

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
March 28, 2017 Meeting Minutes**

The regular meeting was called to order at 7:00 p.m. by Chair Underwood. Present were all Supervisors: Underwood, Waybright, Shealer, Toddes and Paddock; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Chief Don Boehs, Engineer Tim Knoebel and Secretary Carol Merryman.

Chair Underwood led the Pledge of Allegiance.

Mr. Paddock made a motion to approve the Minutes of the February 23, 2017 workshop February 28, 2017 regular meeting seconded by Mr. Toddes and carried.

Mr. Waybright made a motion seconded by Mr. Shealer and carried to approve the bills in the amounts of: \$46,500.64 from General Fund, \$1,911.00 from the Escrow Fund, and \$44,809.95 from Park and Rec Fund. Mr. Toddes made a motion seconded by Mr. Waybright and carried to approve the transfers in the amounts of: \$40,599.29 from General Fund to Health Insurance Account, \$1,476.23 from the Traffic Impact Fund to the General Fund and \$980.00 from the Escrow Fund to the General Fund.

Engineer/Plans:

Mr. Knoebel reported that the Township has received a request for extension for approval of the Desimon Estate Final Subdivision Plan, a five-lot subdivision located on Park Ave., through June 30, 2017. Mr. Knoebel added that they are working on the sewer lay-out and recommended that the extension be granted. **Mr. Toddes made a motion to approve the request for extension for approval of the Desimon Estate Final Plan until June 30, 2017, seconded by Mr. Paddock and carried.**

Mr. Knoebel reported that the Township also received a request for extension for approval of the Musket Ridge Final Plan until June 30, 2017. Mr. Knoebel explained that this is a rather large proposal and they have a lot of comments that they are working through with the Planning Commission and recommended that the extension be granted. **Mr. Shealer made a motion to grant the extension for approval for Musket Ridge Final Plan until June 30, 2017 seconded by Mr. Waybright and carried.**

Mr. Knoebel reported that the Timeless Towns Land Development Plan is for work proposed to replace the existing wastewater treatment facility at the Eisenhower Inn and Conference Center and serves the facilities there. He added that the technical comments have been addressed and they are still working on the Developer's and Operation and Maintenance Agreements. Solicitor Wisner reported that the Board should execute documents at their next meeting and could act on the plan at that time. **Mr. Waybright made a motion to table approval of the Timeless Towns of the Americas Final Land Development Plan until the April meeting, seconded by Mr. Shealer and carried.**

Mr. Knoebel also reported that Round Top Campground has submitted a land development plan for an upgrade to their Wastewater Treatment Plant. Solicitor Wisner added that there was a challenge to the Zoning Officer's determination that a land development plan was needed given the de minimus nature of the project, but after meeting with the Planning Commission, the applicant has agreed to submit a simplified plan. Solicitor Wisner added that the Board's action this evening would be to affirm the recommendation of the Planning Commission to submit a simplified plan to go back to the Planning Commission for their recommendation. Mr. Craig Adelman, counsel for Round Top Campground, requested to have an internal review of the plan rather than going through the process and going back to

the Planning Commission. He added they are under a consent order from PA Dept. of Environmental Protection to get this system fixed and it is a health and safety issue. Mr. Knoebel stated that he could review the technical aspects of the plan pretty quickly so that the parts could be ordered. **Mr. Shealer made a motion seconded by Mr. Toddes and carried to authorize a waiver of the Subdivision and Land Development requirements in accordance with the recommendation of the Planning Commission and also authorize the Engineer to review the technical aspects of the project and administratively approve those aspects allowing the applicant to order the materials that they need to start the project.**

Lastly, Mr. Knoebel updated the Board on the status of the Municipal Storm Sewer Systems (MS-4). He reported that PA Dept. of Environmental Protection (PA DEP) is not inclined to grant an advanced waiver determination to the Township. He added that the Township will still have to submit their application to PA DEP in September and the Township can still ask for a waiver, but PA DEP is not going to make that determination based on the information that was provided, but rather on the full application and pollutant reduction plans.

Visitor:

Barlow Fire Company Chief Eric Hubbard presented 2017 proposed Municipal Box Alarm Card changes for the Board's action. Chief Hubbard explained that the changes are being made primarily to call more apparatus when going to a working fire situation due to low staffing levels. He added that a UTV was added to the Little Round Top box for land rescue. **Mr. Waybright made a motion to approve the 2017 Municipal Box Alarm Card changes seconded by Mr. Shealer and carried.**

Public comment:

Mr. Steve Lewis, 25 Skyline Court, presented a letter and requested a text change to remove "Assisted Living Facilities", permitted as a Conditional Use, in the Residential Districts, from Chapter 27 – Residential Districts: Section 502 of the Code of Ordinances of Cumberland Township. Mr. Lewis added that these types of facilities should be permitted in the other Zoning Districts. Mr. Lewis also requested that a moratorium be placed on any projects that might come forward until the Board can hear more information about his request. Solicitor Wisner explained that this informal request does not require action by the Board, but there is a provision in the Township's Ordinance (Citizens request for Text Amendment) that requires an application to be filed, a fee to be paid, a hearing to be held, review by the Planning Commission and Board action on the request. Solicitor Wisner stated that the Board cannot impose a moratorium, but the "Pending Ordinance Doctrine" may have an impact.

