

**Cumberland Township Board of Supervisors  
1370 Fairfield Road, Gettysburg, PA 17325  
July 23, 2019 Meeting Minutes**

The regular 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, Engineer Tim Knoebel and Secretary Carol Merryman. Also present were: Stanley Flaggs, Attorney Susan Smith, Bob Sharrah, Marty Hill, Jim Piet, Andrea Grabenstein from the Gettysburg Times, and approximately twenty residents.

Chair Underwood led the Pledge of Allegiance.

As advertised, Solicitor Wiser stated that a public hearing was held at the June 25, 2019 meeting for an application for a Zoning Map amendment from Stanley Flaggs, Swetland Road. Solicitor Wiser reported that after the hearing the Board authorized him to write an ordinance for the requested changes. He added that the ordinance has been written and has been duly advertised. Solicitor Wiser gave the public an opportunity to comment. There were no additional comments. **Mr. Paddock made a motion seconded by Mr. Toddes and carried to adopt Ordinance 2019-175. Mr. Waybright voted in opposition of the motion.**

**ORDINANCE NO. 2019-175**

**AN ORDINANCE OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, AMENDING THE CUMBERLAND TOWNSHIP ZONING MAP, AS ADOPTED AND MADE PART OF THE ZONING ORDINANCE IN CHAPTER 27, PART 3, SECTION 27-301(2) OF THE CODE OF THE TOWNSHIP OF CUMBERLAND, BY REMOVING ADAMS COUNTY TAX PARCELS 09F18-0013C--000 AND 09F17-0069---000 FROM THE AGRICULTURAL DISTRICT AND DESIGNATING SAID PARCELS AS A PART OF THE AGRICULTURAL RESIDENTIAL DISTRICT, AND AMENDING CHAPTER 27, PART 21 OF THE CODE OF THE TOWNSHIP OF CUMBERLAND TO INCLUDE THE ZONING MAP AMENDMENT SET FORTH HEREIN**

**Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the Minutes of the June 25, 2019 regular meeting.**

**Mr. Waybright made a motion seconded by Mr. Phiel and carried to approve the bills and transfers: Bills - \$63,282.91 from the General Fund, \$1,981.50 from the Escrow Fund, \$112,523.76 from the State Fund and \$26,233.00 from the Capital Reserve Fund: Transfers - \$29,340.08 from the General Fund to the Health Insurance Account.**

**Public comment:**

Mr. Daniel Curran, 62 Kestrel Drive, presented a letter to the Board and stated that he had met with the Township's engineers regarding the stormwater discrepancies at "The Lands" of Cumberland Village, the Township's engineers were to have a list of issues compiled by August 1, 2019 and then they would meet again to develop an action plan.

Mr. Al Ferranto, 501 Knight Road, expressed his concern about the Township's health benefits, whether the Township has stop loss insurance this year, the \$135,000.00 spent for the 2018 run-off and the \$100,000.00 that was also budgeted for 2019. Mr. Ferranto also asked for real public discussion this year regarding the health insurance renewal and he stated that the underground storage tanks should be removed before the Township has something catastrophic happen.

Mr. Speros Marinos, 912 Baltimore Pike, thanked the Board and Police Department for the strong Police presence during Bike Week, their working with other Police agencies and asked that the zoning be updated as soon as possible.

**Engineer/Plans:**

Mr. Knoebel reported that the Township has received a request from Sharrah Design Group, on behalf of the Gettysburg Ridge Final Land Development Plan, for an extension to their approval timeframe until October 31, 2019. Mr. Knoebel added that the plan is currently being reviewed by the Planning Commission. **Mr. Paddock made a motion to approve the request for extension for Gettysburg Ridge until October 31, 2019 seconded by Mr. Toddles and carried.**

Mr. Knoebel also reported that the Township has a similar request from Woodhaven Building and Development for an extension of 60 days for approval of Cumberland Village, Phase II, Preliminary Plan taking the timeframe for approval to October 1, 2019. Mr. Knoebel reported that they are addressing final stormwater comments. **Mr. Toddles made a motion seconded by Mr. Phiel and carried to grant the request for extension of the approval timeframe until October 1, 2019 for Cumberland Village, Phase II.**

Mr. Knoebel reported that the Township has a Minor Land Development Plan for Cumberland Village, Phases 1A and 1C that removes the previously planned pedestrian trail. Mr. Knoebel informed the Board that plan only removes the feature (trail), not the easement. Mr. Thomas acknowledged that the Board has a copy of a letter received from The Preserves Homeowner's Association regarding the easement. Mr. Knoebel added that the Township's Planning Commission recommended approval of the plan. **Mr. Paddock made a motion to approve the Minor Land Development Plan for Cumberland Village, Phases 1A and 1C seconded by Mr. Toddles and carried.**

