

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
April 25, 2017 Meeting Minutes**

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 Sam Wisner, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer Tim Knoebel and Secretary Carol Merryman.

Chair Underwood led the Pledge of Allegiance.

Mr. Waybright made a motion to approve the Minutes of the March 28, 2017 regular meeting seconded by Mr. Toddes and carried.

Mr. Toddes made a motion seconded by Mr. Waybright and carried to approve the bills in the amounts of: \$102,914.69 from General Fund, \$6,002.50 from the Escrow Fund, and \$17,513.54 from Capital Reserve Fund. Mr. Toddes made a motion seconded by Mr. Paddock and carried to approve the transfers in the amounts of: \$40,599.29 from General Fund to Health Insurance Account and \$4.62 from Fire Tax Fund to General Fund.

Visitors:

Mr. Kevin Stouffer, representative from Smith Elliott Kearns and Co. Certified Public Accountants, presented a Power Point presentation of the 2016 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 an 11.17% increase in revenues and a 3.19% decrease in expenditures from 2015. Mr. Stouffer also included information on how Cumberland Township compares to other Townships in Adams County and in the State.

Mr. Harry Holt from St. Francis Xavier and Mr. Chad Claybaugh, Engineer from C. S. Davidson, spoke to the Board regarding their proposed project for improvements to the intersection of Table Rock Road and Boyd's School Road. Mr. Claybaugh stated that there are right-of-way issues and permits from the State that are still outstanding. Mr. Holt stated that St. Francis is still committed to the project, as is outlined in the Developer's Agreement, but is asking for the Township's assistance in moving the project forward. Solicitor Wisner suggested that a stakeholders' meeting be arranged to include some of our elected officials to determine the best path to move forward. **Mr. Paddock made a motion seconded by Mr. Toddes and carried to authorize the appropriate Supervisors, Manager and Solicitor to meet with our representatives in Harrisburg to see if we can expeditiously, for public safety, review this situation and try to get it moving so it can be a project in the next construction season.**

Public comment:

Mr. Speros Marinos, 912 Baltimore Pike, thanked the Board for their support of the Police Department and informed the Board about some projects that the Cumberland Township Historical Society is doing: placing a marker on the Barlow Fire Hall memorializing where General and Mrs. Eisenhower voted, working with the Adams County Soil Conservation District to place a plaque on the Alms House and beginning to think about the celebration of the 270th Anniversary of Cumberland Township. Mr. Marinos also asked for the completion of the Comprehensive Plan and subsequent Zoning update.

Engineer/Plans:

Mr. Knoebel reported that the James and Barbara Balas and Clarence and Yvonne Andrew Final Lot Addition Plan proposes the reconfiguration of their two (2) existing lots on Blacksmith Shop Road in the Agricultural / Residential Zoning District. He added that there is a Non-Building Waiver for their sewage planning and Deeds of Consolidation are required. **Mr. Waybright made a motion to approve the Non-Building Waiver for Sewage Facilities Planning seconded by Mr. Paddock and carried. Mr. Toddes made a motion to approve the Balas/Andrew Final Plan contingent upon the Deeds of Consolidation being recorded with the Final Plan (KPI memo dated April 5, 2017) seconded by Mr. Waybright and carried.**

Mr. Knoebel reported that the Timeless Towns of the Americas Land Development Plan for the replacement of their existing wastewater treatment plant is ready for approval subject to some conditions. Solicitor Wisner updated the Board on the status of their agreements which are agreed to in principal. **Mr. Waybright made a motion to waive the requirement for a Preliminary Plan for Timeless Towns seconded by Mr. Paddock and carried. Mr. Paddock made a motion to approve the Timeless Towns Land Development Plan seconded by Mr. Toddes and carried based on execution of the Operation and Maintenance Agreement and providing the applicable financial security for construction and maintenance; execution of the Developer's Agreement and satisfying all comments in the KPI memorandum dated May 10, 2016.**

Mr. Knoebel reported that the Round Top Campground Wastewater Treatment Plant (WWTP) Upgrade Land Development Plan is a minor plan, upgrades are being required by Pa. Dept. of Environmental Protection and the proposed limit of disturbance is less than .02 acres. **Mr. Paddock made a motion seconded by Mr. Waybright and carried to approve the Round Top Campground WWTP Upgrade Land Development Plan with the following conditions: satisfying the Building Code requirements and the applicable provisions of the Floodplain Ordinance; approval of the Erosion and Sediment Control Plan by the Conservation District; execution of the Operation and Management Agreement for the facility and deposit of the performance and maintenance security and satisfying all other requirements of the KPI memorandum dated April 25, 2017.**

