

**Minutes of the October 12, 2004 Public Hearing  
for Cable TV franchise**

The hearing was called to order at 6:45 p.m. by Chairman Waybright. Present were Supervisors Weikert, Gregor and Bowling, Flo McLeish, Carol Merryman, Jan Bucher - stenographer, and five township residents. Mr. Shealer was absent. The hearing was tape and stenographically recorded.

Chairman Waybright stated that the hearing is regarding the cable franchise renewal and is being held pursuant to Section 626 of the Federal Cable Act. The township's current franchise agreement with Adelphia Cable Communications will expire on December 31, 2004 and this hearing is part of the franchise renewal process. He stated that the purpose of this hearing is to take citizens' comments on the past performance of the cable operator or future cable-related community needs. He added that franchise renewal is the best opportunity for the township to assert their rights and obtain benefits in return for granting the cable operator the right to use its public right-of-ways. These benefits include a state-of-the-art cable system now and in the future, strong customer service standards, free service to community facilities, an educational and governmental channel, better reporting requirements, franchise fees, legal protection of the right-of-ways and better mechanisms to enforce the franchise agreement. Chairman Waybright opened the floor for public comment.

Mr. David Ryman stated that he has discontinued his cable service because of the price and the numerous advertisements. He asked why Adelphia does not have a "Basic" service for about \$20.00 a month like Comcast Cable. He also asked if the township has to use Adelphia, or if they could use Comcast as the cable provider. Ms. McLeish stated that each company has their regions, but she does believe that Comcast may be looking at purchasing Adelphia, because Adelphia is currently in bankruptcy proceedings. She added that if Comcast should buy Adelphia, there will be new franchise negotiations with them. Chairman Waybright stated that the township has tried to get a "Basic" service for the residents, but has been unsuccessful.

Mr. Weikert explained that the lines belong to Adelphia and if the franchise is not renewed they would come in and remove all of their lines. A new provider would have to install all new lines.

There being no further comments, the hearing was adjourned at 6:55 p.m.

**Minutes of the October 12, 2004 Meeting**

The meeting was called to order at 7:30 p.m. by Chairman Waybright. Present were Supervisors Weikert, Gregor and Bowling, Flo McLeish, Carol Merryman, Henry Heiser, Chief Sease, Matt Trostel and Chad Topper, Dave Blocher, Kenny Kime and Jim Bixler from Gettysburg Fire Department and four residents from the Windbriar Lane area. Mr. Shealer was absent. The meeting was tape recorded.

Chairman Waybright announced that a public hearing on the cable TV franchise was held prior to the regular meeting.

As advertised, sealed bids for the 1987 Ford F350 Dump Truck and 1995 Ford Crown Victoria were opened and read as follows:

**Truck bids**

Mark's Motors - Maple Shade, NJ	\$1,075.00
Gerald W. Andzulis - Mountville, PA	\$1,287.87
Dansco Sales - Freedom, PA	\$ 760.00
Sander's Repair Shop - Gettysburg, PA	\$2,380.00
Battlefield Resorts - Gettysburg, PA	\$1,252.00
C&R Auto Fleet, Gettysburg, PA	\$4,255.99

### Car bids

Bay Ridge Motors - Staten Island, NY	\$679.00
Sanders Repair Shop - Gettysburg, PA	\$450.00
C&R Auto Fleet - Gettysburg, PA	\$675.00

**Mr. Gregor made a motion to accept the bid from C&R Auto Fleet, in the amount of \$4,255.99, for the 1987 Ford F350 Dump Truck and the bid from Bay Ridge Motors, in the amount of \$679.00, for the 1995 Ford Crown Victoria. The motion was seconded by Mr. Bowling and carried.**

**Mr. Gregor made a motion, seconded by Mr. Weikert and carried to approve the Minutes of the September 28 meeting. Mr. Bowling abstained.**

Chief Sease presented a written and oral report of police activities for the month of September including 173 arrests, 148 complaints and 19 incidents. He also introduced part-time Patrolman Matt Trostel and Patrolman Chad Topper to the Board.

Mr. Dave Blocher, Gettysburg Fire Department, stated that he came to the meeting tonight to let the Supervisors know about the different things that GFD is doing. He passed out a new map that they created to help get quicker response times that includes hydrant locations, pressures and water supply sources. He added that 50% of their volunteers are professionally certified and they meet or exceed the same criteria as paid firefighters. He stated that they are currently running a 27-year-old ladder truck, 27 and 24-year-old engines, 20-year-old hose wagon and 6-year-old quint. He stated that they brought a new rescue vehicle with them tonight that was bought to replace two pieces of equipment. He reported that the GFD ran 563 calls in 2003 with 21.5 % of the calls being in Cumberland Township. He stated that it looks like the numbers will be going up in 2004, especially with new developments going in. He asked the Board to consider additional contributions for capital funding to be used for their equipment. Mr. Blocher thanked the Supervisors for the township's police protection and participation. Chairman Waybright thanked Mr. Blocher and the others for coming and stated that the Supervisors will take their request under consideration during their budget process.

