

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
August 22, 2017 Meeting Minutes**

At 6:00 p.m. Township Engineer, Tim Knoebel presented the following:

PUBLIC COMMENT PERIOD AND PUBLIC MEETING FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION (NPDES) STORMWATER DISCHARGE POLLUTANT REDUCTION PLAN

Cumberland Township is holding a 30-day public comment period, public meeting and taking public comment on its NPDES Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Chesapeake Bay Pollutant Reduction Plan (PRP). The plan proposes best management practices to satisfy the PRP requirements for reducing total sediment and nutrient loading to the Chesapeake Bay, Willoughby Run, Rock Creek and unnamed tributaries (UNTs) to Rock Creek.

The PRP include the following: public participation, mapping, pollutants of concern, existing loading for pollutants of concern, BMP selection to achieve loading reduction, funding mechanisms, BMP operation and maintenance and an implementation schedule.

After Mr. Knoebel's presentation, public comments were taken. Mrs. Jean Stone presented oral and written comments on the PRP that included suggestions how the Township might fund the MS4 Plan.

The public meeting was adjourned at 7:00 p.m.

The regular meeting was called to order at 7:05 p.m. by Chair Underwood. Present were all Supervisors: Underwood, Waybright, Toddes, Paddock and Shealer; Solicitor Sam Wiser, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer Tim Knoebel and Secretary Carol Merryman.

Chair Underwood led the Pledge of Allegiance.

Mr. Toddes made a motion to approve the Minutes of the July 25, 2017 regular meeting seconded by Mr. Waybright and carried.

Mr. Waybright made a motion seconded by Mr. Shealer and carried to approve the bills in the amounts of: \$124,806.08 from the General Fund and \$4,316.00 from the Escrow Fund; and transfers in the amounts of: \$40,549.38 from the General Fund to the Health Insurance Account and \$415.00 from the Traffic Impact Fund to the General Fund.

Visitor: Mr. Nathan Hockley presented the final cost figures for the Township and Township Authority's health insurance renewal. Mr. Hockley reported that the Township's increase for the Union and Non-Union sub-groups is 14% and the increase for the Authority's contract is 10%. He added that the Township has been discussing moving to a January 1st effective date for contractual and budgetary reasons and he is holding the spread rates for either option. He also stated that the contract can be a 4/4 four month contract with no run-in coverage (the Township pays for all claims occurring in August but not paid until September with the surplus) or it can be a 7/4 contract with insurance coverage for the run-in claims also to be paid from the surplus. **Mr. Shealer made a motion to authorize the Health Insurance Committee to determine, through the end of this month, whether to use surplus funds from the 2016/2017 plan year to cover current plan costs or to purchase run-in coverage with those funds. The motion was seconded by Mr. Paddock and carried. Mr. Paddock made a motion to continue with the Performance Health plan through December 31, 2017 in accordance with the rates provided by Mr. Hockley seconded by Mr. Shealer and carried.**

Public Comment:

Mr. Speros Marinos, 912 Baltimore Pike, reported that his business partner and father, George Marinos, died on August 4, 2017. He stated that this affects their land holdings in the Township and they are assuming that they are going to have to sell some of their real estate and need Commercial zoning restored.

Engineer/Plans: Mr. Knoebel reported that a request for full release of their financial security has been received from Brandon and Waverly Keller for their poultry barns. Mr. Knoebel has prepared a memorandum dated August 21, 2017 that states that his office recommends that the remaining security, in the amount of \$24,355.00, can be released at this time. **Mr. Waybright made a motion to release the remaining financial security, in the amount of \$24,355.00, for the Keller Poultry Barn project seconded by Mr. Paddock and carried.**

Mr. Knoebel also reported that a request has been received for a 65% release of financial security for the Grandview Station Land Development on Biglerville Road. Mr. Knoebel's memorandum, dated August 21, 2017, recommends a reduction of \$86,126.00 retaining \$149,934.00. **Mr. Toddes made a motion to release \$86,126.00 and retain \$149,934.00 for the Grandview Station project seconded by Mr. Paddock and carried.**

