

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
March 26, 2019 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, Engineer Tim Knoebel and Secretary Carol Merryman. Also present were: Mary Grace Keller from the Gettysburg Times, Kevin Stouffer, CPA from Smith Elliott Kearns and Co., Inc., Bob Sharrah, Marty Hill, Jim Piet and approximately thirteen 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 February 2, 2019 workshop meeting and the February 26, 2019 regular meeting.

Mr. Waybright made a motion seconded by Mr. Phiel and carried to approve the bills in the amounts stated of: \$70,603.34 from the General Fund, \$2,550.00 from the Escrow Fund and \$5,065.01 from the State Fund. Mr. Phiel made a motion seconded by Mr. Waybright and carried to approve the transfer of \$25,969.29 from the General Fund to the Health Insurance Account.

2018 Audit Presentation

Kevin Stouffer from Smith Elliott Kearns and Co., Inc. Certified Public Accountants presented a Power Point presentation of the Township's 2018 Annual Audit Report. Mr. Stouffer reported that the audit received an Unmodified Audit Opinion that is the best opinion that you can receive and there were no findings. Mr. Stouffer also presented revenue and expenditure analysis indicating that there was a 7.3% increase in revenues due to a Real Estate Tax increase and the collection of more Earned Income Tax. Mr. Stouffer also reported that there was a 16.96% increase in expenditures from 2017 due, in part, to increased health insurance costs and the refunding of the Traffic Impact Fees. Mr. Stouffer also included information on how Cumberland Township compares to other townships in Adams County and in the state.

Visitors – Mr. and Mrs. Tim Funk requested the Board to consider an ordinance regulating the use of fireworks and limiting the dates that fireworks can be discharged. They provided copies of ordinances from other Townships for the Township's information and use.

Public comment:

Mr. John Horner, 20 Horner Road, presented photos of damage done to his yard by a snowplow. Mr. Thomas stated that the Township will look into this and if the Township does damage to someone's yard, repairs are made.

Mrs. Jean Stone, 1745 Mummasburg Road, representing the Cumberland Township Concerned Residents, presented oral and written comments regarding the Township's long-term debt and the future building renovations. Mrs. Stone presented Resolution 2011-05 from the Township's minutes indicating the Board's wishes, at that time, was to have this debt paid off in fifteen years and she feels that it doesn't appear that this will be accomplished. Mrs. Stone also reminded the Board about a petition that was submitted by the Concerned Residents regarding escalating debt and increasing property taxes. Mrs. Stone added that they feel that safety issues should be a priority including replacement of the fuel tanks and better signage for the Police Department.

Mr. Brian Fitzgerald, 914 Barlow Greenmount Road, spoke to the Board about the Keystone Services project. He reported that the developer is not de-watering the pond as they should be and the water

continues to leach through running onto the neighboring properties. Mr. Fitzgerald asked the Township how much this project has cost the taxpayers and he asked the Board to enforce the ordinances.

Ms. Susan Sadowski, 1326 Fairfield Road, echoed Mrs. Stone's comments regarding the re-payment of the long-term debt, Resolution 2011-05 and orally stated a schedule of payments that would be required to pay the debt off within the fifteen year period. She stated that renovations to the Township Building must be limited due to the constraints of the budget, but must include removal of the underground storage tanks and short-term needs for safety and security. Ms. Sadowski stated that she is looking forward to a report on how the Township plans to comply with all relevant resolutions, ordinances and codes at the Board of Supervisors' April meeting and a report from the Finance Committee on how the debt will be retired within the fifteen year time period.

Mr. Al Ferranto, 501 Knight Road, spoke to the Board regarding the \$15,000.00 contribution that was made to the Gettysburg Area Recreation Authority (GARA) from the General Fund while there were funds in the Park and Rec Account, he feels that the General Fund should be reimbursed and GARA was supposed to be break-even after five years. Mr. Ferranto also asked why nothing has been done to improve the building safety including more signage for the Police Department and he feels that the \$500,000.00 that was set aside for building renovations should go towards paying down the Township's debt. Lastly, he stated that he is upset about the taxpayer's money that was spent for unpaid health insurance claims because there was supposed to be insurance back-up for that.

Solicitor Wiser briefly explained that the Township was self-insured and there were health insurance claims that were incurred in 2018 that were not reported until 2019 and that was why the extra money was needed.

Mr. Harry Hartman, The Gettysburg Times, asked what the Township intends to do about the Oak Lawn Cemetery situation with the flags on the ground, tall weeds and trash. Solicitor Wiser explained that the Township has limited tools to address the issues at Oak Lawn Cemetery, the Township has utilized the tools that it has, has continued to work with the owner in an attempt to remedy the defects, is creating a detailed list of action items that the owner will have to take and if the owner does not address the action items in a reasonable time, the appropriate enforcement remedies will be taken. He added that it is the Township's hope that a responsible operator will purchase the cemetery. Mr. Thomas added that the Township is involved civilly, criminally and is very pro-active with the current owner and interested parties.

