

**Cumberland Township Board of Supervisors  
1370 Fairfield Road, Gettysburg, PA 17325**

**Minutes of the April 21, 2016 Regular Meeting**

The regular meeting was called to order at 7:00 p.m. by Chair Underwood. Present were Supervisors: Underwood, Waybright, Toddes and Paddock; Manager Ben Thomas, Jr., Solicitor Steve Coccorese (present for Sam Wiser), Police Chief Don Boehs and Zoning Officer Bill Naugle. Others present were: Barry and Jean Stone, Al Ferranto, Dale Molina, Sharon Martin, Bob Sharrah and Ken Knox from The Gettysburg Times. Supervisor Shealer and Secretary Merryman were absent. The meeting was recorded.

Chair Underwood led the Pledge of Allegiance.

**Mr. Waybright made a motion to approve the Minutes of the March 22, 2016 Regular Meeting, as submitted, seconded by Mr. Toddes and carried.**

Mr. Thomas asked that the disbursement request from Barlow Fire Dept., in the amount of \$13,718.88, be deferred until later in the year. **Mr. Toddes made a motion to approve the bill lists, with the exception of the Fire Tax Fund, in the amounts of: \$96,021.82 from the General Fund, \$2,959.00 from the Escrow Fund and \$22,239.34 from the Capital Reserve Fund seconded by Mr. Paddock and carried.**

**Visitors** – Mr. Kevin Stouffer, representative from Smith Elliott Kearns and Co. Certified Public Accountants, presented a Power Point presentation of the 2015 Audit. Mr. Stouffer reported that the audit received an Unmodified Audit Opinion that is the best opinion that you can receive and there were no findings. Mr. Stouffer also presented revenue and expenditure analysis indicating that there was a 2.1% decrease in revenues (delinquent real estate taxes) and an increase in expenditures (27 pays, health insurance premiums, engineering services, road repairs, additional principal payment, pension contribution) of 23.4%. Mr. Stouffer also included information on how Cumberland Township compares to other townships in Adams County and also in the State.

**Engineer/Plans:**

Mr. Thomas presented Misty Ridge Lot 5 Preliminary Plan that has been recommended for approval by the Township's Planning Commission. The plan is for 24 studio apartments in four buildings and is accessed via Dew Drop Lane. Mr. Thomas added that Final Plan approval is required prior to any construction being done. Mr. Sharrah added that this is a change from the original Preliminary Plan approval that showed 30 apartments in one building and the developer is in agreement with meeting the conditions set forth in the engineer's memo dated April 13, 2016. **Mr. Waybright made a motion to approve the Misty Ridge, Lot 5 Preliminary Plan subject to the six conditions as noted in the April 13, 2016 letter from KPI Technology seconded by Mr. Toddes and carried.**

Mr. Thomas also presented the Final Plan for Misty Ridge, Lot 5, Building "A". Building "A" consists of six units and was also recommended for approval by the Planning Commission subject to the developer addressing the comments from the engineering's memo dated April 13, 2016. Mr. Thomas added that they are proceeding with Building "A" only due to pending funding and charges for sewer connections. **Mr. Toddes made a motion to approve the Misty Ridge, Lot 5, Building "A" Final Plan subject to the developer addressing the comments from the engineer's April 13, 2016 memo seconded by Mr. Paddock and carried.**

Mr. Thomas also reported that the Township has notified S & A Homes that their improvement bond or letter of credit for Phase III, Cannon Ridge, has expired and directed them to provide a new bond. Solicitor Coccoresse added that S & A Homes has requested that the amount of the bond be reduced to reflect the value of the remaining work. He added that the engineer has recommended the amount of \$178,920.00. **Mr. Waybright made a motion to authorize the Solicitor to contact S & A Homes regarding the improvement bond or letter of credit being immediately submitted seconded by Mr. Paddock and carried.**

Mr. Thomas reported that the Township has a pending Preliminary Plan for Grandview Station for five self-storage buildings, two retail flexible space buildings and an existing multi-tenant commercial building. Mr. Thomas added that conditional approval has been recommended by the Township Planning Commission subject to the developer addressing the comments in the engineer's April 8, 2016 memo. **Mr. Paddock made a motion to table the Grandview Station Preliminary Plan seconded by Mr. Toddles and carried.**

Mr. Thomas reported that the developer of Cumberland Village has completed the Accessible Ramp at the intersection of Fairplay Road and the shopping plaza. He added that the developer is in the process of dedicating the sanitary sewer for Phase 1A (the Preserves) to the Cumberland Township Authority.

Lastly, Mr. Thomas reported that the Keller Land Development's contractor is in the process of completing the remaining required site work.

#### **Public Comment:**

Mrs. Jean Stone, 1745 Mummasburg Road, stated that she finds it very unusual that the audit shows a \$137,000.00 deficit when the budget shows a surplus and would like an explanation. Mrs. Stone also thought there would be an ad in the paper or on the website regarding the Act 209 Transportation Study for interested citizens to participate on the committee. Mr. Stouffer explained that the deficit was due to the spending of cash reserves in various funds.

Mrs. Sharon Martin, 980 Barlow Greenmount Road, thanked the staff and Board for the April 7, 2016 workshop and information that was shared. Mrs. Martin added that Keystone has applied for their variance and she feels that they will claim that it is a "hardship" and she feels that they created the hardship because there was an existing house, well and septic system that they chose to demolish.