Mr. Knoebel reported that the Gettysburg Battlefield Resort has requested a time extension for approval of their land development plan until November 30, 2017 and recommended that this extension be granted. He added that they are addressing engineering comments. **Mr. Paddock made a motion seconded by Mr. Shealer and carried to grant the time extension for approval of the Gettysburg Battlefield Resort's land development plan until November 30, 2017.**

Mr. Knoebel updated the Board on the Cumberland Crossing Land Development Plan and Planning Module. Mr. Knoebel reported that the proposed development is located on Swetland Road and consists of 43 single-family detached homes on approximately 40 acres. He also reported that the Planning Commission did recommend approval of the plan at their last meeting subject to comments being addressed. Mr. Knoebel also explained that the developer had received the NPDES permit, but the permit was issued prior to the approval of the Sewage Facilities Planning Module by Pa. Dept. of Environmental Protection (DEP) and without DEP's approval they cannot begin any site work as they had planned to do. Mr. Knoebel reported that their Planning Module needs to be approved by the Board and sent on to the Pa. DEP for their approval. He added that the sewage disposal will be accomplished by connecting to an existing system at "The Links" property on the other side of the creek in Mt. Joy Township and the developer's engineer has responded to all of his engineering comments and comments from Mt. Joy Township. He added that a very important item that remains to be addressed is the Operation and Maintenance Agreement that needs to go into the Planning Module. Solicitor Wisner reported that the developer also must have an agreement with Aqua America, who will eventually own the treatment facility, and the developer is asking the Township not to duplicate certain things that they must also do for Aqua America. Solicitor Wisner stated that he feels that is a fair request and he is working on amending the agreement. Mr. Joe McDowell, engineer for the developer, stated that the developer has indicated his willingness to sign any and all agreements needed by the Township and requested that the Planning Module be approved subject to the agreement being signed so they can move forward without having to wait another month for the next Township meeting. **Mr. Waybright made a motion to not grant conditional approval of the Sewage Facilities Planning Module until the Board has more information seconded by Mr. Shealer and carried. Mr. Toddes voted no.**

Mr. Knoebel reported that Cumberland Village, Phase 1A and 1B have dedicated their streets to the Township and they are coming up, at the end of next month, to the end of their 18 month maintenance period. He added that Phase 1C, consisting of Kestrel Drive, has been completed and the developer is requesting dedication of the road. Mr. Knoebel stated that he has created a report, dated August 22, 2017,

and he went over the items that the developer needs to do in order for the Township to take dedication of Kestrel Drive: Deed of Dedication; Maintenance Bond, in the amount of \$51,717.00; punch list items that pretty much have been addressed and as-built drawings that they are in the process of reviewing. Mr. Knoebel recommended that the Board authorize the Solicitor to prepare the ordinance to ordain the road. **Mr. Toddles made a motion seconded by Mr. Paddock and carried to authorize Solicitor Wisner to prepare the appropriate ordinance or resolution for the dedication of Kestrel Drive.**

Lastly, Mr. Knoebel reported that the Township is obligated to submit the MS4 application packet to Pa. DEP by September 15, 2017. He added that, due to meeting schedules, he is requesting that the Board authorize submission of the MS4 application packet, pending completion of the public comment period and to authorize a check, in the amount of \$500.00, payable to the Commonwealth of Pennsylvania. **Mr. Shealer made a motion to authorize submission of the MS4 application packet and approve a check, in the amount of \$500.00, payable to the Commonwealth of Pa. seconded by Mr. Paddock and carried.**

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of July, 2017 including: 346 complaints - Psych/suicide-2, Disturbances-6, Assault/Harassment-8, Domestic-13, Criminal Mischief-1, Suspicious Activity-16, Thefts-1, Alarms-12 Medical Emergency-15, 911 Hang Up-7, Sexual assault-2, Burglary-0, Fraud-1, Wanted Person-2, Reported Drug Activity-1, Welfare checks-13, Shots Fired-1, Follow-up Investigation-46; 107 traffic stops, 74 combined arrests, 11 traffic accidents, 30 targeted enforcements and 9,056 patrol miles. He added that they assisted other agencies 14 times, they were assisted four times and the assists to Pa. State Police were in Straban, Franklin, Mt. Joy and Freedom Townships. Police Chief Boehs reported that they had 61 walk-in complaints.