Engineer/Plans:

Mr. Knoebel reported that the Township has received a request for extension to the approval time period for the Wayne and Susan Hill Final Minor Subdivision Plan until June, 30, 2019. Mr. Sharrah updated that Board on the status of the plan and felt that 90 days would give them sufficient time to get this plan completed. **Mr. Toddles made a motion seconded by Mr. Phiel and carried to approve the request for extension for the Wayne and Susan Hill Plan until June 30, 2019.**

Mr. Knoebel updated the Board on the Keystone Services project. He reported that the owner has retained another engineer to provide assistance on the project and they did receive some information from them that they need to review. Mr. Thomas added that the applicant has received a Notice of Violation and they were given so many days to cure that, there has been no additional de-watering, the Township will be following up on that and received a negative response for the applicant's attorney.

Mr. Knoebel also updated the Board on the proposed walking trail between Phase 1A and 1C of Cumberland Village and it will be in the location that was shown on the approved plan, not out along Herr's Ridge Road. He added that a design has been submitted and they will be reviewing that design.

Mr. Knoebel reported that the next two items are re-approvals and this happens when conditional approvals are granted and it takes more than 90 days (time-frame for recording) for the applicant to address the outstanding items on the plan.

Mr. Waybright made a motion seconded by Mr. Paddock and carried to re-approve the Gettysburg Landscape Supply Land Development Plan for recording.

Mr. Toddles made a motion seconded by Mr. Phiel and carried to re-approve the Gettysburg Battlefield Resorts Land Development Plan for recording.

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of February, 2019 including: 270 complaints - Psych/suicide-10, Disturbances-6, Assault/Harassment-8, Domestic-4, Criminal Mischief-0, Suspicious Activity-8, Thefts-0, Alarms-11, Medical Emergency-4, 911 Hang Up-2, Cruelty to Animals – 0, Wanted Person – 1, Reported Drug Activity – 1, Welfare Checks – 12, Shots Fired – 1, Fraud – 2, Burglary – 0, Sexual assault-1, Follow-up Investigation- 19, SRO Calls – 35 with 2 drug arrests; 60 traffic stops, 56 combined arrests, 7 traffic accidents, 24 targeted enforcements and 11,258 patrol miles. He added that they assisted other agencies 9 times and they were assisted once. Assists to Pa. State Police were two; one in Straban and one in Butler. Sergeant Biggins reported on the St. Patrick’s Day Eve DUI checkpoints. He reported that they had approximately 20 officers assisting and they made two DUI arrests and a host of other traffic violations.

Active Business:

Mr. Thomas read the results for the Township’s 2019 road maintenance bids as follows:
(Detailed spreadsheet on file and the lowest apparent bids are underlined and highlighted)

Longview Blvd. - 9.5mm Asphalt Mix ¾” deep, 9.5 mm 1.5” deep and paving fabric

AAA Paving/Excavating, Waynesboro, PA	Total Bid \$117,443.00
C.E. Williams Son, Inc., Gettysburg, PA	Total Bid \$124,415.00
New Enterprise Stone and Lime Co., Chambersburg, PA	<u>Total Bid \$113,070.00</u>
JVI Group, Inc., York Springs, PA	Total Bid \$117,300.00

Various Roads, Streets, Lanes & Courts – Double application Micro-surface Type A

Stewart and Tate, Inc., York, PA	Total Bid \$254,242.36
Asphalt Maintenance Solutions, LLC, Center Valley, PA	<u>Total Bid \$243,096.00</u>

Various Roads, Streets, Lanes & Courts – Polymer Modified Emulsified Asphalt and Fog Seal

Hammaker, East, LTD, Fayetteville, PA	<u>Total Bid \$208,670.00</u>
Stewart and Tate, Inc., York, PA	Total Bid \$385,770.00

Mr. Thomas stated that the total of the low bids is \$564,836.00 and is within the budgets (from two funds). Solicitor Wisner stated that he did review the bids and the apparent low bidders have complied with the bid requirements. **Mr. Toddles made a motion to issue the Notice of Intent to Award to the low bidders as reported by Mr. Thomas seconded by Mr. Paddock and carried.**

Mr. Thomas requested that the Board appoint Attorney Clint Barkdoll as Back-Up Solicitor for the Zoning Hearing Board. He added that he has worked with Attorney Barkdoll and feels that he will do a good job and we do have a hearing coming up where the appointed Solicitor has a conflict and cannot preside over the hearing. He also reported that the Township’s current Back-Up Zoning Hearing Board Solicitor is retiring. **Mr. Paddock made a motion to appoint Attorney Clint Barkdoll as the Back-Up Solicitor for the Zoning Hearing Board seconded by Mr. Phiel and carried.**

Mr. Thomas reported that the Board has a request from the Adams County Association of Township Officials (ACATO) Legislative Group looking at proposed legislation and they are surveying Township Supervisors to get their opinions.

