

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
October 23, 2018 Meeting Minutes**

The meeting was called to order at 7:00 p.m. by Chair Underwood. Present were all Supervisors: Underwood, Phiel, Paddock, Waybright and Toddes; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Township Engineer Tim Knoebel and Secretary Carol Merryman. Also present were: Mary Grace Keller from the Gettysburg Times, representatives from Woodhaven Building and Development and approximately fourteen residents.

Chair Underwood led the Pledge of Allegiance.

Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the Minutes of the August 9, 2018 joint workshop, September 20, 2018 regular workshop and September 25, 2018 regular meeting.

Mr. Waybright made a motion seconded by Mr. Toddes and carried to approve the bills in the amounts stated of: \$100,869.61 from the General Fund; \$1,226.82 from the Fire Tax Fund; \$968.00 from the Escrow Fund and \$14,678.00 from the State Fund. Mr. Waybright made a motion to approve the transfer of \$49,706.94 from the General Fund to the Health Insurance Account and \$70,000.00 from the General Fund to the Capital Reserve Fund. The motion was seconded by Mr. Phiel and carried.

Public comment:

Mrs. Jean Stone, 1745 Mummasburg Road, representing the Cumberland Township Concerned Residents, presented a written and oral statement reminding the Board of the petition that she presented at the last meeting with 260 residents' signatures and asked the Board of Supervisors to roll back the tax rate for 2019 to 1.5 mills and/or apply extra revenues to debt reduction in the coming years.

Mr. Speros Marinos, 912 Baltimore Pike, asked that everyone work together, and he thanked the Board for their commitment to the Police Department. Mr. Marinos also asked the Board to keep the Comprehensive Plan moving forward so the Zoning Ordinance can be updated.

Mr. Owen Hopkins, 10 Kestrel Drive, spokesperson for seven or eight homeowners in Cumberland Village Phase 1C that have concerns about stormwater in their development, asked if he and one other homeowner would be allowed to accompany the Township Engineer on the final inspection of the stormwater facilities. He added that they would only be observing. Mr. Thomas stated that he had spoken to Mr. Hopkins and Mr. Knoebel and they can accompany KPI on their inspection.

Mr. Al Ferranto, 501 Knight Road, stated that the budget workshops are being held at night and wanted to know why all workshops are not held at night. Mr. Ferranto also commented on the Greenmount Sewer Study, the debt of the Cumberland Township Authority that the Township guarantees and that the Township has already spent \$13,000.00 on this that was not budgeted. Mr. Ferranto also commented on everyone having to pay for recycling now and he wants the option to opt-out of the recycling and doesn't want to pay more for it. Mr. Ferranto stated that the Gettysburg Area Recreation Authority (GARA) was supposed to be self-sufficient in five years and asked why General Fund money was spent for the donation when there was money in the Park and Rec Account? Lastly, he stated that there were a lot of mistakes made in the past and they are researching them, so these mistakes don't happen again.

Engineer/Plans:

Mr. Knoebel reported that the Township received a Request for Extension until December 31, 2018 for approval of the Gettys Point Final Land Development Plan; a project at the intersection of Table Rock Road and Boyd's School Road. **Mr. Toddes made a motion seconded by Mr. Paddock and carried to approve the request for extension for Gettys Point Final Land Development Plan until December 31, 2018 contingent upon Mr. Sharrah updating the Board on the status of the project before any more extensions are granted.**

Mr. Knoebel also reported that the Township received a request from the Susquehanna Area Regional Airport Authority (SARAA) to release financial security being held by the Township for runway improvements. Mr. Knoebel recommended that any remaining financial security be released to the owner pending confirmation that the Stormwater Management Operations and Maintenance Agreement has been recorded. **Mr. Toddes made a motion, as recommended and stated by Mr. Knoebel (memo dated October 22, 2018), seconded by Mr. Paddock and carried.**

