

**Cumberland Township Board of Supervisors  
Minutes of the April 28, 2015 Meeting**

The regular meeting was called to order at 6:00 p.m. by Chair Underwood. Present were all Supervisors: Underwood, Paddock, Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer Tim Knoebel and Planning Secretary, Michele Long. Others present were: Dale Molina, Carolyn Greaney, Barry and Jean Stone, Jim Henderson, Bob Sharrah, Elizabeth Magner, Phil and Barbara Wolf, David Bolton, Chris Entenmann, Pam Keller, Doug Cooke, Tom Clowney, Mark Clowney, Sherry Clayton, Steve Tallman, Don Sangaradi, Riley Hollingsworth, Pat Abell, Ernie Shriver, Speros Marinos, Jerry & Linda Neth, Everett Ladd, Pat Naugle, Kenny Caudill, John Phillips, Craig Rockey and Jeff Widmer from The Gettysburg Times. The meeting was recorded.

Chair Underwood led the Pledge of Allegiance.

**Visitor:**

Chair Underwood introduced Ms. Ellen Dayhoff, Administrator for the Adams County Agricultural Preservation Board. Ms. Dayhoff gave a 15 minute power point presentation explaining the program to the Board and giving an overview of what the possibilities are for the Township to participate in the agricultural land preservation efforts within the County. Ms. Dayhoff introduced the Planning Director Sherry Clayton who is also highly involved with the program. Ms. Dayhoff explained the funds, grants and costs of the preservation program. Ms. Dayhoff also showed the Board all of the farms that are currently in the program throughout other Townships. The residents asked questions related to zoning, conditions, easements, and Ag security to Mrs. Dayhoff regarding this program.

**Mr. Ferranto made a motion to approve the Minutes of the March 24, 2015 regular meeting seconded by Mr. Toddes and carried.**

**Mr. Ferranto made a motion to approve the Minutes of the April 9, 2015 workshop seconded by Mr. Toddes and carried.**

**Mr. Waybright made a motion to pay the bills, in the amount of \$118,658.55 from the General Fund, \$5,305.00 from the Escrow Fund, \$2,945.26 from the State Fund and \$1,250.00 from the Health Insurance Fund seconded by Mr. Ferranto and carried.**

**Engineer/Plans:**

Mr. Knoebel, Township Engineer, explained the Jerry & Linda Neth subdivision plan to the Board. Mr. Knoebel stated that the subdivision was located on Chapel Road and was creating 2 new lots. Mr. Knoebel reviewed the engineering comments with the Board. Mr. Knoebel added that the sewage planning module still needs to be approved and submitted to Department of Environmental Protection, (DEP).

**Mr. Toddes made a motion to approve the sewage planning module for the Jerry & Linda Neth Subdivision to be signed and moved forward to DEP seconded by Mr. Paddock and carried.**

**Mr. Paddock made a motion to approve the Jerry & Linda Neth subdivision plan based on the engineering comments seconded by Mr. Waybright and carried.**

Mr. Knoebel, Township Engineer, explained the Old Mill Woods final plan to the Board. Mr. Knoebel reviewed the engineering comments with the Board. Mr. Knoebel explained to the Board that there has been discussion with the applicant regarding the newly paved Old Mill Road and how that is going to be taken care of. Mr. Knoebel asked that the applicant be the only person to apply for sewer, water, and road cuts permits due to the number of different driveways that are being proposed this way the Township only has to work with the developer instead of each owner. Mr. Knoebel stated they need to formally submit the plan to the Sewer Authority, noting that they do currently have the willingness to serve letter from the Sewer Authority. There is a letter from Gettysburg Municipal Authority (GMA) stating they have capacity and would need those connections to be completed through boring. Mr. Thomas added that there is a nominal traffic impact fee that will affect this development and the thought of having a simple Developer's Agreement would be a good idea.

**Mr. Waybright made a motion to approve the Sewage Planning Module seconded by Mr. Toddes and carried.**

Mr. Knoebel stated that there is an extension request for Getty's Point Plan for a 90-day extension which he did support.

**Mr. Ferranto made a motion to extend the plan by 90-days seconded by Mr. Waybright and carried.**

#### **Public Comment:**

Mr. Craig Rockey, Supervisor from Highland Township, spoke on the Ag preservation program and how his Township could put regulations on those properties when they were through the land conservancy program. Mr. Rockey added that they had several sources to help fund the lands.

Jean Stone, 1745 Mummasburg Road. Mrs. Stone questioned the amusement tax forms, specific to the reporting form and why the form includes the 'less than 2% section'. Mrs. Stone added that the report should include information in regards to who to pay for the Gettysburg school tax.