Active Business:

Chair Underwood reported that the Board has talked about the fire hydrant maintenance fees that the Township receives from Gettysburg Municipal Authority (GMA) and asked the Board to authorize that a letter be sent to GMA advising that the Township requests that this practice end at the end of 2017. Chair Underwood added that the cost for the maintenance should be paid by the residents who get the benefit from the hydrants and not by those who do not. **Mr. Paddock made a motion to authorize Township staff to send a letter to GMA in reference to the fire hydrant maintenance fee being charged to the residents who benefit from the fire hydrants as part of their water bill. The motion was seconded by Mr. Shealer and carried.**

Chair Underwood also asked the Board to authorize participation in the "Southeast Group" consisting of Cumberland and Straban Townships and Abbottstown Borough, for the Waste Collection Contract Bidding being coordinated by Adams County and to designate a Township representative to be present at the bid opening on October 11, 2017 at 9:00 a.m. in the Historic Courtroom of the Courthouse. **Mr. Shealer made a motion that he will attend the bid opening on October 11, 2017 as the Township's representative and that the Township will participate as part of the "Southeast Group". The motion was seconded by Mr. Paddock and carried.**

Chair Underwood reported that there are continuing problems with trash hauler pick-up. Solicitor Wisner added that we will be evaluating if there are any actions that need to be taken to incentivize consistent pick-up and collection.

Chair Underwood also reported that there have been positive West Nile Virus mosquito samples in Adams County including Cumberland Township and there is information on the Township's website. Chair Underwood also congratulated Mr. Naugle for a successful Pa. Dept. of Labor and Industry's Uniform Construction Code Audit that is done every five years.

Chair Underwood reported that the Adams County Electronic Recycling event will be held on September 9, 2017 from 10:00 a.m. until 2:00 p.m. at the Adams County Emergency Services Building and you do have to pre-register to participate. She added that the information will be on the website.

Solicitor: Solicitor Wisner reported that the Special Event Permit Ordinance needs to be amended and he asked the Board to authorize the Solicitor to prepare the appropriate amendments to the ordinance. **Mr. Toddles made a motion seconded by Mr. Shealer and carried to authorize Solicitor Wisner to prepare the appropriate amendments, including edits submitted by Mrs. Stone, to the Special Events Ordinance 2016-63.**

Solicitor Wisner gave some history on the next item; a Memorandum of Understanding (MOU) between the Township, Kunj Harrisburg, LLC, Travel Resorts of Gettysburg, LLC and Gettysburg Boyds Partners, LLC regarding the funding of further engineering review to update the Greenmount Area Act 537 Plan. He stated that the study will determine the best location for a potential centralized sewage treatment facility in that area. The maximum cost of the engineering study is \$15,000.00 that will split between the Township and Township Authority and the three private entities making the Township’s obligation \$1,875.00. He added that the Township has been through this before, but this time the stakeholders seem better suited to see this possibility through and he requested that the Board authorize the execution of the Memorandum of Understanding. Solicitor Wisner added that we are required by Pa. DEP to do an Act 537 Plan, the Township has not implemented the prior plan and DEP could require the prior plan to be implemented. **Mr. Shealer made a motion to authorize the Board to sign the Memorandum of Understanding seconded by Mr. Paddock and carried.**

Committee Reports and comments from Board Members:

Public Safety – Chair Underwood reported that the fire training tower is finally up at the Emergency Services Building and they had a successful Jr. Fire Camp.

Finance – Chair Underwood reported that the 1990 single-axle dump truck is for sale and information has been sent to the COG for all local municipalities.

Building and Grounds – Mr. Shealer reported that they are in the process of scheduling a meeting.

Personnel – Chair Underwood reported that the Job Description for the Administrative Assistant position is being finalized.

Parks and Recreation – Mr. Toddles reported that fall baseball has started and they will have a Grand Opening of the new playground within a couple of weeks.

Highway, Planning and Zoning, CTA, COG, Economic Development and CT 411 – no reports

Mr. Waybright reported that the Horner Road Bridge should be open within a few days.

Staff Reports:

The Zoning Officer and Secretary’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:45 p.m. for an Executive Session with no action to follow.

Carol A. Merryman, Secretary

_____)
_____)
_____) Supervisors
_____)
_____)