Mr. Knoebel reported that the Pa. Department of Environmental Protection (DEP) has given their approval, in writing, for Cumberland Crossings to have up to ten houses on temporary holding tanks until the sewage pumping station has been completed. He added that the letter from DEP also states that Mr. Klein will be required to give them weekly reports and DEP will be doing inspections. He added that the current modification to the Developer's Agreement allowed four homes to be connected to two holding tanks and the modification from DEP will allow ten homes to be connected to three holding tanks as arranged by DEP. Mr. Knoebel recommended that all prior conditions, including those included in DEP's letter, should remain in the Agreement. Solicitor Wiser affirmed that financial security is being held to cover the remediation of the tanks once they are no longer needed and he read the conditions in the agreement and the conditions in DEP's letter for the Board's information. **Mr. Paddock made a motion seconded by Mr. Toddes and carried to authorize Solicitor Wiser to re-modify the Developer's Agreement for Cumberland Crossings per the approval letter from DEP.**

Mr. Knoebel reported that the waiver requests for Cumberland Village Phase 2 were discussed at length at the workshop on September 20, 2018 and he has prepared a memo dated October 23, 2018 to help streamline the items for the Board's action tonight. Mr. Knoebel also explained that the plan was submitted under the old Subdivision and Land Development Ordinance (SALDO) just prior to the adoption of the new SALDO and the plan meets the new SALDO requirements in a lot of respects, rather than the requirements of the old SALDO making the waivers necessary. Mr. Knoebel went over each waiver:

1. *401.D. - to allow "development within fifty (50) feet of an identified wetland or water body.*
This waiver was previously recommended by the Township Planning Commission in 2008. The requirement is not contained in the current Township SALDO as the Township does not regulate wetlands. **Mr. Waybright made a motion to grant the waiver to Section 401.D seconded by Mr. Paddock and carried.**
2. *402.1.F. - to allow private streets that do not meet all of the design standards for public streets.*
This was previously recommended by the Township Planning Commission in 2008 and the plan is generally compliant with the current SALDO. We recommend this waiver be considered subject to the following:
 - 1) That the private streets comply with the current Township SALDO
 - 2) That the Design Speed be established
 - 3) No on-street Parking
 - 4) Meet the turning radii as required by the local fire department**Mr. Toddes made the motion to grant the waiver to Section 402.1.F with the conditions as stated by Mr. Knoebel adding the condition that they meet the turning radii as required by the local fire department seconded by Mr. Waybright and carried.**
3. *402.2.A To allow the streets that will be offered for dedication to have a width of 28-feet in lieu of the stated minimum of 32-feet.*

This was previously recommended by the Township Planning Commission in 2008 and the plan meets the current street width in Cumberland Village Phase 1. We recommend this waiver be considered subject to the following:

- 1) That on-street parking be limited to one-side of the street.

Mr. Paddock made a motion to grant the waiver to Section 402.2.A provided that on-street parking be limited to one side of the street (per ASHTO design standards) seconded by Mr. Phiel and carried. Mr. Knoebel added that the Township would have to adopt an ordinance to enforce this condition.

4. *402.7.A. - to allow more than two streets to intersect at a "junction".*

The design is generally compliant with the current SALDO. We recommend this waiver be considered subject to the following:

- 1) That the private streets comply with the current Township SALDO Alternate Design Criteria
- 2) Traffic patterns be clearly depicted on the plan and signs installed as necessary
- 3) The Waiver will only apply to private streets

Mr. Phiel made a motion seconded by Mr. Paddock and carried to grant the waiver to 402.7.A with the conditions recommended by Mr. Knoebel.

5. *402.7.B. to allow radial intersections*

The design is generally compliant with the current SALDO. We recommend this waiver be considered subject to the following:

- 1) That the private streets comply with the current Township SALDO Alternate Design Criteria
- 2) The Waiver will only apply to private streets

Mr. Paddock made a motion seconded by Mr. Toddes and carried to grant the waiver to Section 402.7.B. with the conditions recommended by Mr. Knoebel.

6. *504.3.A.5 to not require the placement of inlets in a one inch sump.*

We do not recommend this waiver. The plan should indicate that inlets shall be in a 1-inch sump as may be directed by the Township representative.

Mr. Waybright made a motion to deny the waiver to Section 504.3.A.5 seconded by Mr. Paddock and carried.

7. *504.3.C.10 to allow the use of smooth lined corrugated plastic pipe (SLCPP)*

This was previously recommended by the Township Planning Commission in 2008. SLCPP is the preferred pipe material of the Township. We recommend this waiver be granted.

Mr. Toddes made a motion seconded by Mr. Phiel and carried to grant a waiver to Section 504.3.A.10.

