

Minutes of the April 27, 2010 Meeting

The regular meeting was called to order at 7:00 p.m. by Chairman Waybright. Present were all Supervisors; Flo Ford, Attorney Melissa Dively, Carol Merryman, Tim Knoebel, Bill Naugle, Mike Galassi, Speros Marinos, Jay Patel, John Murphy, Cheryl Hankey, Suresh Oza, Allen Baldwin, Al Ferranto, approximately twenty visitors, Scot Pitzer from The Gettysburg Times and Tim Prudente from The Evening Sun. The meeting was tape recorded.

Mrs. Golden made a motion to approve the Minutes of the March 23, 2010 regular meeting seconded by Mrs. Underwood and carried.

Mrs. Underwood made a motion to approve the Minutes of the April 5, 2010 special meeting noting a correction to the third bullet point in the third paragraph to include that the scholarships are also through HACC. Mr. Ferranto asked that the Minutes of the April 5, 2010 special meeting be read aloud. Attorney Dively stated that the Minutes must be approved first. Chairman Waybright stated that he did not feel that it would be a problem to read the Minutes, but that there would be no discussion on the Memorandum of Understanding (MOU) because it had already been voted on and approved. Mr. Ferranto stated that he was going to be making a statement regarding the MOU tonight and was curious about what the MOU is before it is published but, he stated that if the Board did not want to read the Minutes to just say so. Chairman Waybright stated that the Minutes would not be read. **Mr. Phiel seconded the motion to approve the Minutes of the April 5, 2010 special meeting, as corrected, and the motion carried.**

Mr. Ferranto pointed out that there was a mistake on the Minutes of the March 18, 2010 workshop/meeting. He stated that the Minutes posted on the website indicate that the meeting was adjourned at 8:30 p.m. and in fact the meeting was held in the a.m. **Mr. Phiel made a motion to correct the March 18, 2010 Minutes to read that the meeting was adjourned at 8:30 a.m. seconded by Mrs. Underwood and carried. Mr. Phiel amended his motion to correct the March 18, 2010 Minutes to read that the meeting was adjourned at 11:30 a.m. seconded by Mrs. Underwood and carried.** This correction will be made in the Minute Book.

Mrs. Underwood made a motion to pay the bills, in the amount of \$168,622.77 from the General Fund and \$636.42 from the Park and Rec account seconded by Mrs. Golden and carried.

Chief Boehs reported that at 5:00 p.m. this afternoon, Officer Timothy Biggins was presented with an Officer of the Year award for Adams County from the American Legion. He added that Officer Biggins will also be submitted for the award at the state level and possibly the national level. The Board asked Chief Boehs to extend their congratulations to Officer Biggins.

Chairman Waybright requested that visitors limit their comments to five-minutes.

Mr. Wesley Harlow, 354 Sachs Road, stated that he appreciates that the Supervisors have turned his claim for damage to his driveway over to the insurance company but, he would like the Minutes of the March 18, 2010 workshop/meeting corrected because they state that Mr. Shealer stated that his driveway appeared not to have any reinforcement in it and it appeared to have been cracked and he has photos of his driveway that do prove otherwise. He stated that his driveway did not have a crack in it and his driveway has a 6x6 10 gauge wire in it and he requested that the statement be removed from the Minutes. Mrs. Golden asked to see the photos. **Mrs. Golden stated, in an effort to rectify this situation, by the information shared by Mr. Harlow there is obviously reinforcement in the concrete and Mr. Harlow has stated that there was no crack in his driveway. Mr. Shealer stated that he is in**

agreement and that the Minutes were possibly misconstrued and they were not exactly what he said.

Mr. Ferranto stated that the Sunshine Act requires that a notice of all meetings be posted on the building and that has not been done as far as he knows. The Board agreed that it will be done for all future meetings. He also asked what has been done with the \$1,000.00 per lot that has been collected for Park and Rec fees. Mrs. Ford reported that some money was spent on a trail project that did not come to fruition, a Peer-to-Peer Study with other municipalities with a matching grant from DCNR and some property has been purchased for a park. Mrs. Ford added that the funds actively go for any Park and Rec purchase, design, engineering of whatever project is going on. Mr. Ferranto also asked what the balance is in the Park and Rec account and Mrs. Merryman stated that it is approximately \$300,000.00.

