

Minutes of the July 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 Sam Wiser, Carol Merryman, Tim Knoebel, Chief Boehs, Sergeant Molloy, Mike Galassi, Speros Marinos, John Hayes, Don Sangirardi, Al Ferranto, Mr. and Mrs. Mike Jackman, Mr. and Mrs. Bill Leonard, Ben Craddock, Peter Martin, Bob Sharrah, Attorney Bernie Yannetti, Matt Sentz, Jeff Stough, Terry Sheldon, two other visitors who did not speak, Scot Pitzer from The Gettysburg Times and Tim Prudente from The Evening Sun. The meeting was tape recorded.

Chairman Waybright reported that the Board of Supervisors held an Executive Session last night from 6:30 p.m. to 8:10 p.m. and this evening prior to the meeting from 6:00 p.m. to 6:45 p.m. dealing with a personnel issue. Chairman Waybright introduced Attorney Sam Wiser who will be taking Melissa Dively's place who has moved on to pursue other things. Chairman Waybright also reported that Attorney Wiser is up to speed with the township's issues.

Mrs. Underwood made a motion to approve the Minutes of the June 22, 2010 regular meeting seconded by Mrs. Golden and carried.

Mr. Phiel made a motion to pay the bills, in the amount of \$185,461.41 from the General Fund and \$4,564.84 from the State Fund, seconded by Mrs. Underwood and carried.

A sign-in sheet was used and Chairman Waybright called on the following people to speak.

Mr. Speros Marinos thanked Mrs. Ford for her service to the township and stated that he does not feel that she can be replaced and hopes the Borough folks know what they are getting. He added that Bike Week was not as bad as it had been in previous years and he asked the Board to please reconsider the event needing a Special Event permit and they are not against Bike Week but, they are against the loud noises that irritate and drive their customers away. Lastly, he asked the Board to support a crosswalk from The Pike to its overflow parking lot when they go to PennDOT for that.

Mr. Don Sangirardi, on behalf of Concerned Citizens of Cumberland Township (CCCTPA), also thanked Mrs. Ford for her six wonderful years of service and that in reading about her leaving he learned that the township's tax millage has gone from under 1 mil to 5.5 mils and they feel that it is time to do some budgeting. He added that we have a good Police Chief and eight full-time police officers and they have eight police cars and they respectfully request that the department go back to the five cars that they originally had and sell three cars. Mr. Sangirardi's written statement is attached at the end of the Minutes.

Mr. Al Ferranto, on behalf of CCCTPA, echoed the comments of the previous two speakers regarding the job that Mrs. Ford has done. He added that she has been cooperative and very professional and they will miss her. Mr. Ferranto read a prepared statement regarding the Memorandum of Understanding with Mason Dixon Resorts and the language contained particularly in #11 regarding the terms of the agreement, #12 regarding amending the agreement and that Joe Lashinger's ownership was not disclosed at the time the MOU was signed. Mr. Ferranto's statement goes on to ask that the Township not testify at the Gaming Board's hearings. Mr. Ferranto's written statement is also attached at the end of the Minutes.

Mr. John Hayes, 445 Pumping Station Road, on behalf of CCCTPA, read a written statement requesting that the health care coverage provided for the Supervisors be deleted from the budget. The statement adds that part-time employees do not receive benefits and this would reduce some of the tax burden at a time when so many township people are hurting. Mr. Hayes' written statement is also attached at the end of the Minutes.

Mr. Bill Leonard submitted another copy of his petition for the township to close Bream's Hill Road with Mrs. Anderson's signature along with her daughter who actually owns the property now. Mrs. Anderson has requested that the snow be removed to her driveway. Mr. Leonard verified that the petition represents every property owner on Bream's Hill Rd.

Mr. Matt Sentz, Barlow Fire Department, presented a six month report of fire activities including 81 calls, 4.12 minute response time, 12 people per call, 902 staff members and 1223 hours. He added for the same time period last year they had 64 calls, 4.09 minute response time, 9 people per call, and 568 staff members with a time of 754 hours. He added that calls have increased because of first alarm structure assignments into Gettysburg. He added that they ran 24 calls into Cumberland Township so far in 2010 and had run 20 calls for the same time last year. They have run a few less calls into Mt. Joy Township this year than they did last year. Lastly, he reported that their website is up and it is www.barlowfiredepartment.org.

