

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
March 22, 2022 –7:00 P.M.**

Prior to the meeting, Chairman Steve Toddes presented commendations to Officer Chris Evans (Gettysburg Borough), Officer Dan Barbagello, Sergeant Matthew Trostel and Adams County Dispatcher Andy Hansen for their exemplary actions during an incident that occurred at Artillery Ridge Campground, with a man who had a gun, that they were able to deescalate saving anyone from being injured.

The regular meeting was called to order at 7:00 P.M. by Chairman Toddes. Present were all Supervisors: Toddes, Phiel, Ramsburg, Brauning and Biggins. Also present were Solicitor Sam Wisner, Township Manager Ben Thomas, Jr., Acting Police Chief Matthew Trostel, Patrolman Daniel Barbagello, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. Also present were Michael Segarra, John Barbosa, Bob Sharrah, Ben Myers, representatives from the Gettysburg Airport and Jim Hale from The Gettysburg Times. There were also several viewers on Zoom.

Chairman Toddes led the Pledge of Allegiance. Chairman Toddes also asked that we have a moment of silence for our former Chief of Police, Barry Sease, who recently passed away.

Mr. Brauning made a motion to approve the agenda. The motion was seconded by Mrs. Ramsburg and carried.

Mr. Phiel made a motion seconded by Mrs. Biggins and carried to approve the Minutes of the February 22, 2022 Regular Meeting.

Mrs. Biggins made a motion seconded by Mrs. Ramsburg and carried to approve the bills in the amounts stated on the agenda: \$238,607.45 from the General Fund, \$3,682.15 from the Escrow Fund, \$12,975.50 from the State Fund and \$11,110.64 from the ARPA Fund.

Public comment:

Mr. Thomas read a written public comment from Ben Jones, 5 Battalion Lane, requesting that a sound barrier be erected along the south side of his property facing the Old Mill Overlook project due to blasting, construction noise and future traffic and light spread.

The following people commented:

Janet Davis, 1350 Fairfield Road, (corrected address for January and February minutes also) responded to the statements that were read at the February meeting by Solicitor Sam Wisner and Township Manager Ben Thomas, Jr. regarding conflicts of interests, abstentions, oversight, an incorrect address for herself and a statement regarding her monetary donation that was in the February 22, 2022 minutes.

Susan Sadowski, 1326 Fairfield Road, spoke in support of Janet Davis with her expression of concern about the safeguarding of assets with the hiring of a related party, donations made to the former Police Chief, the statement that was in the minutes regarding the donation and the incorrect address listed for Janet Davis in the January and February minutes.

William Coe, 105 Twin Lakes Drive, commented on the donation from Janet Davis at the January 25, 2022 meeting and the statement in the minutes. He asked for an accounting of all of the donations and Acting Chief Matthew Trostel stated that all of the donations are accounted for and Mrs. Davis has been shown the gear that was bought.

Chairman Toddes announced that an Executive Session was held after the February 22, 2022 meeting and no action was taken.

Engineer: Mr. Brandon Guiher from KPI Technology reported that the Township has a letter from Sharrah Design Group, Inc, on behalf of the developer of Musket Ridge, waiving the 90-day timeframe for approval of the plan until September 30, 2022. Mr. Sharrah told the Board that they are working with the Zoning Officer on a zoning interpretation and are continuing efforts to update the project design to the specifications of the new owner. **Mrs. Ramsburg made a motion to grant the request for extension to the 90-day timeframe until September 30, 2022 for the Musket Ridge Plan seconded by Mrs. Biggins and carried.**

Mr. Guiher also reported that the Township has a Sewage Planning Exemption for the James M. and Joyce A. Knefley Plan located on Solomon Road. He noted that this does not approve the subdivision plan and the planning exemption has to be submitted to PaDEP for their approval. **Mrs. Biggins made a motion to sign the Sewage Planning Exemption for the James M. and Joyce A. Knefley Plan to be forwarded to Pa DEP for their approval seconded by Mr. Phiel and carried.**

Mr. Guiher also reported that the Township has a Final Land Development Plan for Phase II construction at the Gettysburg Regional Airport. He explained that a preliminary plan has been approved for all of the work and the Phase I Final Plan is ready to be recorded. Phase II will consist of paving of those areas graded with the Phase I work and no building construction is proposed with this plan. There were two representatives present and Gregory Schrock, P.E. showed the Board the plan and went over the Phase I and Phase II improvements. Solicitor Wisner also explained how the private hangars will be built and the Park and Rec fees will be imposed at that time. Mr. Guiher went over the comments from the March 9, 2022 comment letter from KPI Technology that were mostly administrative in nature. **Mr. Phiel made a motion to conditionally approve the Final Land Development Plan for Phase II construction at the Gettysburg Regional Airport based on the comments of KPI's March 9, 2022 letter being addressed. The motion was seconded by Mrs. Biggins and carried.** Mr. Jamie Sides, an engineer with the Susquehanna Area Regional Airport Authority (SARAA), explained the funding and that the completion of this project may be ten years out.