Mr. William Aldridge, 35 Longview Blvd., expressed his appreciation for the Police Department and made a donation on their behalf. He added that he has traveled and done business all over the world and he has never encountered a group of men as courteous, efficient, dignified and professional.

Mr. Al Ferranto, 501 Knight Road, again requested that committee meetings be open to the public, have minutes taken and these minutes be placed on the website. Mr. Ferranto also again requested that the monthly year-to-date revenue and expenditure report and bank accounts be posted on the website after the Finance Committee meets. Mr. Ferranto commented again on Mr. Thomas being too busy with Township business to also work as the Manager for Cumberland Township Authority and comments that were made at the end of last month's meeting regarding his opinion on this.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of February, 2017 including: 382 complaints - Psych/suicide-5, Disturbances-5, Assault/Harassment-2, Domestic-6,

Criminal Mischief-2, Suspicious Activity-8, Thefts-2, Alarms-13 Medical Emergency-10, 911 Hang Up-5, Sexual assault-3, Burglary-2, Fraud-1, Wanted Person-3, Reported Drug Activity-2, Welfare checks-7, Shots Fired-0, Follow-up Investigation-33; 150 traffic stops, 105 combined arrests, 13 traffic accidents, 41 targeted enforcements and 8,609 patrol miles. He added that they assisted other agencies nine times, they were assisted twice and the assists to Pa. State Police were in Straban, Franklin and Butler Townships. Police Chief Boehs reported that they had 97 walk-in complaints.

Active Business:

Mr. Thomas reported that the Township received a letter of interest from Keith Ulrich, 255 Twin Lakes Drive, to fill the unexpired term on the Gettysburg Area Recreation Authority created by the resignation of Dewaine Finkenbinder. Mr. Toddes reported that he does know Mr. Ulrich and recommended that he be appointed. **Mr. Paddock made a motion to appoint Mr. Keith Ulrich to the Gettysburg Area Recreation Authority, his term expiring in May, 2021, seconded by Mr. Toddes and carried.**

Mr. Thomas also reported that the Township has received a Professional Service Agreement from the Adams County Commissioners for the preparation of a Traffic Impact Land Use Assumptions Report (LUAR), in the amount of \$750.00. Mr. Thomas added that the report is done and they will be holding a public hearing on it on April 13, 2017. **Mr. Shealer made a motion to approve the Professional Services Agreement with the Adams County Commissioners for the preparation of the LUAR for \$750.00 seconded by Mr. Paddock and carried.**

Mr. Thomas reported that the bids for the 2017 road maintenance projects will be publicly opened and reviewed on April 18, 2017 at 10:00 a.m. and then at the April 20, 2017 workshop at 8:30 a.m. to be publicly reviewed by the Board and action is requested at that time for the following projects: paving of Windbriar Lane, Redding Lane, Diamond Hill Road and Boycott Lane; micro-surfacing with crack sealing of Sunshine Ave., Friendship Lane, Greenbriar Lane, Joel Lane and Deatrick Drive; double seal coating of Chapel Rd. Ext., Ridge Road, Natural Dam Road, Swetland Road and Hospital Road Ext.; milling and base repair of Redding Lane. He added that the Board approved guide rail work on Ridge Road, Barlow Greenmount Road and Solomon Road. Mr. Thomas reported that the Township is also bidding for storm sewer replacement in Twin Lakes I and the total budgeted for this maintenance work is approximately \$530,000.00 utilizing General and Liquid Fuels Funds. This information will be placed on the Township's website.

Mr. Thomas reported that the Township received their 2017 Liquid Fuels allocation in the amount of \$264,428.00, nearly \$10,000.00 more than anticipated. He also reported that the Township now has 47.22 miles of roads.

Mr. Thomas reported that the Pa. Department of Transportation conducted a monitoring review of the Liquid Fuels Tax Fund for 2015 and found the Township to be maintaining a well-managed investment program for their Liquid Fuels Tax Funds.