1. *Do you support or oppose having three or more UCC inspectors available for your residents?* Mr. Thomas reported that since we have an intergovernmental cooperation agreement with Carroll Valley Borough for residential inspections, this would not affect us for residential inspections and we have very few commercial inspections. Solicitor Wisner stated that he does have some concerns about the enforcement provisions of the bill. **The Board opposed.**
2. *Do you support or oppose having the State collect Earned Income Tax?* Mr. Thomas stated that he has talked about this many times; York Adams Tax Bureau does a very good job at collection, charges a very reasonable rate (1.25%), prosecutes for non-payment and he has heard that the State may have to charge up to 8%. **The Board opposed.**

Mr. Thomas reported that the Township has a 2010 Chevrolet Tahoe police vehicle for sale on Muncibid.com until next Thursday at 2:00 p.m.

Mr. Waybright made a motion seconded by Mr. Toddes and carried to authorize Solicitor Wisner to modify certain Township ordinances (violation of Snow and Ice Removal) to allow issuance of a “ticket”.

Mr. Thomas asked the Board to authorize a Conditional Use Hearing to be held on Tuesday, April 23, 2019 at 6:30 P.M. for the Gettysburg Foundation for a not-for-profit museum in the Agricultural / Residential Zoning. Mr. Thomas added that the application will be reviewed by the Planning Commission for their recommendations. **Mr. Phiel made a motion to authorize the Conditional Use Hearing for the Gettysburg Foundation seconded by Mr. Toddes and carried.**

Mr. Thomas also reported that the Township has received a request from the Gettysburg National Military Park to make a revision to their existing pedestrian signal along Taneytown Road. Mr. Thomas added that they wish to upgrade the solar powered signal and the Township must be the applicant for their PennDOT permit. **Mr. Waybright made a motion seconded by Mr. Phiel and carried to adopt the following Resolution:**

BE IT RESOLVED, by the authority of the Board of Supervisors of Cumberland Township, Adams County, and it is hereby resolved that the Township Manager of said Municipality is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this application on behalf of the Municipality.

FINANCE COMMITTEE: Mr. Thomas reported that the Finance Committee is requesting the Board’s approval to make a payment to Gettysburg Area Recreation Authority (GARA) in the amount of \$33,082.00. This is half of the requested amount for 2019 of \$66,164.00. The current balance in the Park and Rec Fund is \$37,000.00 and we are anticipating future funds. **Mr. Toddes made a motion to approve the payment to GARA, in the amount of \$33,082.00 seconded by Mr. Waybright and carried.**

Solicitor: Solicitor Wisner reported that he is to receive an update from COMCAST tomorrow and will have a report for the next meeting.

Committee Reports and comments from Board Members:

Public Safety – Chair Underwood reported that an employee of AREMS, Ken Bankey, has become the Advanced Life Support Provider of the Year from the Emergency Health Service Federation.

Personnel – Chair Underwood reported that the Township staff is working over the limit and it is a tight

situation right now.

Parks and Recreation – Mr. Toddes reported that the new roof is going on the Sterner Building, the fields are ready, they are re-dedicating the Biser Trail since it was moved and things are going well.

Planning and Zoning – Chair Underwood reported that Gettysburg Borough also adopted their portion of the Central Adams Joint Comprehensive Plan and Straban Township will be considering adoption at their meeting on April 1, 2019.

CTA – Mr. Toddes reported that they are working at the bridge extending the sewer line. They also took dedication of the sewer lines for Cumberland Village Phases 1B and 1C. The annual biosolids reports are in, they will be hauling to the Waybright and Woerner Farms when it is dry enough and he thanked both of them for saving the Township and Authority a lot of money.

COG – meets Thursday morning.

CT411 – Mr. Paddock stated that the residents should be able to see the proposed GMA water tower. Solicitor Wisner stated that the exhibits will be provided at the Zoning Hearing.

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

Mr. Thomas reported that the 2018 Annual Audit will be placed on the Township’s website. Mr. Thomas also announced that the Cumberland Township Zoning Hearing Board will hold a hearing on Tuesday, April 16, 2019 at 6:00 P.M. to hear a request from the Gettysburg Municipal Authority for a variance to the Zoning height requirement in order to construct a proposed water tower located at 1875 Herr’s Ridge Road (Cumberland Village, Phase II). Lastly, Mr. Thomas reported that the streets will be swept in mid to late April.

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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