Cochran said it seems odd that designations are all different among the participants. He pointed out that the percentages of the pro rata shares by the three participating municipalities on Section 5.2 do not add up to 100% and asked staff to have that corrected. It was noted that Upper Allen is paying the lion’s share of 25% of the total.

Vice President Rigney made a **MOTION** to approve the agreement and direct appropriate Township personnel to sign and forward the agreement to the Mechanicsburg Area Recreation Department, with the following changes, **SECONDED** by Commissioner Anderson:

- Change the committee representative from Upper Allen Township Recreation Board to Upper Allen Township
- Under Section 5.2, correct the percentages so they equal 100%
- Include a date-certain for an annual meeting

The motion carried unanimously.

Mark Stoner, Mechanicsburg Borough Council member, commented that the agreement was tabled there because they have been trying to get the representatives together since March to go over it. He said the Borough thinks it would be beneficial to meet. He said things got changed and the Borough thinks the representation from the municipalities is not there. He said he has asked Recreation
Director Tonya Brown to set this meeting since March, noting that it was scheduled to happen every year during that month. He said the School District is scheduled to host the meeting this year. He said the agreement is on the Borough’s back burner until they meet with the other municipalities.

President Martin questioned when the last meeting was, and Mr. Fraser said it was 3 years ago at Shiremanstown. There was no meeting in 2017. He said Upper Allen was supposed to host it in 2018 and it didn’t happen. He said we were supposed to meet every March but he doesn’t think it is documented in the agreement, and any changes to the agreement have to be approved by the majority of the members. For clarification, he noted that Upper Allen Township and the School Board would make a majority because of how its set up. Commissioner Cochran said he helped write this version when he was on the School Board. He said he thinks the School District would be happy to rewrite it based on population. He said municipalities would have had to chip in more money but they didn’t want to, so it ended up with the District having 2 votes. He said the authority goes with how much money you are willing to put out. President Martin said one way to move forward is to amend the motion and say the agreement will be signed after the 2019 meeting is held.

Mr. Stoner noted that one section of the agreement says it expires this year and another section says it expires in 2020. Mr. Fraser said he corrected it on our copy. A lengthy discussion ensued. Mr. Fraser then said we are still getting a sizeable discount for recreational services and we don’t often get complaints, and the Park & Recreation Board seems happy with the services. He said when we have a date certain there should be meetings. Vice President Rigney said he has gotten complaints from people who could bail out of classes for refunds in the past but now only get a half-refund if they drop out. Commissioner Anderson commented that Upper Allen has made such drastic improvements to our park areas that we need to make sure we have some say because of what we have done. Mr. Fraser said we may want to request that they don’t run our parks, and in fact he said we haven’t had them do it and maybe we should request that they not run other municipalities’ parks. Mr. Stoner said the only thing they do for the Borough is control the ball fields, and by the end of the year they won’t do that either. He said the only thing they do for the Borough now is book trips. He said the pool is under the Borough now, and the Borough hires Sue Irwin of the Recreation Department to run the pool. He said it is a separate agreement the Borough has with the School to let her do that. Mr. Fraser noted that last time around the other municipalities and the School District had signed the agreement, and he didn’t bring it to the Board of Commissioners on time so we lost our ability to make any changes. He said in his opinion, this arrangement is beneficial to Upper Allen and he’s not sure we could run a direct replacement any better for any cheaper. Commissioner Cochran said the reality is that we don’t have facilities other than parks. He said all the winter programs happen inside or at the School District pool, and the summer outdoor activities are normally run not by the Recreation Department but by softball club, soccer club, etc. President Martin said he wants a meeting every year, and Mr. Fraser suggested that Upper Allen table the agreement until a later meeting and take action before the end of June once the annual meeting is scheduled and the other suggested changes are made. Mr. Stoner said the hosting municipality has always scheduled the date for the meeting, but he can’t get a schedule. Commissioner Cochran commented that when you read the agreement, no one really abides by certain parts of it.

Commissioner Anderson made a MOTION to table until June 19, SECONDED by Vice President Rigney. The motion carried unanimously.
CONSIDERATION TO AWARD BID FOR FISHER PARK TENNIS COURT

The 2019 approved budget contains $100,000 for the resurfacing and replacement of fencing around the existing tennis courts at Fisher Park. The project was properly advertised, and bids were received on June 4, 2019. Two bids were received, from Sports Courts of PA in the amount of $145,706.13 and Farhat Excavating, LLC in the amount of $131,830.00. Mr. Fraser noted that the money will come from the Park Improvement Fund, which does have a fund balance available to support the extra cost. Township Engineer Jason Reichard, P.E., said PA Prevailing Wage Rates apply and it is a fairly labor-intensive project. He said he thinks the costs are in line. Commissioner Cochran noted, and Mr. Reichard acknowledged, that the low bid is about 18% off the estimate. Discussion ensued, and Mr. Reichard said there is a lot of work out there and this isn’t the most ideal project for a general contractor because it is fairly small-scale, in the middle of the park, and will be difficult. He said there was a lot of interest and he expected more bidders but ended up with only two. He noted that the plans include conduit for future lights. Zene Farhat, of Farhat Excavating, said it is not an easy job to estimate. He noted that he pays his workers $60/hour. Commissioner Anderson asked Mr. Reichard to provide her with prevailing wage versus non-prevailing wage numbers for this project so she can take it to Capitol Hill to show them the difference.