Mr. Ferranto stated that he was not impressed with IESI's District Manager (Ken Murdock's) statements and responses to the Board at the last township meeting and he subsequently requested a copy of the waste hauling contract. He added that to avoid future problems, he feels that the Board should ask Mr. Murdock to come back to another meeting, and he offered the assistance of the Concerned Citizen's of Cumberland Township (CCCT), to get the contractor in line with the rules and regulations of what they should be doing to service the citizens of the township. Mr. Ferranto gave some examples of things that he feels will not be done including, but not limited too, providing notices regarding large item pick-up and recycling, littering and billing and quarterly reports. He asked that this issue be placed on the agenda. Mrs. Golden suggested that the CCCT put their concerns in writing and that correspondence, along with a letter from the township, be forwarded to IESI and they can address these concerns. Mrs. Ford reported that Mr. Murdock has stepped-up since he attended the meeting and the township has to give them a chance to make corrections to the problems that they are informed of. She added that when complaints come in, they are forwarded right to Mr. Murdock and then he copies her back in his response to the resident. Mr. Ferranto stated that they will submit written concerns and they want to work with the Board on this. Mrs. Ford stated that it means more when the complaints come directly from their customers. Mr. Ferranto read two statements, for the record, as follows:

Statement 1:

To the Cumberland Township Board of Supervisors.

In early April, Mason-Dixon Resort Developers filed an application for a Casino License. With that application, they submitted a traffic study from a firm that was contracted and paid for by Mason-Dixon Resort Developers. As I'm sure you are aware, for statistic reliability, the traffic stop research design requires the collection of information at different times of day, on different days of the week and during different seasons of the year.

CCCT is concerned that the survey results collected on behalf of Mason-Dixon Resort developers may be biased since their study was apparently conducted during winter months only and doesn't reflect a realistic picture of traffic conditions during the height of our tourist season. At the very least, an additional traffic survey should be conducted during the summer months when traffic is at a peak and a comparison made between the two studies. This would help alleviate the concerns we have about potential traffic issues. Additionally, a survey conducted and paid for by Mason-Dixon Resort Developers leaves itself open to suspicion.

You, the Board of Supervisors are our elected representatives and we would expect that your primary concern would be the welfare, safety and quality of life of us, the citizens of the Township, who will be impacted by a Casino that isn't being supported by the Township's infrastructure.

Therefore, to alleviate the above concerns, we request that the Cumberland another study of all roads that will be impacted by the proposed Mason-Dixon Resort Casino. As you are aware, a casino or for that matter, any large entertainment facility will have an enormous impact on the infrastructure that currently exists.

Rather than basing future needs on possibly flawed research, we feel it would be in the best interests of the Board and of course ultimately the citizens you represent here in Cumberland Township to do due diligence now rather than to run into problems in the future.

Statement 2:

When you were elected or appointed to the Board of Supervisors, in essence you have accepted a responsibility to serve the citizens of Cumberland Township. As officials of this Township, the manner in which you govern and the decisions you make affect the lives and quality of life of the people of Cumberland Township.

The Sunshine Act of the State of Pennsylvania subsection 702 {a} FINDINGS -The General Assembly finds that the right of the public to be present at all meetings of agencies and to witness the deliberation, policy formulation and decision making of agencies is vital to the enhancement and proper functioning of the democratic process and that secrecy in public affairs undermines the faith of the public in government and the public's effectiveness in fulfilling its role in a democratic society. In section 703 an agencies definition is described and the words municipal and township are listed.

At the January 26th 2010 monthly Township Meeting, and I quote "Chairman Waybright reported that the Township has received a request to amend the text of the township's MX Zoning District to add a definition for "licensed gaming facility", adding licensed gaming facility as a permitted use and adding provisions for required off-street parking." A motion was made and seconded. A public hearing was set for March 2, 2010. The Board of Supervisors then changed the date of the public hearing to the morning of March 18th. By changing the date of the public hearing, it limited public participation because people that had to work could not attend the meeting. Mason Dixon Resorts and Casino requested that the ordinance change be enacted without conditions. That request made the meeting very contentious. A strong case for the ordinance to be enacted with conditions was made verbally with maps and documentation. As per the approved minutes of March 18th, 2010, the public hearing for the ordinance change began at 9:20 AM and was closed at 10:47 AM. At 11:00 AM, chairman Waybright reconvened the recessed workshop meeting. Within minutes, a vote was taken to approve the ordinance to allow gambling in a mixed use area without conditions. Approving the ordinance change without conditions was stunning. With all the testimony that was given to have the ordinance change issued with conditions, it is clear with the time frame that was stated, that a fair and impartial deliberation could not have been rendered. The Board of Supervisors justified their vote stating "That the requirements for a casino application was covered by the State and Local Land Development Ordinances and was already in place and would be redundant."