Mrs. Stone spoke of Keller project regarding the nutrient management plan and why she didn't see it during the Keller update at the previous January Board of Supervisors Meeting. Mrs. Stone thanked the Township for the Notice of Violation letter that was sent to Mr. Keller. Mrs. Stone also questioned why the expansion request was to be heard by the Zoning Hearing Board instead of the Board of Supervisors as a conditional use request.

Mr. Wisner explained that this request is now a non-conforming use and needs to be heard by the Zoning Hearing Board, conditional use requests are not for non-conforming uses.

Mr. Tom Clowney, Township resident, spoke of the Ag land preservation presentation by Ellen Dayhoff and asked the Board to take the request seriously and to consider it as an investment for the Township.

Mr. Speros Marinos, 912 Baltimore Pike, spoke of the historical architectural review board adding that he will be at a training session for the historical board and he had an open spot for this training if anyone from the Township was interested. Mr. Marinos thanked the Chair for keeping ambulance service and fire police service within Cumberland Township. Mr. Marinos spoke of zoning issues within Cumberland Township. Mr. Marinos asked that the amusement tax be enforced to all business entities within the Township stated that in the past it has not been fair.

#### **Police Report:**

Police Chief Don Boehs presented a written and oral report of police activities for the month of March including; 459 complaints, 142 traffic stops, 87 traffic related arrests, 6 traffic accidents, 21 targeted enforcements, 278 field contacts, 23 criminal arrests, 48 criminal incidents, 859 business checks and 13,802 patrol miles. Chief Boehs added that they assisted other agencies 16 times and they were assisted five times.

**Active Business:**

Mr. Thomas stated that the YWCA is requesting a reduction in the insurance policy for the 2015 Spirit of Gettysburg special event scheduled for June 20, 2015.

**Mr. Toddes made a motion to approve the insurance reduction for the Spirit of Gettysburg event seconded by Mr. Paddock and carried.**

Mr. Thomas gave the Board an update on information received from York Water Company in reference to "The Meadows" private water system adding that by unanimous vote the Pennsylvania Public Utility Commission approved the application at the March 26<sup>th</sup> meeting and this was initiated on April 13<sup>th</sup>. The Cumberland Township Authority Operations Manager stated that York Water system has been out to the development already fixing water leaks. Mr. John Phillips confirmed that the York water company has been working diligently at the Meadows and they have found tremendous water leaks and are making upgrades to the system.

Mr. Thomas reported on the Draft Airport Hazard Area Overlay Zone Information. Mr. Thomas stated since the last meeting the Township has talked with the Susquehanna Authority and there are some plans for development to occur to help inspire the airport and get a business there along with setting up an appointment with Adams County Planning. Mr. Thomas hoped this was something the Township could be proactive with and could be done before the comprehensive plan update.

Mr. Thomas acknowledged the receipt of the 2013 Liquid Fuels Tax Ordinance adding that it was a full report without any items.

Mr. Thomas confirmed the conditional use hearing date of May 26, 2015 at 7:00 p.m. for the Lincoln Development Company.

Mr. Wisner acknowledged the receipt of the School Resource Officer Intergovernmental Cooperation Agreement with Straban Township. Mr. Wisner added that Gettysburg Borough has authorized the advertisement of this necessary intergovernmental cooperation ordinance for the agreement that is needed with Gettysburg.

Mr. Wisner asked the Board to authorize the Township to advertise the Intergovernmental Cooperation Agreement with Gettysburg for action at their next meeting.

**Mr. Ferranto made a motion to authorize the advertisement of the Intergovernmental Cooperation Agreement seconded by Mr. Waybright, motion carried.**

Mr. Thomas announced that the sealed bids to purchase the surplus communications tower are due by May 18, 2015 at 4:00p.m.

Mr. Thomas stated that the "Jennifer LeVan Memorial Motorcycle Ride Fight against Breast Cancer" is scheduled for June 21, 2015. The township did affirm this within a letter and since this is strictly within the right of way of state roads that the Township does not need to issue a permit and there are no resources needed.

Mr. Thomas explained that Gettysburg Bike Week, through Bernard Yannetti, has requested a reduction of the insurance policy amount for the Parade of Chrome being held on July 11, 2015.

**Mr. Waybright made a motion for reduction of insurance, seconded by Mr. Toddes and motion carried.**

Mr. Thomas reported to the Board that another Conditional Use Application had been received for Leonardo & Kathleen Marinelli to place a storage facility in the Mixed-Use district on Biglerville Road. Mr. Thomas asked the Board to set the hearing date for June 23, 2015 at 7:00p.m., adding that this will be one day over the required 60 day deadline. Mr. Thomas stated that he will be asking the applicant and their council if they are ok with extending the 60 day deadline an extra day so the Hearing can be held the same day as the regular Township meeting.