8. *504.3.C.10 to allow the tops and toes of detention basin embankment slopes closer than forty (40 feet from downstream property lines) and (fifteen (15) feet from upstream property lines)*

This was previously recommended by the Township Planning Commission in 2008 on the basis that letters were provided by the Downstream Adjoining Property Owners. We recommend this waiver be reviewed further pending receipt of Drainage Releases from Downstream Adjoining Property Owners:

Mr. Paddock made a motion seconded by Mr. Phiel and carried to further review this request after getting the releases from the downstream adjoining property owners as recommended by Mr. Knoebel.

9. *.506 to not require sidewalks*

The Township Planning Commission has recommended against this waiver at their May 10, 2018 meeting. Sidewalks are provided on the proposed public streets with exception of along the south side of Audubon from Aqua to the end and the north side of Audubon along lots 162, 175 & 176 and private streets with the exception of the streets labeled as "courts" in which homes directly front. We are comfortable with the lack of curb and sidewalk on the noted private streets based on the very minimal anticipated traffic and low speeds on these sections of private streets. It is our opinion that a Request for Waiver of Curb (Section 505) is also applicable. We recommend that the waiver can be favorably considered subject to the following:

- 1) The extent of the waiver shall only be for the areas depicted on the plan
- 2) The waiver will also apply to curbing where depicted on the plan (Section 505).
- 3) The area fronting the open space (lot H-12) shall be provided with a stabilized surface trail to be located off of the public street right of way and within a private trail easement.

- 4) The plan shall require that the sidewalk on lot 162 be extended to the limit of the property or that it shall be extended upon approval to extend the street.

Mr. Paddock made a motion seconded by Mr. Toddes and carried to follow Mr. Knoebel's recommendations for the conditions for the waiver to Section 506 regarding sidewalks and subject to appropriate trail specifications being provided by the developer.

10. 509 to allow "Private" streets as depicted on the plans.

This is essentially the same as the request for waiver under item number 2 above.

We recommend this waiver be considered subject to the following:

- 1) That the private streets comply with the current Township SALDO Alternate Design Criteria
- 2) The Waiver will only apply to private streets

Mr. Toddes made a motion seconded by Mr. Paddock and carried to grant the waiver to Section 509 with the same conditions as requested in #2.

11. 512 - this section relates to street lighting

We are reiterating the discussion and direction from the Workshop meeting that this does not require a Waiver (since the prior SALDO used the term "may") and that the plan should be revised to remove street lighting with the exception that street lights should be placed at the 2-intersections proposed with Herr's Ridge Road and that Individual Photo Cell Controlled Post Lights are to be provided at each home.

12. 516- this section relates to street trees

It is our opinion that the plan meets the ordinance and that waivers are not required. Further the plan should note that the developer will pay the commensurate required recreation fees.

Mr. Knoebel also stated that it is noteworthy that as a follow up to the discussion at the September 20, 2018 workshop, the developer's engineer has met with the local Fire Department and as a result has increased the turn radii on all cul-de-sac entrances and exits and at the Aviary and Egret intersection.

Mr. Knoebel reported that they are still working on the dedication of the streets in Cumberland Village, Phase 1C and hopefully will be ready for action at the November meeting. They are reviewing the as-built plans, updates to the stormwater and direction on the connecting trail.

Mr. Knoebel also updated the Board on the Keystone Services project on Barlow Greenmount Road. He stated that the contractor is in the process of implementing the items shown on the revised stormwater plan.

Mr. Waybright made a motion seconded by Mr. Toddes and carried to re-approve the James E. Paddock Plan for recording. Mr. Paddock abstained from voting since it is his plan.

Mr. Toddes made a motion seconded by Mr. Phiel and carried to re-approve the Deborah Tufts Soliday Plan for recording.

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of September, 2018 including: 319 complaints - Psych/suicide-5, Disturbances-4, Assault/Harassment-1, Domestic-12, Criminal Mischief-0, Suspicious Activity-10, Thefts-0, Alarms-6, Medical Emergency-6, 911 Hang Up-5, Cruelty to Animals - 0, Wanted Person - 0, Reported Drug Activity - 1, Welfare Checks - 14, Shots Fired - 0, Fraud - 1, Burglary - 0, Sexual assault-1, Follow-up Investigation-45, SRO Calls - 29 with 5 arrests; 38 traffic stops, 39 combined arrests, 11 traffic accidents, 4 targeted enforcements and 8,931 patrol miles. He added that they assisted other agencies 11 times and they were assisted once. Assists to Pa. State Police were in Highland - 1, Franklin - 1 and Mt. Joy - 1. Police Chief Boehs reported that they had 75 walk-in complaints. Mr. Toddes thanked the Police Department for their assistance with a medical emergency that he had with a family member. Mr. Toddes added that the Police officers were right there and probably saved his family member's life.