Mr. Thomas reported that the Finance Committee has reviewed and is recommending the replacement of a tamper that is 23 years of age. He added that this purchase is budgeted, is being made through the Pa. Co-Stars Purchasing Program, quotes have been received and the lowest quote is from Groff Tractor, in the amount of \$2,849.00. Mr. Thomas also reported that the old tamper will be offered for sale. **Mr. Thomas made a motion to approve the purchase of a new tamper from Groff Tractor for \$2,849.00 seconded by Mr. Toddes and carried.**

Mr. Thomas reported that there will be a public hearing held on April 13, 2017 at 6:00 p.m. by the Act 209 Transportation Impact Fee Committee to present the Traffic Impact Land Use Assumptions Report and this report is on the Township' website. Mr. Thomas also reported that there will be a public hearing

held on May 23, 2017 at 5:30 p.m. concerning a series of draft text changes some of which have been in the pipeline for approximately three years and others that are relatively new based on the ACRE Program, four singular locations for zoning change including the Airport Overlay. He added that once all of that information is assembled it will be placed on the website.

Mr. Thomas reported that the 2016 Audit presentation by Smith Elliott Kearns and Company, LLC has been tentatively scheduled for the April 25, 2017 meeting.

A picture of President Dwight D. Eisenhower casting his vote at Barlow Fire Hall, Cumberland Township District 2, was presented to the Vice-Chairman, Dave Waybright, by Chair Barbara Underwood and her husband, Charles Underwood. Mr. Thomas stated that the picture will be proudly displayed in the lobby of the Township Building.

Solicitor: Solicitor Wisner stated that he has drafted a Small Borrowing Resolution for the lease/purchase agreement for the 2018 Mack Dump Truck, as required by the Local Government Unit Debt Act. He added that the Resolution authorizes the Township to execute any and all necessary documents to close out the transaction with the Lessor. **Mr. Toddes made a motion to adopt the Small Borrowing Resolution, as prepared by Solicitor Wisner, seconded by Mr. Paddock and carried.** Solicitor Wisner also stated that the bank has provided a Lessee Resolution that needs to be executed by the Township. **Mr. Waybright made a motion to execute the Lessee Resolution, as prepared by Community Leasing Partners, seconded by Mr. Shealer and carried.**

Solicitor Wisner reported that Round Top RV (after meeting with the Planning Commission) has requested that their Zoning Hearing appeal be continued to give them time to submit the necessary plans. He added that he does feel that their appeal before the Zoning Hearing Board will be withdrawn.

Solicitor Wisner also updated that Board on the First Amendment to the Agreement for the School Resource Officer with Gettysburg Area School District. He explained that, in accordance with the discussions had with the School District, the amendment extends the term for an additional year until June, 2018, allows for subsequent extensions and adjusts the rate to \$55.46 per hour. **Mr. Paddock made a motion seconded by Mr. Waybright and carried to authorize the Board Chair to execute the First Amendment to the Agreement for the School Resource Officer to extend the term through June 30, 2018 and provide the rate of \$55.46 in calendar year 2018.**

Solicitor Wisner requested an Executive Session to discuss collective bargaining matters.

Committee Reports and comments from Board Members:

Public Safety – Chair Underwood reported that there will soon be a criminal court case for Oaklawn Cemetery.

Highway – Mr. Shealer reported that the Maintenance Department made it through the last snow with flying colors and he received compliments on how well they took care of the roads.

Planning and Zoning – Chair Underwood reported that the April 4th Comp Plan Steering Committee meeting is canceled and they are tentatively scheduling the next meeting for May 16th.

Parks and Recreation – Mr. Toddes reported that they met with Pa. Dept. of Conservation and Natural Resources (DCNR) to finalize the last year of their payments; The Lions Club playground is on schedule to be completed by the end of the summer and there are some new teams coming to play on the fields.

COG – Chair Underwood reported that she has agreed to sit on the Adams County Drug Task Force on heroin.

CT411 – Rabbit Transit will be stopping at the Human Services Building and then continuing on to Misty Ridge.

Building and Grounds – Mr. Shealer reported that the Committee will be getting together, possibly

sometime in May, and they need to see if the Board is going to totally commit to the Township Building remodeling project.

Mr. Waybright reported that the County Greenspace meeting was last week, they made revisions to the program guidelines and they have not received any requests for grants so far this year.

Finance, Personnel, CTA and Economic Development – no reports

Staff Reports:

Manager – Mr. Thomas reported that the military service flag poles and brackets at Oaklawn Cemetery have been repaired by Mr. Toddes and Mr. Shealer with help from the Maintenance Department.

Mr. Thomas also requested to be appointed as Interim Assistant Zoning Officer to issue any minor permits during Mr. Naugle’s absence. **Mr. Paddock made a motion to appoint Mr. Thomas as the Interim Assistant Zoning Officer seconded by Mr. Shealer and carried.**

The Zoning Officer and Secretary’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:30 p.m. for an Executive Session with no action to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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