This brings us now to our current concern, the Memorandum of Understanding (MOU) between Cumberland Township and Mason Dixon Resorts Casino. On April 1, 2010, a meeting notice was placed in the legal section of the Gettysburg Times on page D2. The meeting notice stated "The Board of Supervisors of Cumberland Township, Adams County, Pennsylvania, will hold a meeting on Monday April 5, 2010 at 3:30 p.m. to review a Memorandum of Understanding with Mason-Dixon resorts. The meeting will be held at the Township Building, 1370 Fairfield Road, Gettysburg, Pa 17325. Carol Merryman, Assistant Secretary". At that meeting, a vote was taken and the MOU was signed. We would

like to note for the record that a review of the MOU was to take place at that meeting and made no mention of a vote to be taken. In quoting the Gettysburg Times, "No citizens attended the 3:30 PM meeting aside from LaVann's attorney, Bernard A. Yanetti, a newspaper reporter and two police officers."

We want to be respectful but in this manner before us tonight, we need to be blunt. The way this MOU was handled was clearly not transparent nor democratic. The Board of Supervisors never informed it's citizens that an MOU with Mason Dixon Resorts Casino was being contemplated or negotiated. It was done in secret. The following are quotes from the Gettysburg Times pertaining to the MOU. "Board Chairman David P. Waybright explained that the legal pact originated from ""concerns that the board had over the proposed resort."" Legal counsel from the township and Mason Dixon began crafting the agreement two weeks ago. It was a marathon of negotiations that was going on explained township Solicitor Melissa Dively. At previous meetings casino opponents encouraged the board to place "conditional use" restrictions on the project, by making the developer jump through several hoops, so Waybright believes the board addressed those concerns with the legal agreement. This covers anything that would have come up during the conditional-use application process said Waybright."

Why the reasons for concerns at this time? The Board of Supervisors passed the ordinance without conditions. It has been stated, David LeVann is a man of his word and can be trusted. So what was done at the March 18th meeting and comments made at that time and the reasons stated in the Gettysburg Times for the MOU are contradictions.

No one came to the April 5th meeting. Once again a daytime meeting where citizen participation would be limited was held. In this matter, no participation occurred, because no one knew about it. Since no one was there, and since this MOU is an important document that affects all citizens of Cumberland Township, it would have been appropriate to reschedule the meeting at night with more notice so we could have had our questions answered and shared our views about the MOU. Unfortunately you did not do that. The fees for the township attorney for this MOU was paid for by Mason-Dixon Resorts and Casino. Also, page 14 of the MOU states "in the event that this Agreement or any matter or issue contemplated by and/or addressed by this Agreement or any matter relating to zoning, subdivision and/or land development, or any other Township action shall be challenged by any third party, Mason-Dixon hereby agrees to defend said action and shall be responsible to also pay any and all costs, expenses, attorneys fees from counsel chosen by the TOWNSHIP to represent the TOWNSHIP, expert witness fees, and similar costs and/or expenses incurred by the TOWNSHIP in defending or virtue of being named in said action{s}." Why did Mason-Dixon Resorts agree to do this, pay all attorney fees for this MOU and any future litigation?

This MOU is very troubling for the Concerned Citizens of Cumberland Township. In essence it says, go and testify in support of Mason-Dixon Resorts Casino at the Gaming Commission hearings and I will guarantee you 1 Million Dollars a year. This MOU was not needed. It was done to assist Mason Dixon Resorts in achieving their gaming license. Your presence at the gaming hearings make it appear as if you have the support of its citizens when in reality no referendum has been done by the township to know how its citizens feel about you supporting or speaking on behalf of its citizens at the gaming commission. This MOU has made the township more polarized and has diminished the trust factor between you and its citizens.

This evening, time does not permit us to ask questions about the MOU. We are requesting time on next month's agenda to ask some questions about the language contained in the MOU.

