

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
June 25, 2019 Meeting Minutes**

At 6:00 P.M., as advertised, Chair Underwood called a Public Hearing to order for an application for a Zoning Map amendment from Stanley Flaggs, 284 Swetland Road. The request is to change from "A" Agricultural zoning to A/R Agricultural/Residential zoning. Solicitor Wiser presided over the hearing and the hearing was recorded by Deb Zepp, Court Reporter. Please see the transcript for the entire record of the hearing.

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, Susan Smith, Michael Cooper-White from the Gettysburg Times, and approximately twenty 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 May 23, 2019 workshop and the May 28, 2019 regular meeting.

Mr. Waybright made a motion seconded by Mr. Paddock and carried to approve the bills and transfers: Bills - \$72,041.61 from the General Fund, \$298.50 from the Escrow Fund and \$215.08 from the Capital Reserve Fund and: Transfers - \$28,109.63 from the General Fund to the Health Insurance Account.

Chair Underwood read a statement regarding a notice in and from The Gettysburg Times along with The Gettysburg and Adams County Chamber of Commerce welcoming a new business to the area which encourages RVs being parked on other people's properties in lieu of in a campground. Chair Underwood read from the Township's Code of Ordinances, Chapter 27.105 which states that this is not allowed in the Township. Chair Underwood also read Section 3. Conduct and Protocol from the Township's Meeting Rules and Regulations adopted in May, 2010.

Public comment:

Mrs. Jean Stone, 1745 Mummasburg Road, representing the Cumberland Township Concerned Residents presented a written and oral report (copy on file) regarding the repayment of the Township's long-term debt and again requesting a plan to achieve the goals established by Resolution 2011-05.

Mr. Speros Marinos, 912 Baltimore Pike, on behalf of the Cumberland Township Historical Society, thanked the Board for supporting the celebration of the 270th Anniversary of Cumberland Township and he asked the Board to update the zoning as quickly as possible.

Mr. Daniel Curran, 62 Kestrel Drive, President of The Lands at Cumberland Village Homeowners Association presented a written and oral report (copy on file) expressing his concern about the Township's oversight of the completion of Cumberland Village, Phase 1B and 1C and the state of stormwater drainages and facilities in the development that the Homeowners Association will be responsible for. Mr. Curran reported that he was contacted by Mr. Knoebel, Township Engineer, today regarding the concerns voiced in the letter.

Mr. Steve Boggs, 76 Kestrel Drive, presented a written and oral report (copy on file) regarding the possible adoption of a Fireworks Ordinance and expressing his opposition to the proposed ordinance restricting fireworks displays to two times per year and concern regarding loss of tax revenue to the state.

Ms. Susan Sadowski, 1326 Fairfield Road, presented a written and oral response (copy on file) to the Finance Committee memo read at the June 25, 2019 Board of Supervisor's meeting.

Mrs. Pam Haze, 11 Cannon Ridge Way, representing the residents of Cannon Ridge, alerted the Board to what she feels is an unsafe traffic safety issue on Herr's Ridge Road north of Cannon Ridge Way due to a blind spot on the road from a hill and people exceeding the speed limit. Mrs. Haze requested that a sign be placed alerting that there is an intersection ahead and increased speed surveillance.

Mr. Al Ferranto, 501 Knight Road, spoke about public meeting and public comments, expressed his concern about the Township's "self-insured" health insurance benefits, the stop-loss insurance coverage that was supposed to negate any overage that occurred and the Township's recent \$135,000.00 payment that was made. He asked if the Township did have the stop-loss insurance. Mr. Ferranto also expressed his concern about the underground fuel tanks and feels that they should be removed.

Engineer/Plans:

Mr. Knoebel reported that the Township has a request to extend the approval time-frame for the Musket Ridge Land Development Plan until September 30, 2019. He added that they are working on addressing the engineer's comments. **Mr. Phiel made a motion to grant the request for Musket Ridge seconded by Mr. Paddock and carried.**

Mr. Knoebel also reported that the Township has a similar request to extend the approval time-frame for the Wayne and Susan Hill Minor Subdivision Plan until September 30, 2019. Mr. Knoebel explained that they had some permitting issues that they have been working on and have revised the plan that is going back before the Planning Commission. **Mr. Paddock made a motion to approve the request with a condition that no further extensions will be granted without the applicant coming in to update the Board on the progress. The motion was seconded by Mr. Toddles and carried.**

Mr. Knoebel reported that the Douglas, Denise and Vonny Wherley Subdivision Plan needs to be re-approved for recording since the 90-day time limit has passed since it was originally approved. **Mr. Toddles made a motion to re-approve the Wherley Plan for re-signing and recording seconded by Mr. Paddock and carried.**

Mr. Knoebel reported that the Township has received a request dated June 1, 2019 from Leonardo and Kathleen Marinelli for release of their financial security for the Grandview Station Land Development Plan on Biglerville Road. Mr. Knoebel stated that the project is completed but, as-built plans have not been received and he recommended denying the request until the as-built plan is received. **Mr. Paddock made a motion to deny the request from Leonardo and Kathleen Marinelli as recommended by Mr. Knoebel seconded by Mr. Phiel and carried.**

Mr. Knoebel also explained that the Cannon Ridge Developer's Agreement required that the improvements be completed by June 30, 2019, but due to concerns about damage being done to the roads during construction in the final phase the Township requested that final paving be delayed until the construction of 80% of the planned units in Phase III are completed. Mr. Knoebel asked the Board to consider a thirty-day time extension to give time for the Developer's Agreement to be amended for approval at the July meeting. **Mr. Paddock made a motion to approve the thirty-day extension seconded by Mr. Toddles and carried.**

Mr. Knoebel reported that the Keystone System Services (KSS) will be submitting an amended land development plan and will have to go back through the regular approval process with action probably taking place at the August meeting. Solicitor Wisner added that he believes there has been an increase in the level of cooperativeness and that has allowed some progress to occur.