Chief Boehs presented a written and oral report of police activities for the month of June including 558 complaints, 61 combined arrests, 100 traffic stops, 10 traffic accidents and 15,610 patrol miles. He added that they assisted other agencies 13 times and they were assisted 9 times. Mrs. Golden asked if there are any trends that the public should be aware of and Chief Boehs stated that there have been burglaries and break-ins. Chief Boehs also reported that Officer Tim Biggins is receiving a statewide Officer of the Year award from the American Legion and they will be going to Bedford where Tim will accept the award.

There was no old business on the agenda.

Mrs. Ford reported that there are bills in the State House and Senate proposing to force local governments to merge and consolidate under county administration and PSATS has written this Resolution to be sent to the state expressing the township's discontent over these bills. Mrs. Underwood stated that the opposition is to forced mergers and the Board continues to support voluntary mergers or consolidations of local government that are initiated at the local level and have the support of the residents of all affected municipalities. **Mrs. Underwood made a motion seconded by Mr. Shealer and carried to adopt Resolution 10-20 Opposition to Forced Local Government Mergers and Consolidation.**

Chairman Waybright also reported that sadly, Flo Ford has submitted a letter of resignation and is taking another position. He added that Flo has done a lot of good for Cumberland and all of the townships in the past six years and she will be missed. Chairman Waybright personally wished her well. Mrs. Ford stated that she will miss the township's residents, staff and the Board of Supervisors. **Mrs. Golden made a motion to accept with regret, Florence Ford's resignation as Township Manager. Mrs. Underwood seconded the motion and the motion carried.** Chairman Waybright reported that the Board is searching for an Interim Manager and hopes to have someone on board soon. He added that Mrs. Ford will be taking vacation time and will not be available for the public and the Township will be having a Good-Bye Party on Thursday, August 12th from 11:00 a.m. until 2:00 p.m. if anyone would like to come.

Mr. Knoebel reported that the Gary and Joyce Maitland Sewage Planning Exemption is associated with a minor subdivision on Rt. 30 West and the exemption needs to be forwarded to PADEP for their approval, the paperwork is in order and Cumberland Township Authority has supplied the necessary willingness to serve letter and he recommended the approval. **Mr. Phiel made a motion, given the discussion at the workshop and on recommendation of the township's engineer, to approve the Gary and Joyce Maitland Sewage Planning Exemption seconded by Mrs. Golden and carried.**

Mr. Knoebel reported that the Grandview Station 3-Lot Subdivision Sewage Planning Exemption is associated with a subdivision on Biglerville Road that was given preliminary approval with one of the

conditions being sewage planning approval. He added that the exemption needs to be forwarded to PADEP for their approval, the paperwork is in order and Cumberland Township Authority has supplied the necessary willingness to serve letter and he recommended the approval. He added that, depending on the uses that eventually go on the lots; they may need to do additional sewage planning. **Mr. Shealer made a motion to approve the Grandview Station 3-Lot Sewage Planning Exemption to be forwarded to PADEP seconded by Mr. Phiel and carried.**

Mr. Knoebel reported that the Samuel Feldman Land Development Plan proposes the addition of a second dwelling on the Feldman property on White Oak Trail. He added that the Sewage Planning Module has been approved by PADEP and they have addressed his comments on the review letter dated July 21, 2010 and an amount for the bond has been established. He added that there is one waiver that needs to be acted on for the waiver of the submission of a Preliminary Plan and he would recommend that the waiver be granted. **Mrs. Underwood made a motion to approve the request for a waiver to the requirement to submit a Preliminary Plan (SALDO Section 303) on recommendation of the township engineer and Planning Commission seconded by Mrs. Golden and carried. Mr. Shealer made a motion to approve the Samuel Feldman Land Development Plan subject to the conditions outlined in the July 21, 2010 letter from the engineer. The motion was seconded by Mr. Phiel and carried.**