Visitors cont'd.

Mr. Speros Marinos asked if he could comment on Item M on the agenda (The Pike – request for township enforcement of the Noise Ordinance) or if he should wait until that point in the meeting. Chairman Waybright asked him to go ahead and make his comment. Mr. Marinos stated (in part) that his family's quality of life has eroded over the past thirty years and they are sick and tired of it. He added that past owners of The Pike have had a good business there without a bar and he does not feel that job creation is a reason to permit the loud noise coming from The Pike. He also stated that illegal motorcycle pipes during Bike Week are a problem and they chase away families coming to Gettysburg for the Museum. He stated that the zoning was downgraded from Commercial to VMX (which is more residential than commercial) and yet heavy commercial is still being permitted. He asked the Supervisors to look out for him and the others who have millions of dollars invested in that area.

John Murphy, Esquire, on behalf of Jay Patel and Jayjyoti Corporation stated that he has a comment similar to Mr. Marinos' comment and would like to reserve that comment until the discussion of Item M.

Chief Boehs presented a written and oral report of police activities for the month of March including: 478 complaints, 86 combined arrests, 83 traffic stops, 10 traffic accidents, 10,671 patrol miles and they assisted other departments eight times and were assisted six times.

Mrs. Ford stated that the Designation of Agent Resolution is the first of many steps in the process to get back some of the money spent on the February snowstorm and it is authorizing herself, Township Manager, to sign the documents and the Resolution requires the signatures of the full Board. **Mrs. Golden made a motion that Florence A. Ford, Township Manager, is hereby authorized to execute for and on behalf of Cumberland Township with the Commonwealth of Pennsylvania seconded by Mrs. Underwood and carried.**

Chairman Waybright stated that the next item is a request from Gettysburg Inn for an extension of the Order to Vacate and he asked Bill Naugle, Zoning/Codes Enforcement Officer, to speak to this item. Mr. Naugle reported that the grounds have been cleaned up, Terminix has treated the inside of the building and they have prepared a plan of how they are going to go about redoing the premises and he has prepared a letter outlining his concerns and the costs associated with the Order to Vacate. He added that in order for him to issue a building permit for the work, the Order to Vacate would have to be lifted or given some type of an extension by the Board. Mrs. Golden asked Mr. Naugle to explain his concern #5 and he explained that there is always a concern while doing renovations that additional issues can arise causing additional expenses above the original estimate. Attorney Dively suggested that, due to this concern, a performance bond be required, as well as a more formal developer's agreement and with those items in place, the Board could consider lifting the Order to Vacate. Mr. Oza agreed that he would provide the bond and developer's agreement. Attorney Dively added that they could put a timeline in the developer's agreement. Mr. Naugle confirmed that the township can hold the Certificate of Occupancy until all of the units are completed and that too can be made part of the developer's agreement. **Mrs. Underwood made a motion that representatives for the township and representatives for Suresh Oza meet to define a developer's agreement and performance bond and the Certificate of Occupancy to be held until completion of the entire project within a year's timeframe and extend the Stay Order until June 30, 2010 or until such time that the township has the agreement. The motion was seconded by Mrs. Golden and carried.**

Chairman Waybright reported that the next item is a special event permit for the Face of America Bike Ride that was held on April 25, 2010. **Mr. Phiel made a motion to retroactively approve the Special Event permit for the Face of America Bike Ride. He explained that the event was for wounded**

warriors and the organizers were negligent in applying for the permit but, the Board wanted to be supportive of the event so they were given the go ahead. The motion was seconded by Mr. Shealer and carried.

Chairman Waybright stated that we have a second special event permit application from Boyds Bear County for their Summer Daze event which includes a fireworks display to be held in June. **Mrs. Underwood made a motion to approve the application from Boyds Bear Country for a special event permit for their Summer Daze event being held June 11th through June 13th with a fireworks display on June 12th seconded by Mr. Phiel and carried.**