Mr. Knoebel reported that the Township has a Sewage Planning Exemption for approval to be sent to Pa. DEP for the Wayne and Susan Hill Subdivision located on Knight Road. Mr. Knoebel explained that this is a subdivision of a 50-acre parcel into four residential lots all larger than 10 acres and served by a joint access drive. The sewage disposal will be on-lot systems and the Planning Exemption has been signed by the Township's Sewage Enforcement Officer. **Mr. Toddles made a motion to approve the Sewage Planning Exemption for the Wayne and Susan Hill Subdivision to be forwarded to Pa. DEP seconded by Mr. Paddock and carried.**

Solicitor Wiser reported that he is working with S & A Homes on an amended Developer's Agreement for Cannon Ridge that addresses the timeframe for completion of the roads and timely snow removal. Mr. Thomas added that it is likely that the roads in Phases 1 and 2 will be dedicated to the Township this fall and the roads in Phase 3 will remain the responsibility of S & A Homes until dedicated to the Township. **Mr. Toddles made a motion seconded by Mr. Paddock and carried to approve the provisions of the amended Developer's Agreement for Cannon Ridge as explained by Solicitor Wiser.**

Mr. Thomas explained that the Township has an application from Rod and Amy Cory, 40 Pin Oak Lane, to replace their brown shingle roof with a black metal roof and since their residence is located in the Township's Historic District, the application was reviewed and approved by the Historical Architectural Review Board (HARB) and a Certificate of Appropriateness must be approved by the Board. **Mr. Waybright made a motion to approve the Certificate of Appropriateness for Rod and Amy Corey seconded by Mr. Paddock and carried.** Mr. Speros Marinos, a member of the Township's HARB, stated that this residence is not historic in nature, the HARB had to meet for five minutes to review the application and was there any way to get around this having to happen in the future? Solicitor Wiser stated that there was not and that the ordinance is geographic in nature not specific to historic buildings.

**Police Report:** Police Chief Don Boehs presented a written and oral report of police activities for the month of June, 2019 including: 287 complaints - Psych/suicide-3, Disturbances-6, Assault/Harassment-10, Domestic-11, Criminal Mischief-0, Suspicious Activity-13, Thefts-0, Alarms-9, Medical Emergency-6, 911 Hang Up-4, Cruelty to Animals – 0, Wanted Person – 1, Reported Drug Activity – 1, Welfare Checks – 14, Shots Fired – 1, Fraud – 2, Burglary –0, Sexual assault-1, Follow-up Investigation- 33, SRO Calls – 0 ; 74 traffic stops, 45 combined arrests, 11 traffic accidents, 32 targeted enforcements, 10,125 patrol miles and 46 walk-in complaints. He added that they assisted other agencies 16 times and they were assisted four times. There were four assists to Pa. State Police; 2 in Straban Township and 2 in Franklin Township. Police Chief Boehs reported that he had spoken to the District Attorney about the State Fireworks Law. He stated that it is extremely difficult for a Police Officer to charge someone for a violation of the law because they have to witness the person setting the fireworks off. He also reported that they looked at other charges from the Crimes Code, but there were none that would apply. Police Chief Boehs stated that there has been legislation introduced recently to place more restrictions and greater penalties in the state's Fireworks Law. Mr. Thomas suggested that residents contact their state representatives to encourage strengthening of the Fireworks Law. Discussion followed.

### **Active Business:**

Mr. Thomas reported that over the past several years there have been several residential streets ordained throughout the Township and, unfortunately, there was no authorization for the Solicitor to draft an amendment to the Stop Signs Ordinance at the time the streets were ordained. Mr. Thomas also reported that PennDOT requires traffic studies to be stamped by an engineer, he is recommending that KPI Technology and Solicitor Wisner move forward and KPI's cost for the traffic study will be \$1,250.00. Mr. Thomas added that there are probably twelve intersections that need to be done and in the future; the developer should provide the traffic studies. **Mr. Waybright made a motion seconded by Mr. Paddock and carried to authorize KPI Technology and Solicitor Wisner to move forward with updating the Stop Signs Ordinance.**

Mr. Thomas reported that a Request for Qualification (RFQ) for Township Wide Comprehensive Zoning Review by an independent Facilitator has been prepared and the Supervisors have a copy. Mr. Thomas went over the request in detail which included a Project Overview; Facilitator's Responsibilities; Request for Qualifications; Qualifications Review; Selection Process; Submission Criteria and the disclosure of any Conflicts of Interest. Solicitor Wisner stated that he had no additional comments or edits. **Mr. Paddock made a motion to disseminate the Request for Qualification seconded by Mr. Waybright and carried.**

Mr. Thomas reported that the Township received a bill from the Pennsylvania Department of Environmental Protection, in the amount of \$500.00, for the Township's PAG-13 MS4 General Permit. This is an annual fee and it is placed on the agenda as an objection. Mr. Thomas explained that MS4 is an unfunded mandate passed down by the Federal Government and by an agreement made by the Commonwealth regarding the Chesapeake Bay and he feels there should be no fee.