President Martin asked when the project can be done, and Mr. Reichard said it will be done by August. President Martin then questioned whether painting the pickleball court onto the tennis court will be confusing, and Vice President Rigney said the only conflict is competition for the two different courts.

Vice President Rigney made a MOTION to award the contract for Fisher Park Tennis Court Improvements to Farhat Excavating, LLC in the amount of $131,830.00, with a completion date of September 1, SECONDED by Commissioner Anderson. The motion carried unanimously.

CONSIDERATION TO AWARD BID FOR WINDING HILLS PARK CENTRAL HUB PHASE II

The 2019 approved Township budget included a combined $550,000 in the Park and Recreation Development Fund and the Park Improvement Fund for the Winding Hills Park East Central Hub Phase 2 Project and additional paths. Phase 2 of the project will add a large plaza next to the existing playground that will contain shaded picnic areas, an octagonal pavilion structure, misting cooling stations, a sensory maze and additional sensory equipment along with supporting internal walkways. In addition to completing the Central Hub, this project also includes 4,755 linear feet of path at the Park, bringing the total length of the path at Winding Hills Park East to 7,857 feet (11,205 feet total for Winding Hills Park). The project was properly advertised and bids were opened on June 4 for work related to the hardscape and installation of equipment/shelters at the Hub as well as construction of the planned pathways. Two bids were received for Contract 1: Farhat Excavating, LLC in the amount of $393,000 and Rogele, Inc. in the amount of $853,985. One bid was received for Contract 2 from Swam Electric in the amount of $81,100.

Commissioner Cochran questioned how much over budget we are for both this and the contract awarded previously for the Fisher Park Tennis Court Improvements. Mr. Fraser noted that the total overage is roughly $110,000 but we would still have about a $200,000 fund balance between the two projects. He noted that of the $153, 249.95 for pre-purchased equipment, we have paid for about
50% so far. Of the $550,000 budgeted for the Winding Hills Park project, bids are about $77,349.95 over budget. Based on the current fund balance, Mr. Fraser said the ending balance would be $85,000. He said he recently learned that Oakwood Hills will make a deposit in the amount of $400,000+, which was not included in the original budget.

Commissioner Anderson said she thinks we need to proceed with the Hub because it is such a showcase and is good for the community. She said that park is loaded with kids. However, she said the tennis courts aren’t in the best shape and fixing them could possibly pick up more users. She said she thinks the Board should consider both projects.

Mr. Reichard said the Township establishes a budget number and he attempts to design the projects within that. In this case, he said we reached the $550,000 figure and there was still engineering to refine the design. He said his most current updated estimate is within 2% of the bid received. Commissioner Cochran commented that again we are in the teens over budget because we didn’t have good numbers. Jason said sometimes we have a number set and sometimes there are adjustments made. He said the shelter was added as well as additional lighting and modifications to the underdrain system. He said sometimes it is difficult to hit that original target. He said that number was originally set in February or March as they were still designing the project. He said a lot of times the budget is set based on the design, and then things change. Commissioner Cochran said he gets that but said he hopes we learned something for budgeting processes. He said our budgets should be tighter than this. President Martin commented that in another light, we often build on a contingency and we might want to consider that with future projects. Mr. Fraser said on projects of this size we would normally try to plan better the prior year so we have better numbers. He said in the future it will be his plan to do more preliminary engineering in advance. Commissioner Cochran said he thinks it is a wonderful project and he is really enthralled by it and would like to see more things like it, but said we need to just be a little tighter with the budget. He said he came to this meeting after talking to Mr. Fraser thinking we should hold off on the tennis courts, but now he will support them both. However, he is concerned that we don’t make this a habit. He said we should think next year or the following year about adding the kind of lights where you have to insert quarters for the tennis/pickleball and basketball courts. Vice President Rigney questioned whether money could be saved by removing the backboard from the tennis court, but President Martin said every tennis player wants a backboard. President Martin noted that there are professional construction estimators out there so we might want to consider handing it off at times, in addition to using C. S. Davidson.

Zene Farhat, of Farhat Excavating, LLC, said PennBid is a great bidding program and from his experience it draws the bids far apart. Without paper bids, he said everybody can see everybody else’s bids.

Vice President Rigney made a MOTION to award the contract for Winding Hills Park Central Hub, Phase 2, Contract No. 1 to Farhat Excavating, LLC in the amount of $393,000, SECONDED by Commissioner Anderson. The motion carried unanimously.