Mr. Knoebel reported that the **Billy C. Leonard Final Plan** is a minor subdivision located on the corner of Rt. 116 - Fairfield Road and Blackhorse Tavern Road and it proposes the subdivision of an 80 acre tract into a 10-acre lot and a 70-acre lot. The 10-acre lot will consist of the existing house and outbuildings and no development is proposed for the 70-acre lot. He added that the plan has been reviewed by the township's Planning Commission and they have recommended approval and a resolution for final approval has been prepared. He added that there is also a Non-Building Waiver for sewage planning. **Mr. Shealer made a motion to adopt the Non-Building Waiver for the Billy C. Leonard Final Plan seconded by Mr. Phiel and carried. Mrs. Golden made a motion to adopt the Resolution for Final Plan Approval 10-16 with the conditions a. through i. as illustrated by the engineer seconded by Mrs. Underwood and carried.**

Mr. Knoebel also reported that the **Charles Skopic Final Plan** is the further subdivision of Lot 7 of the Foxfield subdivision. He added that Lot 7 is off of a private road and they were able to keep the same number of lots coming off of the private road by having the access to the newly created Lot7A being Foxfield Lane and Lot 7's access being Plank Road. He added that the plan has been reviewed by the township's Planning Commission and they have recommended approval and a resolution for final approval has been prepared. He added also that there is one waiver request to 502.D.3 to allow the cul-de-sac to be greater than 800 feet in length. He further explained that this waiver was granted with the first subdivision but, the plan was never recorded so this waiver will clean that up. Mr. Knoebel also appointed out that the right-of-way to Plank Road is not shown on the plan and the township may want to keep that right-of-way and that could be a condition of the waiver approval. Mr. Shealer reported that since Plank Road does flood it would be advantageous for the people who live there to keep the right-of-way. **Mr. Shealer made a motion to grant the waiver to section 502.D.3 to allow the cul-de-sac to be greater than 800 feet in length contingent upon the existing right-of-way on the existing plan remaining seconded by Mr. Phiel and carried. Mrs. Underwood made a motion to adopt the Resolution for Final Plan Approval 10-17 acknowledging the waiver with the right-of-way remaining seconded by Mrs. Golden and carried.**

Mr. Knoebel also reported the **Grandview Station Preliminary Plan** is located at the site of the old bank on Biglerville Road. The plan proposes the subdivision of the one lot into three lots all in excess of one acre. He added that there is a pending Land Development Plan for this property. There are no improvements proposed by this subdivision but, it allows flexibility for how they design the development on the property. He added that there are no waivers associated with this plan and there was a concern about the sidewalk because it was not shown going to the property line because of some conflicts with a storm drain pipe and this is a comment on his March 23, 2010 review letter. **Mrs. Golden made a motion to approve the Grandview Station Preliminary Subdivision Plan contingent upon the conditions stated in the engineer's March 23, 2010 report seconded by Mrs. Underwood and carried.**

Mr. Phiel made a motion seconded by Mrs. Golden and carried to approve a reduction in the bonding for Sunny Daze on Biglerville Road by \$14,777.00 leaving a balance of \$35,308.99. Mr.

Knoebel stated that he will follow up on this with the Authority because he suspects that the township holds the entire bond.

Mrs. Underwood made a motion seconded by Mr. Phiel and carried to approve a bond reduction for Cumberland Village, Phase 1A, in the amount of 35,750.00, leaving a balance of \$430,364.00.

Mr. Phiel made a motion to approve a request for extension for approval of the Gary and Joyce Maitland Final Plan until August 1, 2010 seconded by Mrs. Underwood and carried.

Mrs. Golden made a motion to authorize the joint legal advertisement of their intention to adopt an ordinance approving the adoption of an Intergovernmental Agreement of Cooperation establishing the Gettysburg Area Recreation and Park Commission seconded by Mrs. Underwood and carried.

Mrs. Ford reported that the following Resolution was presented by Ken Kuntz, EMA Director and that this is a step in the process with the Hazard Mitigation Plan with Adams County. She added that the township must have a Hazard Mitigation Plan in place in the event of a disaster in order to receive money from FEMA and PEMA. **Mrs. Underwood made a motion to adopt Resolution 10-15 Adams County Hazard Mitigation Plan Municipal Adoption Resolution seconded by Mr. Phiel and carried.**

Chairman Waybright stated that the next item is a request from Cheryl Hankey, owner of The Pike Restaurant, for the township to petition the Liquor Control Board to allow the township's Police Department to enforce the Noise Ordinance in lieu of LCB regulation. Ms. Hankey stated that she is requesting that the township take back what they did for one year. She added that she feels that it would be better for the two businesses beside her because there would be an immediate response and stated that the LCB's restrictions are very strict and she can be cited simply if amplified music can be heard outside of her establishment by way of a door opening. She added that she has received two citations from the LCB simply from a phone call being made and no one from LCB witnessing/hearing the violation and she is making improvements to the building to help keep the noise from leaving the building when the door is opened. She added that her request is only for the township to request a hearing with the LCB and there is no guarantee that the LCB will approve it.