**Mr. Waybright made a motion to authorize the conditional use hearing June 23<sup>rd</sup>, 2015 at 7:00 p.m. subject to approval from the applicant, seconded by Mr. Paddock. Motion carried.**

**Solicitor:**

**Zoning Hearing Board Solicitor appointment** – Mr. Wisner explained the need for a solicitor for the Zoning Hearing Board and they potentially do have a long term solicitor identified for recommendation to the Board of Supervisors at your next meeting.

**Committee Reports and comments from Board Members:**

Planning and Zoning (Joint Comprehensive Plan) – No Report

Finance – Mr. Ferranto stated there was a meeting scheduled for the upcoming Thursday. Mr. Thomas reported on a recommendation that was spoke of at the last month’s meeting regarding the municipal building space needs study. In 2001 the Township Supervisor’s initiated a municipal building space needs study, Mr. Thomas had requested the finance committee to look at a proposal to review this study and bring it up to date. This study was completed by CS Davidson in 2001 and they did give us a quote to review that study and give new updated quotes. The quote to update this study was for \$2500.00 which is budgeted. Mr. Thomas stated that he did check with an architectural firm that exceeds this amount. Mr. Thomas asked the township to move forward with this study.

**Mr. Toddes made a motion to move forward with this updated municipal building space needs study seconded by Mr. Ferranto. Motion carried.**

Economic Development – Hasn’t met recently.

Public Safety – Will meet in execute session regarding a situation.

Highway Administration – Nothing to report

CTA – Mr. Toddes stated that Misty Ridge sewer lines are all in and waiting to be inspected. Mr. Toddes added that the camering for the north and south plant should be finished this month.

Park and Recreation – Mr. Toddes stated they are still working on strategic planning. Baseball has started, there is a flag football league that has been playing on Sundays morning, and they are talking about doing free playgrounds for during the day. The rec park has a recycling program also.

Grand History Trail – Mr. Paddock spoke of the committee which is working on a trail possibility from the park down into Emmitsburg, Maryland. Mr. Paddock stated they are in the process of looking at several options with the National Park Service on how they would come from the visitor’s center.

COG – Mrs. Underwood stated she is looking forward to next month meeting regarding the MS4.

GMA – Mrs. Underwood stated that Max wanted to talk to the Township regarding ideas the Township may have. Mrs. Underwood stated that the Township Manager has been extremely busy this week regarding public safety.

**Staff Report:**

The Manager stated that last week he attended the annual PSATS educational conference that was held in Hershey. Mr. Thomas attended various workshops and gained a lot of knowledge regarding municipal projects, guidelines and mandates.

Mr. Thomas explained the Pension review board met April 15 and compared the 2 pensions both of which are receiving about 6-7% earnings based on the portfolio. The pension review board will meet again in October to compare the numbers.

Mr. Thomas stated that we are involved with research in responding to various right to know requests and are working with various home owners associations in responding to various questions.

Mr. Thomas added that he attended the York Adams Tax collection bureau on April 27<sup>th</sup> and stated that the Tax bureau is in the process of scanning their massive amount of records. Mr. Thomas added that the Board members all received an invitation to an open house for municipal officials which is May 12<sup>th</sup> in the Gettysburg office. Mr. Thomas encouraged the Board members to attend.

The Zoning Officer and Secretary's reports were reviewed.

Unless otherwise noted, all votes were unanimous. There being no further business, the meeting was adjourned at 7:50 p.m. for an Executive Session with no report to follow.

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Michele Long, Planning Secretary

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Addendum to the April 28, 2015 Minutes

Board Chair Underwood re-convened the Regular Meeting from Executive Session at 8:37 P.M. The Executive Session was held to discuss personnel matters.

Supervisors heard a report from the Manager regarding the new Amusement Tax who recommended a two (2%) tax collections fee be implemented as had been part of the former Admissions Tax. An example would be for \$100 of taxes collected (not total income) the applicant may retain a 2% fee for costs of the tax collection which would equal \$2.00. A Ferranto – Toddes Motion authorized the Solicitor to prepare an ordinance modification for advertising and action by the Board.

A brief discussion was held regarding Agriculture Land Preservation with the Commonwealth's and Adams County's program along with the Land Conservancy. Supervisor Paddock will contact Phil and Barbara Wolf who may be interested in applying for Land Conservancy funds.

The Regular Meeting adjourned at 8:50 P.M.

Respectfully Submitted

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Ben Thomas, Jr.  
Township Manager