**Finance Committee:** Mr. Thomas reported that the Township has two funding requests one from Barlow Fire Company, in the amount of \$23,237.78 and one from Gettysburg Fire Department, in the amount of \$54,696.92. Mr. Thomas added that the requests are in accordance with the Memorandum of Understanding, have been reviewed by the Finance Committee and the balance in the Fire Tax Fund is slightly under \$200,000.00. **Mr. Phiel made a motion to approve the reimbursements to Barlow Fire Company - \$23,237.87 and to Gettysburg Fire Department - \$54,696.92 seconded by Mr. Paddock and carried.**

Chair Underwood also reported that the Finance Committee recommends that a payment be made to the Gettysburg Area Recreation Authority (GARA), in the amount of \$9,000.00, from the Park and Rec Fund. **Mr. Phiel made a motion to approve a payment to GARA, in the amount of \$9,000.00, from the Park and Rec Fund seconded by Mr. Waybright and carried.** Chair Underwood added that the replacement dump truck purchase for the Maintenance Department is moving along, the seal coat projects are underway, Longview paving has been completed, the other road projects should be finished before school starts, the new police vehicle is in and should be operational in a couple of months and it is the committee's hope to make an additional principal loan payment at the end of the year.

Mr. Thomas reported that he and Mr. Toddes went back to C. S. Davidson, Inc. to get the building renovation plan downsized because the cost of the full renovation came in too high. He stated that the scaled down recommendations are a bump-out to the front with a public-access handicapped restroom, an add-alternate bid to continue the full length of the front of the building, a bump-out to block off the back corner of the building to give the Police Department more space, general remodeling and security. Mr. Thomas added that nothing will be done to the current garage. Mr. Thomas asked the Board to authorize the staff to get maintenance prices on the office area including: painting, flooring, lighting and bathroom upgrades. Mr. Thomas also requested that the Board authorize the staff to get estimated costs for the additions to the building through the Keystone Purchasing Network or Design/Build and work with the USDA to see if the Township is eligible for any small grants. Mr. Thomas reported that the Township does have the large signs that will direct people to the Police Department and they will be mounted soon. He added that the addition will make the Police Department entrance more visible. **Chair Underwood made a motion to authorize Administration to seek local contractors and get prices for the maintenance of the existing facility that needs to be updated. The motion was seconded by Mr. Waybright and carried. Mr. Toddes made a motion to get quotes from C. S. Davidson, Inc. and Architect Gary Shaffer for the building additions seconded by Mr. Paddock and carried.**

**Solicitor:** Solicitor Wisner requested a brief Executive Session on a contractual matter.

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

**Public Safety** – Chair Underwood reported that they are receiving questions from Greenmount Fire Company and compliments on how the Re-enactment and Bike Week were handled by the Police Department. Chair Underwood thanked everyone in the Police Department for this.

**Parks and Recreation** – Mr. Toddes reported that the Rec Park uses prisoners on work release for keeping the park cleaned up and use of the fields and the buildings are up. HBO is using the Rec Park for the movie they are filming.

**CTA** – Mr. Toddes reported that the paving at the north plant has been finished; the cameras have been received so the staff can camera the pipes; a new trailer was ordered and they are working on budgeting for a new Act 537 Plan to be done in 2020. Mr. Waybright reported that they have been hauling biosolids to his farm.

**COG** – Chair Underwood reported that the August meeting will be the 10<sup>th</sup> Anniversary of the COG and there will be a celebration in recognition of those who helped found it.

**Personnel, Highway, Planning and Zoning, Building and Grounds, Economic Development and CT411** – No reports.

Mr. Thomas commended the office staff for their daily contacts with residents and the Maintenance Department for their cooperation working with other municipalities and the amount of money that it saves the Township. Mr. Thomas also reported that the Township received a complaint about the former Country Club property and he publicly thanked the National Park Service because mowing began there

yesterday and their goal is to mow it twice a year. He added that they are close to having the studies completed to be able to restore the property back to the way it was in 1863 and they did talk about stormwater management because the existing houses around the property were not there in 1863.

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

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:55 p.m. for an Executive Session with no report to follow.

\_\_\_\_\_  
Carol A. Merryman, Secretary

\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_) Supervisors  
\_\_\_\_\_)  
\_\_\_\_\_)