Attorney John Murphy, representing the owners of the Comfort Suites and an investment property (house) immediately across from The Pike, respectfully requested that the Board not support the application from The Pike and they would prefer that the LCB continue the enforcement. He added that Mr. Patel has received complaints from his guests and he can provide the night manager's log of the complaints.

Lucy Schiff spoke on behalf of two Comfort Suites employees, Babba and Sumi that live across from The Pike and explained that the noise keeps them awake at night.

Jimen, an employee of the Comfort Suites, who also lives across the street from The Pike stated that he also has a problem sleeping at night particularly on the weekends and he has reported this to the LCB. He added that he has given the LCB the complaints that come from their guests and he further explained that the complaints are from the rooms that face the Pike and the guests hear the bass of the music that is being played at the Pike.

Mr. Speros Marinos reported that he had two officers from the LCB at his home and they could hear the amplified music 615 feet away and it is not just an issue of hearing the noise in the parking lot, it can be heard at his home. He added that there is convection from the roadway and a predominant breeze which blows the noise his way. He understands that these two things are beyond The Pike's control but, it is not

beyond their control to turn down the volume. He added that he attended the hearing for the Herr Tavern and opposed the petition for them also and he feels that the noise is disrespectful on many levels. Mr. Marinos spoke at length on the history of the ownership of the restaurant and feels that he should not suffer because they are in some kind of economic hardship.

Mr. George Marinos, who also owns property across the street from The Pike, stated that he has been very neighborly but, he can hear the noise (music) at 2:00 a.m. and 3:00 a.m. in a brick building. He added that he is there to talk at any time. He stated that the noise can be heard whether a door is open or not and he added that Bike Week is "hell on earth" and he gave a few examples of things that have happened on his property.

Mr. Phiel urged all of parties involved to talk to each other. He added that it seems to him that it could be an advantageous situation to everyone whether it be with parking, noise or whatever. Ms. Hankey agreed that she would happily sit down with everyone in an attempt to mitigate the problems. Chief Boehs reported that they have had eleven noise related calls not including Bike Week. He stated that during Bike Week they have cars stationed at The Pike to curtail some of the activities.

Mr. Patel stated that \$10,000.00 worth of damage was done to his property and he doesn't understand why they are allowed to expand beyond the township's requirements. He also presented notes from his night auditor and many times they called and no one responded. He added that when the Police did arrive the music did go down. He stated that he does not want to put more of a burden on the police force and he feels that the LCB is doing a good job.

Mr. Speros Marinos stated that the LCB is already going to be there doing enforcement so it makes sense for them to enforce the noise too and this is paid for from the income from the liquor and he doesn't feel that taxpayer's money should be spent to enforce the noise ordinance. Ms. Hankey stated that the LCB is not always there and the local Police could determine if there is a true noise violation and fine her if there is.

It was clarified that the Board's action is only to request a hearing with the LCB and they will make the determination if they will continue to enforce the noise ordinance or if it will be done by the township's police department.

Mrs. Underwood stated that there is obviously a difference of opinion here so it may be a good idea to have this put on the record under oath at a public hearing and the Township only knows what they are hearing from their police department. **Mrs. Underwood made a motion to petition the LCB to hold a hearing. Mrs. Golden stated that it appears to her that what we have here is a couple of businesses and residents that have problems other than amplified music and it is repeatedly being played out with the township and she feels that in only dealing with the amplified music the township can do a beneficial job for its citizens taking personal feelings out of the equation. Mrs. Golden seconded the motion and the motion carried.**

Mrs. Golden stated that the WGAL Town Hall meeting was her item that was discussed at the workshop but, with Mr. Shealer and Mrs. Underwood being absent from the workshop, it was moved to tonight's meeting agenda. She stated that WGAL holds these meetings about twice a year and there have been representatives from other townships in attendance to listen to the concerns and take them back to the appropriate township staff. Mr. Waybright, Mr. Phiel and Mr. Shealer expressed their concerns about one person attending and their comments or lack of comments being construed to be that of the entire Board. No motion was made and the item died.