Mr. Knoebel also reported that the Gettysburg Battlefield Resort Land Development Plan proposes a new wastewater treatment plant with stream discharge. He added that the Land Development Plan is not ready for approval, but the Sewage Planning Module could be approved to be sent on to Pa. Dept. of Environmental Protection for their approval and, if approved, constitutes a minor amendment to the Township's Act 537 Plan. Mr. Knoebel stated that he feels comfortable recommending that the Planning Module be approved and added that an Operation and Maintenance Agreement is required to be included with the submission and the requirement to hook into public sewer, if ever available, is included. Solicitor Wisner reported that they have agreed upon the terms of the Developer's and Operation and Maintenance Agreements. **Mr. Toddes made a motion to approve the Sewage Facilities Planning Module contingent upon the execution of the Operations and Maintenance Agreement for the wastewater treatment facility seconded by Mr. Waybright and carried.** No action was taken on the Land Development Plan.

Lastly, Mr. Knoebel reported that the DeSimon Estate / Bette Rinehart Final Plan proposes five (5) new lots for future homes and six (6) lot additions to adjacent improved lots. All lots will have public water and sewer and are located in the Residential District at the intersection of Park Avenue and Twin Lakes Drive. Mr. Knoebel stated that the Sewage Planning Exemption is back from Pa. Dept. of Environmental Protection (Pa. DEP) and they are working with Cumberland Township Authority (CTA) and CTA has approved the plan contingent upon the execution of the Developer's Agreement. Mr. Knoebel added that they are looking at the requirements for Highway Occupancy permits since there will be a few openings and Park Avenue was recently paved. **Mr. Waybright made a motion to table the DeSimon / Rinehart Plan seconded by Mr. Toddes and carried.**

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of March, 2017 including: 261 complaints - Psych/suicide-3, Disturbances-7, Assault/Harassment-2, Domestic-13, Criminal Mischief-0, Suspicious Activity-14, Thefts-2, Alarms-9 Medical Emergency-8, 911 Hang Up-4, Sexual assault-3, Burglary-1, Fraud-3, Wanted Person-4, Reported Drug Activity-1, Welfare checks-10, Shots Fired-1, Follow-up Investigation-47; 94 traffic stops, 80 combined arrests, 11 traffic accidents, 22 targeted enforcements and 8,278 patrol miles. He added that they assisted other agencies eight times, they were assisted twice and the assists to Pa. State Police were in Straban, Liberty, Reading, Highland and Butler Townships. Police Chief Boehs reported that they had 109 walk-in complaints.

Active Business:

Mr. Waybright made a motion seconded by Mr. Toddes and carried to re-stamp the approved plan of the County of Adams Addition Plan for recording. The plan had originally been approved on November 22, 2016.

Mr. Thomas reported that the Township has received a letter from Stephan and Jan Lewis in reference to a former informal request for text amendment to remove "Assisted Living Facilities" as a permitted use in the Residential Zoning District and in accordance with Chapter 27 Section 502, the appropriate hearing fee has been paid and a public hearing must be scheduled. Mr. Lewis made a brief comment regarding good planning, proper stewardship of the taxes and keeping Residential Zoning strictly for residential uses. Mr. Lewis reiterated his opposition to having "Assisted Living Facilities" in the Residential Zoning, but added that he is not opposed to having these facilities in the Township. Mr. Thomas stated that under the Township's timeline, the hearing must be held by June 4, 2017. Mr. Thomas suggested that the hearing be held on May 23, 2017 at 4:00 p.m. prior to the already scheduled public hearing at 5:30 p.m. **Mr. Toddes made a motion to reschedule the May regular meeting to Thursday, May 18, 2017 at 7:00 p.m. and the public hearing for the text amendment to remove "Assisted Living Facilities" submitted by Mr. Lewis for May 23, 2017 at 4:00 p.m. with possible action to follow the hearing. The motion was seconded by Mr. Waybright and carried.**

Mr. Thomas reported that the Township received a letter from Mr. Richard DeLoe, 150 Ridgewood Drive, requesting seed funding for the operation and maintenance of the swimming pool and tennis courts at the former Country Club. Mr. Thomas stated that this funding was not budgeted for 2017 and the Township's recreation funding is directed to the Gettysburg Area Recreation Authority. **Mr. Toddes made a motion to deny the request from Mr. DeLoe seconded by Mr. Waybright and carried.**