Mr. Knoebel reported that the Phase I Final Plan for St. Francis Xavier Church for their project located at the intersection of Table Rock Road and Boyd's School Road includes construction of the school, parking, entrances and improvements to the intersection. He added that the plan is not ready for approval but, the Board should authorize Attorney Wiser to work with the developer's attorney in preparing an agreement for the intersection improvements and sidewalk construction. **Mr. Shealer made a motion seconded by Mrs. Underwood and carried to authorize Attorney Wiser to work with the developer's attorney to prepare a developer's agreement.**

Mr. Knoebel reported that the Board had denied the Preserves at Plum Run and Wayne and Susan Hill subdivision plans and the plans were then reinstated with a 90-day extension to address the water and sewer and they are currently trying to work out these details and are requesting another extension. **Mrs. Golden made a motion to grant a 90-day time extension for the Preserves at Plum Run and the Wayne and Susan Hill development seconded by Mr. Phiel and carried.**

Mr. Knoebel reported that the developer of Patriot's Choice wants to move forward with dedication of all streets in Phase I and a substantial portion of Phase II. He added that they are making progress on the punch list items, the amount of the maintenance bond has been established and as-built drawings have been received. He reported that there are issues with the handicap ramps that will need to be worked out. He added that all of this could be finished up and this could be ready for action at the August meeting. He recommended that the Board authorize Attorney Wiser to prepare the resolution for the adoption of the subject streets. Mrs. Golden pointed out that Mr. and Mrs. Mike Jackman, representing the Homeowner's Association, were present at the meeting. Mr. Knoebel stated that the acceptance of the streets is not being acted on tonight and that acceptance of the streets does not eliminate any bonding that is still in place for improvements that have not yet been completed and there are some drainage improvements that still need to be done at the site. Mr. Jackman stated that the homeowners have concerns and have an interest in the streets being completed properly. He added that he participated in a walk-through on June 9, 2010 and he had brought up three concerns at that time. He added that he had requested a copy of the punch list and he was assured that he would get it, that they had only reviewed the improvements made in 2010 mostly in Phase II and he wanted to look at Phase I again before final acceptance and the conditions of the sidewalks. He added that the sidewalks have been worked on; he did not receive the punch list and has not been invited to a walk-through of Phase I. He added that their attorney did write a letter to the township requesting this. Mr. Knoebel stated that he would give Mr. Jackman a copy of his July 21, 2010 letter and he will invite him to the walk-through of Phase I. **Mrs. Underwood made a motion to authorize**

Attorney Wisner reported that Act 46 was recently passed by the legislature and it extends the approval of any type of land development permit and it contains a verification process by which someone who thinks that they have one of these permits can request that the township verify the existence of the permit and the expiration date. He added that the Act provides for a fee for the administrative time that it will take for the verification in the amount of \$100.00 for a residential permit verification and \$500.00 for commercial permit verification. He stated that in order to assess these fees the township must adopt a resolution for the verification process and fees. Mrs. Golden made a motion to adopt Resolution 2010-21 seconded by Mrs. Underwood and carried.

RESOLUTION 2010-21

A RESOLUTION OF CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, ADOPTING FEES FOR REQUESTS FOR DEVELOPEMNT PERMIT VERIFICATION UNDER THE PERMIT EXTENSION ACT (ACT 46 OF 2010.)

Mr. Phiel made a motion to grant a request for extension for approval of the Gary and Joyce Maitland Final Subdivision Plan until November 1, 2010 while they wait for Sewage Planning Exemption approval, seconded by Mrs. Golden and carried.

Mrs. Ford reported that she has signed the contract with Constellation Energy and the township will see a 30% saving on their electric bill before the rate caps come off.

Mrs. Ford also reported that Mr. Ferranto filed a formal complaint against IESI regarding the six-month reminder for large-item pick-up and IESI has 48 hours to reply.

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

Mrs. Underwood stated that within the last year many properties have been coming off of the township's tax rolls including: HACC, Gettysburg Airport, Gettysburg Foundation Visitor's Center and we have had decreases in the Weis property, Adams County National Bank property and Westinghouse property and the township has nothing to say about it, it is done by the county and it does make an impact.

Mrs. Golden thanked Mrs. Ford for her service and wished her well in her new position.

At 8:00 p.m. Chairman Waybright adjourned the meeting for an Executive Session to address a personnel issue and he stated that there will be no report to follow.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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