

Minutes of the July 22, 2008 Meeting

The regular meeting was called to order at 7:30 p.m. by Chairman Gregor. Present were Supervisors Shealer, Underwood and Golden; Flo Ford, Tom Campbell, Carol Merryman, Chief Boehs, Tim Knoebel, Mark Reed, Matt Sentz, Mr. and Mrs. John Donmoyer, Speros Marinos, Mike Galassi, Elizabeth Magner, Erin James from The Evening Sun and Scot Pitzer from the Gettysburg Times. Mr. Waybright was absent. The meeting was tape-recorded.

Mrs. Underwood made a motion to approve the Minutes of the June 24, 2008 meeting, as written, seconded by Mrs. Golden and carried.

Mrs. Golden made a motion to approve the bills list in the amount of \$116,612.39 from the General Fund seconded by Mrs. Underwood and carried.

Mr. Matt Sentz from Barlow VFD responded to negative correspondence (which he read) regarding the building of a new fire station on the property that was recently acquired on Barlow-Greenmount Road. He reported that the department has acquired property, but are only clearing a portion of the property now and have no intention of building a new building or moving their operations because they are in the process of purchasing a new rescue truck which costs \$575,000.00. This large expenditure makes building a new building virtually impossible. He asked that if any resident has a question or concern that they please speak with an officer or active member of the department.

Mr. Speros Marinos, 900 Baltimore Pike, registered a formal complaint regarding Bike Week particularly on the Baltimore Pike at the Pike Restaurant. He thanked the Police Department and in particular Chief Boehs and requested that in the future there be a police presence at The Pike at all times during Bike Week. He offered to see if the residents there would be willing to chip in some money to help cover that cost. He also reported that people were parked along and walking along Baltimore Pike and even in Evergreen Cemetery over burial plots including his family's plots. He stated that it seems that there is very little respect given when the police are not present.

Mr. John Donmoyer, Sr., 1975 Emmitsburg Road, questioned the number of hours the township's engineer spent reviewing his recent one-lot subdivision plan. He asked for justification for the total number of hours spent and also asked that someone from the township review the bills before they are paid. He added that he did intend to pay the bill. The Board thanked Mr. Donmoyer for coming in.

Chief Boehs presented a written and oral report of police activities for the month of June including: 417 complaints, 122 traffic stops, 98 combined arrests and 15,505 patrol miles for 6 weeks rather than 4. He added that they assisted other departments 24 times and were assisted 4 times.

In response to an article in The Gettysburg Times that appeared last Thursday, July 17th, eluding to a merger between Cumberland Township and Gettysburg Borough's police departments, Mr. Gregor reported that the Board has no intention, nor are they interested in discussing a merger with any other police department at this time.

There was no Old Business on the agenda.

The first item under New Business was a Final Plan for Arthur Shaw – Old Mill Road Pumping Station. Mr. Knoebel explained that the project proposes the subdivision of one 144.421 acre parcel owned by Arthur Shaw into three lots. This parcel is located on the eastern side of Old Mill Road west of the Gettysburg Airport runway. The original parcel will be divided into one 0.330 acre lot (Lot 2) to be used for a new sewage pump

station which will ultimately be dedicated to the Cumberland Township Authority, one 124.437 acre lot (Lot 1) to be used for future development by S & A Homes and one 19.954 acre lot (Lot 3) to remain in the possession of Arthur Shaw. Additionally, this subdivision proposes the dedication of the ultimate right-of-way width of 60 feet (30 feet from centerline) of Old Mill Road to Cumberland Township. The subject parcel is located in a Residential Zoning district. He added that the Planning Commission has recommended approval of the plan, a Resolution has been prepared and they are asking for one waiver to Section 401.4.D to allow development within 50' of an identified wetland or water body. The plan is being reviewed under the prior SALDO. **Mrs. Underwood made a motion to grant the waiver request to Section 401.4.D seconded by Mr. Shealer and carried. Mr. Shealer made a motion seconded by Mrs. Golden and carried to adopt Resolution 08-12 Final Plan Approval for the Arthur Shaw – Old Mill Road Pump Station Subdivision Plan.**

Chairman Gregor reported that the township has received three requests for bond reductions and he asked Mr. Knoebel to speak to them.