Mr. Barry Stone, 1745 Mummasburg Road, asked the Board to budget funds in the 2020 Budget to move forward with the Zoning Ordinance update and if possible, there be enough money to obtain the services of a Zoning consultant.

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of May, 2019 including: 443 complaints - Psych/suicide-6, Disturbances-7, Assault/Harassment-6, Domestic-11, Criminal Mischief-0, Suspicious Activity-15, Thefts-0, Alarms-12, Medical Emergency-5, 911 Hang Up-2, Cruelty to Animals – 0, Wanted Person – 1, Reported Drug Activity – 2, Welfare Checks – 11, Shots Fired – 0, Fraud – 1, Burglary –0, Sexual assault-1, Follow-up Investigation- 41, SRO Calls – 3 ; 154 traffic stops, 107 combined arrests, 11 traffic accidents, 49 targeted enforcements, 10,333 patrol miles and 52 walk-in complaints. He added that they assisted other agencies 15 times and they were assisted three times. There were three assists to Pa. State Police in Straban Township, Franklin Township and Gettysburg Borough.

Active Business:

Mr. Thomas reported that Solicitor Wisner has produced a draft Fireworks Ordinance for the Board's review and is looking for direction from the Board on how to proceed. Solicitor Wisner went over the modifications that includes additional holidays when consumer fireworks can be used, requiring a permit for commercial grade fireworks and including a fee for the permit. The ordinance was discussed at length and comments were taken from the public. Mr. Thomas questioned whether the ordinance was enforceable and if there are qualified inspectors readily available. Mr. Thomas recommended that Police Chief Boehs contact the District Attorney to determine if there is anything else in the Crimes Code to reflect on what is going on in the Township.

Chair Underwood stated that action is needed on Mr. Stanley Flaggs' request for a Zoning Map amendment. Solicitor Wisner stated that a public hearing was held this evening prior to the regular meeting and the Board's action would be to authorize advertisement of an ordinance amending the Zoning Map in accordance with the applicant's request. **Mr. Paddock made a motion seconded by Mr. Toddes and carried to authorize advertisement of an ordinance amending the Zoning Map at the July 23, 2019 regular meeting at 7:00 P.M. in accordance with Mr. Flaggs request.**

Finance Committee: Mr. Thomas reported that the Finance Committee is recommending that \$70,000.00 be transferred from the General Fund to the Capital Reserve Fund as budgeted. He added that this is one half of the total budgeted amount to be transferred. **Mr. Phiel made a motion to approve the \$70,000.00 transfer from the General Fund to the Capital Reserve Fund, as budgeted, seconded by Mr. Toddes and carried.**

Solicitor: Solicitor Wisner stated that Oaklawn is being maintained and there are some pending timeline requirements that still need to be met. He added that the Township has turned into the repository for the cemetery's records, has been providing day to day administration to lot owners, this taxes the resources of the township and they are working to identify an alternative. Solicitor Wisner added that he does need to have an Executive Session with the Board.

Committee Reports and comments from Board Members:

Public Safety – Chair Underwood reported that they will soon be discussing road signs within the Township.

Parks and Recreation – Mr. Toddes reported on activities being held at the Rec Park including the Gettysburg Fire Department Carnival.

Planning and Zoning – Mr. Thomas reported that he met with representatives from the Adams County Office of Planning and Development and discussed a Comprehensive Township Zoning Review Action Plan. There were eight recommendations being made by Mr. Thomas and he read them aloud. The first being preparing a Request for Qualifications; engaging a Facilitator, holding joint meetings with the Planning Commission at a facility with a larger meeting area with Power Point equipment, holding a public open house and public hearing. **Mr. Paddock made a motion to authorize Mr. Thomas to author the Request for Qualifications seconded by Mr. Toddes and carried.**

CTA – Mr. Toddes reported that paving has been completed at the North Plant and they are working on their Rules and Regulations.

COG – Chair Underwood reported that the meeting is Thursday and the speaker is from the Adams County IT Department regarding digital storage for records.

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

Mr. Thomas reported that the Township will do a site distance study on Herr’s Ridge Road at the intersection with Cannon Ridge Way. Mr. Thomas also reported that the underground storage tanks have had a leak detection system for many years, there is a limited cost estimate for tank removal because a fair amount of that work could be done “in-house”. The Township does have an estimate for replacement with above-ground tanks of around \$100,000.00, that is still be reviewed and the two licensed operators are Annelise Niner and Chris Walter.

The Zoning Officer and Secretary/Treasurer’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 report to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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