Active Business:

Mr. Thomas reported that KPI has completed the Greenmount Sewer Planning Study Funding Report and he asked the Board to schedule a meeting for the presentation of the report. **Mr. Toddes made a motion to review the Funding Report for the Greenmount Sewer Planning Study at 6:30 p.m. prior to the**

workshop on November 20, 2018. The motion was seconded by Mr. Phiel and carried.

Mr. Thomas provided information regarding the pavilion at Misty Ridge. Mr. Thomas reported that Park and Rec fees, in the amount of \$46,000.00, were returned to Pa. Interfaith Community Programs, Inc. for the land purchase, construction of the pavilion and infrastructure. He added that Township staff has confirmed that 50% of the pavilion is being used as storage but, are not aware of what is being stored in the pavilion. The Board asked Mr. Thomas to find out what is being stored in the storage portion of the building and how it is being used since it was presented as the entire pavilion being used for recreation to get the fees returned.

Mr. Thomas also reported that the Township has received a request from Waste Connections for a price adjustment to the rate paid for trash service of \$2.40 per year beginning in January, 2019. The request explains the price adjustment is needed because of an increase in their recycling costs. The Board asked Solicitor Wisner to review the contract language. **Mr. Waybright made a motion to table the request for further investigation seconded by Mr. Phiel and carried.**

Mr. Thomas reported that the Board received a letter from William Naugle stating that his retirement will be effective January 1, 2019 and thanking them for his 13 years of employment. **Mr. Toddes made a motion to accept Mr. Naugle's retirement, with regret, seconded by Mr. Paddock and carried.**

Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the 2019 Minimum Municipal Obligations for the Pension Plans as follows: Uniformed Pension Plan - \$146,022.00 and Non-Uniformed Pension Plan - \$74,279.00

Mr. Paddock made a motion seconded by Mr. Waybright and carried to appoint Michele Long as Zoning Officer effective November 26, 2018.

Finance Committee: Mr. Thomas reported that the Board already approved the budgeted transfer of \$70,000.00 from the General Fund to the Capital Reserve Fund and Chair Underwood announced that the Board will hold two budget workshops on November 7, 2018 and November 20, 2018 at 7:00 P. M. She added that the Board will take action on the preliminary budgets at the regular meeting on November 27, 2018 at 7:00 P.M. It was clarified that the Greenmount Sewer Study Funding Report is being held at 6:30 P.M. on November 20, 2018 and the budget workshop will convene immediately following.

Public Safety Committee: Chair Underwood reported that the committee is recommending a status change for Police Officer Lane Hartley from part-time to full-time effective November 12, 2018. **Mr. Waybright made a motion to approve the status change seconded by Mr. Phiel and carried.** This will fill a vacancy in the Department.

Mr. Thomas reported that there will be an E-cycling event held on December 1, 2018 from 8:00 A.M. to 10:00 A.M. at East Berlin Borough Park.

Solicitor: Solicitor Wisner announced that he needs the Board to hold an Executive Session following the regular meeting regarding personnel.

Committee Reports and comments from Board Members:

Parks and Recreation – Mr. Toddes reported that the Rec Park is going to be closed November 22, 2018 to November 25, 2018 over the Thanksgiving holiday. He added that the Rec Park is an important part of why people come to Gettysburg.

Planning and Zoning – Chair Underwood reported that they are waiting on direction from the Adams County Office of Planning and Development for the next steps on the Comp Plan.

Building and Grounds – Chair Underwood reported that they are waiting for estimates to come in.

CTA – Mr. Toddes reported that they have to relocate the sewer main on Fairfield Road for the Willoughby Run Bridge replacement and the project was bid.

COG - Chair Underwood reported that the COG meets Thursday morning and the School District will be holding a roundtable regarding school safety.

Personnel, Highway, Economic Development – No reports.

The Zoning Officer and Secretary/Treasurer’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:50 P.M. for an Executive Session with no action to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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