Mr. Shealer made a motion seconded by Mrs. Underwood and carried to start the seven-year review process for the township's Agricultural Security Area #5.

Mrs. Ford stated that she is asking for authorization to sign the grant papers for the DCED grant, in the amount of \$38,675.00. **Mr. Phiel made a motion to accept the grant from DCED for the five-year financial plan and authorize the Manager, Flo Ford, to sign the grant paperwork seconded by Mr. Shealer and carried.** Chairman Waybright and Mr. Ferranto, on behalf of the CCCT, thanked Mrs. Ford for her work on securing this grant for the township.

Chairman Waybright reported that the township purchased the neighboring property with Park and Rec money with the intention of making some sort of a park there and had determined that the house and outbuildings are in bad condition and need to be demolished. **Mrs. Golden made a motion to authorize the advertisement and request for bids for the demolition of the buildings on the Topper property seconded by Mrs. Underwood and carried.**

Mrs. Ford reported that Ron Harris, Mayor of Carroll Valley Borough, is having a meeting with Rich Far of ACTA regarding the expansion of the Freedom Transit route into Carroll Valley Borough and he would like a Board member to represent the township at this meeting on May 5th from 1:00 p.m. until 2:30 p.m. at the Carroll Valley Commons pavilion. Mrs. Underwood will attend.

Mrs. Ford also reported that she had asked for quotes for the Township and Authority from Constellation Energy, who was selected as lowest bidder for electrical generation through a vetted bidding process with PLCM. She added that she has received the bids and they are very good and the Township can save 1 ¼ cents and the Authority can save almost 2 cents from what we currently pay Met-Ed before the rate caps come off. She added that the terms are also good at three and four years. Mrs. Ford asked the Board to authorize Attorney Dively to look at the contract for form and possibly have this back on the May meeting agenda **Mrs. Golden made a motion to authorize Attorney Dively to review the Constellation Energy contract for form seconded by Mr. Shealer and carried.**

The Zoning Officer and Assistant Secretary's reports were reviewed. Mr. Speros Marinos asked if The Pike Restaurant had a building permit for their renovations and Mr. Naugle stated that they do have a permit.

Mrs. Underwood apologized for missing the workshop and reported that the line painting bid packet has gone out and Carroll Valley Borough is taking the lead on this project. The spring convention of the Adams County Association of Township Supervisors will be held tomorrow night at 7:00 p.m. and they added an item regarding the TCC and she will be attending on behalf of the COG and can represent the township on that item as well. The Adams County State of the Waters Conference that was canceled in February due to bad weather has been rescheduled for Thursday, May 13th. Mrs. Underwood also reported that she has been working on the Hazard Mitigation Plan update on behalf of the township and we have received the Executive Summary from Adams County and adopted the Resolution tonight to go ahead with that. She added that thanks to Mr. Shealer, municipalities are now included in the radio system update and that is moving along.

Mrs. Golden asked if anyone attended the GMA meeting and if someone will attend that next meeting. Mr. Shealer stated that he could not attend because of a conflict and if he is free he will attend the next meeting.

Mr. Ferranto requested that the agenda be placed on the website before the meeting. Mrs. Ford reported that one of the police officer's wives puts the information on the website and she is a volunteer and we

can't ask her to do it full-time. She added that the township does not have an IT person and we do not have the programs that are needed to do it. She reported that the County is working on making a web-based program available to all of its municipalities so that someone in the municipality can upload the information to the website but, until the County gets their program (possibly another eight weeks) we just don't have what we need to put the agenda on the website. Mrs. Ford offered again to supply Mr. Ferranto with a copy of the agenda by email, mail or fax. Mr. Ferranto stated that he gets the agenda but, he wants the entire township to have access and he would be happy to help the township with that as long as the officer's wife does not have a problem with it. **Mrs. Golden made a motion to authorize that if a volunteer from Cumberland Township is willing to come into our office and upload the agenda to the website, once we have approval from the person that designed our website seconded by Mr. Shealer and carried.**

Being no further business the meeting was adjourned at 9:25 p.m. by motion of Mr. Shealer seconded by Mr. Phiel and carried.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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