Mr. Knoebel reported that a request has been received for a reduction of the financial security being held for the Joseph Tripi Subdivision on Pumping Station Road. A report from KPI, dated July 21, 2008, states that \$32,771.00 is currently being held and recommends that \$10,083.00 be retained. This would result in a reduction of \$22,688.00. **Mr. Shealer made a motion to approve the bond reduction for Joseph Tripi Subdivision, in the amount of \$22,688.00, retaining \$10,083.00, seconded by Mrs. Underwood and carried.**

Mr. Knoebel reported that the next request is from Woodhaven Building and Development for Cumberland Village, Phase 1A, requisition no. 8. A report from KPI, dated July 21, 2008, states that \$511,296.50 is currently being held and recommends that \$466,114.00 be retained. This would result in a reduction of \$45,182.50. **Mrs. Underwood made a motion to approve the bond reduction for Cumberland Village, Phase 1A, in the amount of \$45,182.50, retaining \$466,114.00, seconded by Mrs. Golden and carried.**

Mr. Knoebel reported that the last request is from Summit Partners, LLC for Cambridge Crossing, Phase 1, requisition no.4. Mr. Knoebel also reported that there is a major discrepancy in this request because a substantial amount of paving was put down that was not in compliance with the approved mix design and he expects the developer to contact him about that. A report from KPI, dated July 21, 2008, states that \$274,803.08 is currently being held and recommends that \$231,376.40.00 be retained. This would result in a reduction of \$43,426.68 **Mr. Shealer made a motion to approve the bond reduction for Cambridge Crossing, Phase 1, in the amount of \$43,426.68, retaining \$231,376.40, seconded by Mrs. Underwood and carried.** Mr. Knoebel also reported that their letter also contains a couple of items that are still needed and it is not likely that any further reductions will be made until that information is received and that the solicitor had brought it to his attention that the developer has not yet filed anything for recording nullifying Phase 2 and Phase 3 plans that were previously recorded and subsequently withdrawn. They will mention that to the developer.

Chairman Gregor reported that the township has seven requests for extensions on their agenda. Solicitor Tom Campbell addressed the request for extension. Mr. Campbell explained that the Municipalities Planning Code requires the township to take action on a plan within 90 days. This prohibits the township from just taking no action on a plan that they do not like. He added that with all of the reviews and revisions there are times that a plan is not ready for an approval within 90 days so the developer may come to the township and request an extension. The risk to the township is that if they do not take action within the 90 days, the developer gets a deemed approval. He added that in order to deny a plan the plan must contain defects as it pertains to the township's Subdivision and Land Development Ordinance. As long as plans are moving forward, even if it is very slowly, the requests are usually granted. He added that the Board will have to depend on their engineer to determine if plans are moving forward and the township can grant the extension for a shorter period of time if they want to. Mr. Knoebel recommended that all of the requests be granted and briefly explained what each plan is waiting for or working towards for their approval. **Mrs. Golden made a motion seconded by Mrs.**

Underwood and carried to grant 90 day extensions for the following subdivision plans: Gettysburg Municipal Authority Well No. 9 Treatment Building, Pickett's Choice Condominiums, The Ridge – 2-Lot Subdivision, Cumberland Village- Phase II, Cannon Ridge – Phase III, The Crossings I, Phase I Final, The Crossings II Preliminary.

Mrs. Underwood made a motion seconded by Mr. Shealer and carried to approve an application for a Special Event Permit for the Gettysburg YWCA 's 7th Annual Bench and 5K Run on Saturday, August 2, 2008.

Mr. Shealer made a motion seconded by Mrs. Underwood and carried to authorize the Solicitor to advertise the Board's intention to adopt an Ordinance, amending the Code of Ordinances, with respect to the Realty Transfer Tax and authorizing the Pennsylvania Department of Revenue to determine, collect and enforce the tax, interest and penalties, at the next regular meeting on August 26, 2008 at 7:30 p.m.

The Zoning Officer and Assistant Secretary's reports were reviewed.

At 8:18 p.m., Chairman Gregor adjourned the meeting for an Executive Session to discuss a personnel issue.

At 8:40 p.m., Chairman Gregor reconvened the meeting.

Being no further business, the meeting was adjourned at 8:40 p.m. by motion of Mr. Shealer, seconded by Mrs. Golden and carried.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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