Mr. Kim Patrono reported that he and Mr. Heiser have found only three locations along Herr's Ridge Road that have right-of-ways greater than 33 feet. He stated that the Municipal Authority has agreed to condemn property, if necessary. He added that Mr. Sharrah advised him that the township wanted Herr's Ridge Road to be a feeder road and that has been started with Camelot Square and Cannon Ridge with 30 feet right-of-ways. He asked the Board if they would be agreeable to "taking" the property to get 30 feet the whole length of the road. Mr. Heiser stated that this is a complicated issue because there is a ton of development coming and the township needs to do this right. He added that there are different ways the township can go, and suggested that the Supervisors meet with him in his office to discuss the legal issues. Mr. Patrono stated that the booster station is in Gannett Fleming's hands and approval is coming shortly. Mr. Heiser stated that he does not believe that GMA has condemnation authority here, but the township certainly does. He added that he would also like the township's engineer at the meeting. The meeting was scheduled for Monday, October 18, 2004 at 5:00 p.m., provided that Mr. Knoebel is available.

Chairman Waybright reported that the township has received a request from Franklin Township to participate in a Shared Municipal Services Grant for a 2005 John Deere 6320 Tractor with a Tiger Rotary Boom and Tiger Side Rotary. There is no cost to the township and the township can occasionally use the tractor. **Mr. Bowling made a motion to adopt Resolution 04-08 for the inter-municipal, cooperative project to share a 2005 John Deere tractor with Franklin Township, seconded by Mr. Weikert and carried.**

**A Conditional Use Hearing for Scott Milhimes, 1155 Chambersburg Road, was scheduled for November 9, 2004 at 7:00 p.m. by motion of Mr. Gregor, seconded by Mr. Weikert and carried.** Mr. Milhimes wishes to operate an auto repair garage on his property. His property is zoned MX and "motor vehicle sales, service or repair shops" are permitted as a conditional use.

Chairman Waybright reported that the township received a request from Realty Leasing and Management Co. for a waiver to the township's Sign Ordinance. Chairman Waybright explained that the sign that they wish to construct is larger than allowed by the ordinance, but it is smaller than the sign that it will be replacing. Mr. Gregor stated that the sign will advertise seven businesses and what is permitted would be too small to be read from the road. He added that each of these seven businesses could have their own individual sign. **Mr. Gregor made a motion to approve the waiver, as requested, seconded by Mr. Weikert and carried.**

Ms. McLeish reported that she will be working on the Personnel Manual to update it to today's labor laws. She added that she will be working on this with the department heads and hopes to have a draft for Mr. Heiser's review in January. She also reported that she met with Ken Rotz, Keystate Publishing, regarding the completion of the codification of the township's ordinances and they hope to have this done by January. She added that they hope to have the updated Subdivision and Land Development Ordinance included in the codification, but, if not, it could be done as an addendum. Ms. McLeish thanked the Road Department for their efforts during the recent storm. Lastly, Ms. McLeish stated that the Board needs to have a budget workshop and this was scheduled for Monday, October 25, 2005 at 7:00 p.m.

Mr. Bowling stated that the township has made some improvements on Blackhorse Tavern Road to help with the water problem that the Millers had during the recent storm, but he feels that what was done is not enough, and he asked Ms. McLeish to look into this further. He added that the waterway in the field needs to be redone to keep the water from coming down and across the road.

Mrs. Gail Jones asked the Supervisors to keep water and traffic in mind while approving developments and to actively pursue the preservation of green space because the township is such a beautiful place to live. Chairman Waybright reported that the township intends to have an informational meeting on Ag land and open space preservation this winter. Ms. McLeish stated that the township is also looking at doing an Act 209 transportation study for improvements to be paid for by the developers, and this is permitted by the Municipalities Planning Code.

The bills were paid. Expenditures for this meeting totaled \$111,342.42 from the General Fund.

**There being no further business, the meeting was adjourned at 8:45 p.m. by motion of Mr. Gregor, seconded by Mr. Weikert and carried.**

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Carol A. Merryman, Asst. Secretary

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