Mr. Brian Fitzgerald, 914 Barlow Greenmount Road, spoke about the Township's tax base and asked that consideration be given to what is coming into the Township, what benefit it will have or will the taxpayers end up paying for it.

#### **Police Report:**

Police Chief Don Boehs presented a written and oral report of police activities for the month of March including; 499 complaints, 166 traffic stops, 132 combined arrests, 6 traffic accidents, 20 targeted enforcements and 14,127 patrol miles. He added that they assisted other agencies 15 times and they were assisted three times. Chief Boehs also reported that they had 580 Oak Lawn Cemetery complaints, 257 of the complaints were walk-ins and they still have people coming in.

#### **Active Business:**

Mr. Thomas reported that the contract for waste hauling with Advanced Disposal ends this year and the

Township has three options: extend the current agreement for one year, move forward to begin the process of working with Adams County to put it out for bid; or do nothing and residents can contract with whomever they desire. If the contract is extended for the one year, the rate must stay the same. Mr. Thomas suggested that the Board think about this and he will place it on a workshop agenda.

Mr. Thomas also reported that a request for expense reimbursement has been received from Barlow Fire Company, in the amount of \$13,718.88. He added that Barlow just received funds in January and the Fire Tax is just beginning to come in. Mr. Thomas recommended that this request be deferred until the June meeting. **Mr. Paddock made a motion to table the request from Barlow Fire Dept. until the June meeting seconded by Mr. Waybright and carried.**

Mr. Thomas acknowledged that the 2016 road bids were reviewed by legal staff and awarded. He added that the work to the bridge over Willoughby Run on Blackhorse Tavern Road has been completed and there was also guide rail work done.

Mr. Thomas reported that McMahon Transportation Engineers have provided a proposal to update the Pa. Act 209 Roadway Sufficiency Analysis and Transportation Capital Improvement Plan at a cost of \$33,900.00. Mr. Thomas added that the Township may be able to work with the Adams County Planning Office to update the Land Use Assumptions Report. Mr. Thomas suggested that the Board look at the proposal and discuss it further at a workshop with the Traffic Engineer (Jodie Evans) and Solicitor Wiser present. **Mr. Paddock made a motion seconded by Mr. Waybright and carried to table this and place it on a workshop agenda.**

Mr. Thomas went over several items for a future workshop including an Executive Session regarding a personnel item, public comment policy, waste hauling contract and the Pa. Act 209 Transportation Study. Mr. Thomas suggested that the Board plan on having a workshop on May 5<sup>th</sup> and May 19<sup>th</sup>.

Mr. Thomas read a letter received from Christopher Gallon, Grants Officer for the Gettysburg Foundation, to James Henderson, Chairman of the Planning Commission, requesting a response to whether a multi-purpose trail that they are proposing to link the George Spangler Farm with the Gettysburg National Military Park Visitor's Center aligns with the Planning Commission's goals. Mr. Thomas added that the Planning Commission's action was to recommend that the Board of Supervisors send a letter to Gettysburg Foundation that can be included with their grant application to Pa. Dept. of Conservation and Natural Resources supporting the trail project. **Mr. Toddes made a motion to provide the letter of support for the multi-purpose trail seconded by Mr. Paddock and carried.**

Mr. Thomas reported that a letter and agreement has been received from the Adams County Commissioners which needs approval for the Township to continue to participate in the Adams County Local Bridge Inspection Program. He added that this has been reviewed by the Solicitor and there is no charge to the Township to participate. **Mr. Waybright made a motion to continue participation in the Adams County Local Bridge Inspection Program seconded by Mr. Paddock and carried.**

**Solicitor – No report.**

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

**Finance and Public Safety** – Chair Underwood reported that they are seeking approval for a replacement purchase of a new police vehicle that has been budgeted for 2016 and the sale of two surplus cars. **Mr. Waybright made a motion to approve the replacement purchase of a new police vehicle seconded by Mr. Toddes and carried. Mr. Toddes made a motion seconded by Mr. Waybright and carried to deem police car #4 (2006 Dodge Charger) as surplus. Mr. Waybright made a motion to sell car #2 (which failed to sell on 4/6/16) and car #4 to the highest bidder seconded by Mr. Toddes and**

carried.

**Parks and Recreation** – Mr. Toddes reported that there has been a lot of activity at the park. They have a lease for the building during the day and they are interviewing for the director and hope to have one hired within the next month. Little League open last Friday and there is an Autism event this Saturday.

**COG** – Chair Underwood reported that the meeting is next Thursday and they will be discussing, in part, mosquitos and the diseases that they carry.

**Personnel, Highway, Planning and Zoning, CTA, COG, Economic Development, Building and Grounds – no reports**

**Staff Reports:**

Mr. Thomas reported that the Township has received a Zoning Hearing variance request from Keystone Service Systems for the property at 960 Barlow Greenmount Road and the staff is going through the notification process and the proposed hearing date is Thursday, May 19, 2016 at 6:00 p.m. here at the Township Building. He added that the variance request will be reviewed by the County and Township Planning Commissions and their comments will have been received by the date of the hearing.

Mr. Thomas also reported that PennDOT will be replacing the bridge on Rt. 116 over Willoughby Run tentatively in 2017/2018. He added that the Township is allowing PennDOT engineers to have an Open House display in the meeting room for the public to come in and ask questions on Wednesday, May 11, 2016 from 4:00 p.m. to 7:00 p.m.

Mr. Thomas thanked the public for their comments and reported that he will be responding to Mrs. Stone’s question on the audit.

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 8:36 p.m.

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Carol A. Merryman, Secretary

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