Vice President Rigney made a MOTION to award the contract for Winding Hills Park Central Hub, Phase 2, Contract No. 2 to Swam Electric in the amount of $81,100, SECONDED by Commissioner Anderson. The motion carried unanimously.
This project has an expected completion date of the end of September.

**FLAGPOLE UPDATE**

President Martin reminded staff of a request for a flagpole at Winding Hill Park. Mr. Fraser said Parks Maintenance Supervisor Chad Krebs got quotes and is looking for contractors. The project will proceed and Mr. Fraser will find funding for it. He said the flagpole also has to be properly lit. President Martin said the sports teams indicated that they would put it up and down.

**MISCELLANEOUS**

**TAX COLLECTION COMMITTEE UPDATE**

There was no report.

**CAPITAL REGION COG UPDATE**

President Martin noted that there was a representative from District 8 at the last COG meeting. He learned that I-81 widening is to continue around Eisenhower Boulevard in the next decade. He noted that the Board of Commissioners took action to support the Cumberland County Commissioners for a safety barrier on I-81. He said they will put in a cable barrier rather than masonry throughout Cumberland County. Estimated cost for I-81 widening is $2.9 billion, and for I-83 widening it is $2.3 billion.

President Martin said he learned that the Federal gas tax was last increased in 1993. Vehicles are now more efficient and there is an increase in electrical vehicles. He said those factors might be affecting revenue for road construction because fewer dollars are coming in.

Regarding bridges in the area, President Martin said about four of them across the Susquehanna are structurally deficient and need maintenance and upgrades, but they are fearful of shutting down any of them and forcing traffic elsewhere. He said between work on I-81, I-83, and the Harrisburg bridges, residents shouldn’t expect fast travel times in the next decade.

President Martin noted that the Greater Harrisburg Realtors will meet at the Radisson on June 11 and will address short-term rentals and AirBnBs.

**MUNICIPAL ADVISORY BOARD UPDATE**

There was no report.

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

Commissioner Anderson distributed a copy of the tentative program for the annual conference on June 20-22 and asked Board members to let her know if they want to attend any sessions. If anyone is interested she said she will try to get them in without paying for the sessions. She noted that they can eat elsewhere and don’t have to eat the meals provided at the conference, which is at the Windham in Gettysburg.
MISCELLANEOUS

Vice President Rigney noted that he drove by the Ashcombe mansion saw a Custer Homes sign related to houses built to suit. He wondered why the sign is there. Mrs. Boyer said Custer is the contractor doing the internal renovations to the mansion, and that is their typical sign they put out when they build homes. She said they are not building houses there—it is just to advertise their name and slogan.

Vice President Rigney noted that the Township sign at the corner of Gettysburg Pike and S. Market Street is gone. Mr. Fraser said he doesn’t know why but assumes it is broken. He said he will find out.

Commissioner Cochran noted that the house on E. Lisburn Road near Klinedinst now has a paved driveway. He said there was previous discussion about the driveway and wondered if the paved driveway was approved. Mrs. Boyer said the property owner abandoned it a while back and she was not aware it was paved, but she will look into it. President Martin noted that it was just done earlier in the day.

Vice President Rigney noted that Township employees were out painting Winding Hill Road by the Park & Ride. He questioned why are were painting it. Mr. Fraser commented that they were applying the heat-applied rubber markings to the road. Mr. Fazekas said we do have a maintenance agreement with PennDOT, but he will check on it. Vice President Rigney continued that as you come over Route 15 there’s a white line for traffic to stop and if you stop at that line it makes it extremely difficult for people coming up from Giant to make the turn. If they will continue to paint along there he wondered if they can put the white line closer to Route 15 so the cars can pass without nearly colliding. Chief Adams said one of the problems there is that the sensor loops are close to the white line and when a car makes a turn it trips it and gives a green light to no traffic. He said the problem occurs on the other side when people cut the corner short and trip the sensors. He understood what Vice President Rigney was saying and said he pulls right up to the white line and there is enough room for both cars. Mr. Fazekas suggested a dotted line to delineate the two left turn lanes.

Mark Stoner of Mechanicsburg Borough Council noted that Allendale Road construction will start the end of June/beginning of July. It will be totally rebuilt from Simpson Ferry Road to Cocklin Street. It will be torn down all the way, with new drainage, new base, etc. The finish coat won’t be applied until the Legacy Park phase is done. Any damages they do they must repair and then when they are done they will put the finish coat on. Mr. Fazekas said he told Lower Allen Township that we closed our section of Allendale Road currently being worked on so they know not to close the flooded part. He said he drove Gettysburg Road and there is still water running across. He said there are cones out but the trucks can still get through.

SOLICITOR UPDATE

There was no report.

ADJOURNMENT

President Martin adjourned the meeting at 8:56 p.m.