Mr. Thomas also presented the Draft Land Use Assumptions Report which is the first requirement of re-authoring the Traffic Impact Fee Ordinance as required by the Pa. Act 209. Mr. Thomas added that the committee conducted a public hearing on April 13, 2017 followed by review by the Township Planning Commission who recommended approval. He added that approval was also recommended by the Adams County Planning Commission. The report was authored by Adams County Office of Planning and Development and is a review of past, present and future developments and the residential units that are proposed as part of the study. Mr. Thomas added that Solicitor Wiser did have some recommendations for additional explanation of how the future development estimates were calculated, those revisions will be made and there are two more required studies. **Mr. Paddock made a motion to approve the Draft Land Use Assumptions Report with Solicitor Wiser's revisions seconded by Mr. Toddes and carried.**

Mr. Thomas reported that Cumberland Township Authority was awarded a Pa. Small Water and Sewer Program Grant, in the amount of \$100,000.00, for their pipe replacement project along Rt. 116 in front of the Township Building down to the bridge. Mr. Knoebel explained that the project consists of

rehabilitation of some pipe by the use of “pipe bursting” which expands and breaks up the existing pipe and pulls through a high density polyethylene pipe in its place. He added that there will be some excavation to reinstate the laterals.

Mr. Thomas reported that Adams County will be holding a Tire Collection Event on Saturday, May 13, 2017 at the Agricultural and Natural Resources Center at 670 Old Harrisburg Road from 8:00 a.m. to 1:00 p.m.

Mr. Thomas announced the 2017 Road Maintenance Bids that were opened on May 18, 2017 and approved by the Board at their workshop held on May 20, 2017. The bid for the Superpave Asphalt for Redding, Boycott and Windbriar Lanes and Diamond Hill Road was awarded to New Enterprise Stone and Lime, in the amount of \$149,095.00, budgeted amount \$150,000.00. The bid for Double Seal Coat on rural roads was awarded to Hammaker East, LTD, in the amount of \$91,650.00, including a Fog Seal, in the amount of \$5,850.00, budgeted amount \$92,000.00. The bid for Double Micro-Surfacing including crack sealing was awarded to Asphalt Maintenance Solutions, Inc., in the amount of \$81,900.00, budgeted amount \$91,000.00. Mr. Thomas reported that the total of the low bids is \$322,645.00 and \$500,000.00 was budgeted from the General and Liquid Fuels Funds and includes some additional projects.

Mr. Thomas reported that the Finance Committee met and had the following recommendations; all of the purchases are in budget:

- The replacement purchase of an on-board camera system for one of the police vehicles from Watch Guard, in the amount of \$5,645.00 (also utilizing a \$2,500.00 grant from Wal-Mart). **The purchase was approved by motion of Mr. Waybright seconded by Mr. Toddes and carried.**
- Traffic signal maintenance by PA PERCS for the signal at Herr’s Ridge Road and SR 0030, in the amount of \$1,002.00, **approved by motion of Mr. Toddes seconded by Mr. Paddock and carried.**
- Affirm Mr. Aldrich’s donation of \$1,000.00 being used to replace vital, aging police equipment.
- Affirm replacement purchase of a commercial grade chain saw from Harrington Brothers in the amount of \$449.00.
- A citizen’s request to have financial statements and bank information on the township’s web-site was not approved for security reasons.

Mr. Thomas asked the Board if they are interested in having a future workshop regarding fees charged to the Township by Gettysburg Municipal Authority for fire hydrants and they are. Mr. Thomas will arrange this meeting, possibly in June.

Solicitor: No report.

Committee Reports and comments from Board Members:

Building and Grounds – Mr. Thomas reported that there is a potential for a presentation at the May meeting.

Parks and Recreation – Mr. Toddes reported that the ball teams have started to play, the stagecoach is coming back, they are making some parking lot changes and May 5th they are having a Movie Night in conjunction with Straban Township.

CTA – Mr. Toddes reported that PennDOT is re-paving SR0030 this summer and they have to upgrade about 30 manholes.

COG – Chair Underwood reported that the meeting is Thursday, they will be discussing a recycling event for Adams County and the Township’s Wacker was sold through the COG for \$200.00 to another municipality. **Mr. Toddes made a motion to deem the Wacker surplus seconded by Mr. Waybright and carried.**

Public Safety, Highway, Finance, Personnel, Planning and Zoning, CTA, Economic Development and CT 411 – no reports

Staff Reports:

Manager – Mr. Thomas reported that he has spent two and a half days at the State Conference of Township Supervisors, they have a lot of good educational seminars and it is good to speak with your peers. He added that he heard a lot about MS4, pension challenges of the State and State Police staffing. He added that he also heard success stories of how townships work together.

Mr. Toddes reported that he attended the York Adams Tax Bureau meeting and they do a very good job.

The Zoning Officer and Secretary’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:55 p.m.

Carol A. Merryman, Secretary

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_____) Supervisors
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