

Minutes of the January 26, 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, Chief Boehs, Mike Galassi, Bob Sharrah, Bernie Yannetti, David LeVan, Speros Marinos, Matt Sentz, Mr. and Mrs. Robert Plank, Erin James from the Evening Sun and Scot Pitzer from The Gettysburg Times. The meeting was tape recorded.

Chairman Waybright welcomed Randy Phiel, newly appointed Supervisor, and Melissa Dively, newly appointed Solicitor, to the meeting.

Chairman Waybright reported that the first two items on the agenda are ordinances restating the Police and Non-Uniformed Pension Plans.

Mrs. Underwood made a motion to adopt Ordinance 2010-131 seconded by Mrs. Golden. A roll call vote was taken with all Supervisors signifying aye. The motion carried.

Ordinance 2010-131

AN ORDINANCE OF CUMBERLAND TOWNSHIP RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF THE POLICE EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE OF SAID TOWNSHIP AND TO RESTATE IN ITS ENTIRETY SUCH PENSION PLAN OR PROGRAM

Mrs. Golden made a motion to adopt Ordinance 2010-132 seconded by Mr. Phiel. A roll call vote was taken with all Supervisors signifying aye. The motion carried.

Ordinance 2010-132

AN ORDINANCE OF CUMBERLAND TOWNSHIP, ADAMS COUNTY, RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF TOWNSHIP EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND AND RESTATE THE PENSION PLAN APPLICABLE TO THE NON-UNIFORMED EMPLOYEES OF SAID TOWNSHIP IN ITS ENTIRETY

Mr. Phiel made a motion to approve the Minutes of the December 15, 2009 regular meeting, January 4, 2010 Reorganization meeting and the January 14, 2010 Emergency meeting seconded by Mrs. Underwood and carried.

Mr. Shealer made a motion to pay the bills, in the amount of \$119,866.91 from the General Fund, \$11,644.30 from the State Fund, \$4,801.71 from the Park and Rec Fund and a \$135,000.00 transfer from the Money Market Account seconded by Mr. Phiel and carried.

Mr. Speros Marinos stated that vehicular traffic is becoming louder and louder and asked the Board to take action now to alleviate some of this noise before the 150th Anniversary of the Battle of Gettysburg. He added that he does not feel that it is the township Police responsibility but, perhaps the State Police or possibly the Adams County COG.

Mr. Matt Sentz presented a yearly report of Barlow Fire Department's activities for 2009 including 120 total calls; 41 calls in Cumberland Township and 37 calls in Mt. Joy Township. Their average turnout per call was 9 people with an average response time of 3:59. Their volunteers took 582 hours of training and spent approximately 2700 hours on 29 fundraising events. Mr. Sentz mentioned again that he wants to bring their new rescue vehicle out for the Supervisors to see.

Chief Boehs presented a written and oral report of police activities for the month of December including; 429 complaints, 34 combined arrests, 52 traffic stops and 18 traffic accidents. He added that the department patrolled 11,302 miles of road and assisted other departments 13 times and were assisted 10 times. He also reported 5,378 total complaints and 102,712 patrol miles for 2009.

Mrs. Underwood made a motion seconded by Mrs. Golden and carried to approve a Special Event permit application for the 147th Re-enactment to be held on July 2, 2010. Mr. Phiel recused himself from the vote.

Mr. Knoebel reported that the Sewage Planning Module for Robert Plank for a small flow treatment facility was discussed late last year, as well as the possibility of extending the public sewer lines and Mr. Plank has decided that he would like the module forwarded to PADEP. He added that Mr. Plank does understand that if public sewer were to come by his property, he would have to hook on. **Mr. Shealer made a motion to approve the Sewage Planning Module for Robert Plank to be forwarded to PADEP for their review and approval seconded by Mrs. Underwood and carried.**

Mr. Knoebel also reported that Mr. Charles Skopic is proposing a re-subdivision of Lot 7 of the Foxfield Subdivision on Foxfield Lane and there is a Sewage Planning Exemption in conjunction with this that needs to be forwarded to PADEP. He added that the S.E.O. has signed the planning exemption. **Mr. Shealer made a motion seconded by Mrs. Golden and carried to approve a Sewage Planning Exemption for Charles Skopic to be forwarded to PADEP for their review and approval.**

Mr. Knoebel reported that the balance of \$2,500.00 being held for financial security for improvements at the D & L Enterprises storage building project on Solomon Road can now be released. **Mr. Phiel made a motion to release the financial security, in the amount of \$2,500.00, for D & L Enterprises seconded by Mrs. Golden and carried.**

Mr. Knoebel reported that Adams County Christian Academy has requested that their financial security for a small temporary classroom building be fully released and he is recommending that this release can be made. **Mrs. Golden made a motion to approve a full release of financial security, in the amount of \$6,056.50, for Adams County Christian Academy seconded by Mrs. Underwood and carried.**

Chairman Waybright reported that the township has been working on amending their fees and have prepared resolutions to adopt the various fee schedules. **Mrs. Underwood made a motion to adopt Resolution 10-04 amending the fees and services, Resolution 10-05 establishing fees for submission, administrative processing and engineering and legal review of Subdivision and Land Development Plans, Mobile Homes and Mobile Home Parks and Resolution 10-06 establishing fees for submission, administrative processing and engineering and legal review of Stormwater Management Plans seconded by Mrs. Golden and carried.** Mrs. Ford will see that the fee schedules get put on the website.

Mrs. Golden made a motion seconded by Mr. Phiel and carried to schedule and advertise a Conditional Use Hearing for Gary R. and Joyce R. Maitland for March 18, 2010 at 9:00 a.m. at the township building.

Mrs. Golden made a motion seconded by Mr. Phiel and carried to authorize Attorney Dively to advertise the Board's intent to adopt a Mechanical Device Tax Ordinance on February 23, 2010 at 7:00 p.m. at the township building.

Mr. Phiel made a motion seconded by Mrs. Golden and carried to authorize Attorney Dively to advertise the Board's intent to adopt a Sidewalk Ordinance on February 23, 2010 at 7:00 p.m. at the township building.

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. **Mr. Shealer made a motion to set the public hearing date for the MX Zoning district text amendment for March 2, 2010 at 7:00 p.m. at the township building with a public meeting to follow with consideration for approval of the request. The motion was seconded by Mrs. Underwood and carried.**

Chairman Waybright also reported that the township has received a request for a text amendment to allow Assisted Living Facilities in the Residential and MX Zones. **Mrs. Golden made a motion to schedule a public hearing for the Residential Zoning text change for March 23, 2010 at 6:30 p.m. at the township building seconded by Mr. Phiel and carried.**

Mrs. Underwood made a motion to grant the request for a 120-day extension for approval of The Crossings I, Phase I Final Plan seconded by Mrs. Golden and carried. Approval is now needed by May 27, 2010.

Mrs. Golden made a motion to grant the request for a 120-day extension for approval of The Crossings II Preliminary Plan seconded by Mrs. Underwood and carried. Approval is now needed by May 25, 2010.

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

Mr. Shealer reported that there was some minor damage from the flooding. Mrs. Underwood thanked the Maintenance Department for taking care of this.

Mr. Phiel reported that the Finance Committee had its first meeting and are examining the dynamics of first quarter budget concerns and the overall budget process in light of the current economic conditions, increasing expenses and decreased reserves. He added that the committee will meet again before the next workshop and hope to have both short and longer term budget proposals for the Board to consider.

Being no further business the meeting was adjourned at 7:36 p.m. by motion of Mrs. Golden seconded by Mrs. Underwood and carried.

Carol A. Merryman, Asst. Secretary

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