Mr. Guiher reported that the next item is a modification request for Cumberland Village, Phase IIA. He stated that the developer is requesting modification for driveway slopes to be a maximum of 8% instead of the required maximum 5% slope and this has been decided on a case by case basis up to this point. Mr. Guiher stated that their estimate is that it will apply to approximately 30% of the homes in this phase. Solicitor Wisner reported that the Township engineer and the Planning Commission do not have any concerns with granting the modification. Mr. Walter added that this change from 5% to 8% is not visible to the naked eye and that he did not have a problem with the modification. **Mrs. Biggins made a motion to approve the request for modification from Sharrah Design Group, on behalf of J.A Myers, for the maximum driveway slope seconded by Mr. Brauning and carried.**

Solicitor Wisner stated that there was discussion with the Planning Commission regarding a modification to the driveway width at Cambridge Crossings and Mr. Sharrah would like some feedback from the Board. Mr. Sharrah stated that the required driveway width at the right-of-way line is twelve feet and they would like to make the driveways ten feet wide. He added that the wider driveway creates more impervious surface, more run-off and affects the symmetry of the project. Solicitor Wisner added that the Planning Commission did not recommend granting the modification for this plan. The Board asked Mr. Sharrah to make a formal presentation at the April meeting.

Lastly, Mr. Guiher gave an update to the MS4 projects. He reported that Mr. Clauser has provided final design documents for the Adams County stream restoration project, the Willoughby Run project is forthcoming and then Mr. Clauser will be preparing the permit applications. He added that they have completed the survey of the Twin Lakes West basin retrofit and they are working on the survey for the

Longview Estates basins.

Police Report: Acting Police Chief Matthew Trostel presented an oral and written report of police activities for the month of February, 2022 including; 170 calls for service, 11 criminal incidents and 6,081 patrol miles. He also reported that an anonymous donation of \$2,000.00 was made in memory of Township resident and neighbor Bill Stodart who passed away in November. Officer Jered Marshall continues his training with Detective/Sgt. Steve Higgs. The Department assisted Gettysburg College with data and stats for a PLCB Grant related to underage drinking and DUI within 5 miles of their campus. The new server will be fully operational once the Watchguard MVR software migration has been completed. Car 159 has been sold on Municibid for \$8,600.00 and the 2022 Dodge Durango order was cancelled by Chrysler. Four marked vehicles now have working speed timing devices as opposed to only one vehicle with a working speed timing device last month. The department will participate in a National Drug Take Back on April 30 at Carroll Valley Borough and Adams County Collaborating for Youth delivered 25 new Narcan kits to the department that are being put to use on the street. Lastly, the officers have been working with Chief Camacho who is performing an evaluation of the department and he is getting positive feedback from the officers. Acting Police Chief Trostel introduced Officer Daniel Barbagello who is a member of the Adams County Crisis Intervention Team.

Officer Barbagello presented information regarding his position as a Crisis Intervention Officer. He stated that the number one goal of crisis intervention and negotiation is to save lives followed by reducing and preventing injury to both the person that is in crisis and responding personnel. He reported that his skill set over the last ten years has been specifically mental health and crisis response and he became a negotiator in 2014. He holds certifications for CIT and CIT instructor, is a crisis intervention specialist, a certified hostage crisis negotiator and Police Chaplain. Officer Barbagello also reported on the calls that they have in a month's time, most of which are occurring in the Township.

Maintenance Department Report: Mr. Chris Walter, Superintendent of Roads, gave a report for the month of March. He reported that there was a snow event and he thanked the Police Department for their cooperation saving them time and fuel. He added that the salt and anti-skid supply has been restocked. The streets will tentatively be swept after April 11th by Gettysburg Borough through intermunicipal cooperation and this also saves the Township money. They have been working on getting the concrete pad poured for the above-ground fuel tank and bids were opened for this year's road work and they are on the agenda for action later. Lastly, Mr. Walter reported that he has been working with Adams County and a clean-up day at Oak Lawn Cemetery has been scheduled for Thursday, March 31st at 9:00 a.m. with a rain date of Thursday, April 7th.

Active Business:

Mr. Thomas presented Carol Merryman, Township Secretary, with a lovely planter in recognition of her being in her 29th year of employment with the Township.

Mr. Thomas also reported that the Township adopted Resolution 2021-13 for a Liquor License transfer for Michael Segarra that needs to be modified to name Barbosa Segarra, LLC as the legal entity. **Mrs. Biggins made a motion to approve the modification of Resolution 2021-13 by adoption of Resolution 2022-13. The motion was seconded by Mrs. Ramsburg and carried.**

Mr. Thomas reported the following bids for the paving project in the Woodcrest Development as follows:

- **Stewart and Tate, Inc., York, PA** **\$270,605.00**
- **New Enterprise Stone and Lime, Chambersburg, PA** **\$229,410.00**
- **C. E. Williams Sons, Inc., Gettysburg, PA** **\$280,950.00**

- **AAA Paving and Excavating, Waynesboro, PA** **\$273,153.50**

Mr. Thomas also reported that there was one bid received for double seal coat and fog seal on various Township roads as follows:

- **Russell Standard Corporation, Fayetteville, PA** **\$174,200.00**

Mr. Thomas added that the projects will be paid for with General Fund and Liquid Fuels funds and will be under budget. Solicitor Wisner stated that he did look at the bids and they appear to be in order. **Mr. Phiel made a motion to accept the low bids from New Enterprise Stone and Lime, in the amount of \$229,410.00, and Russell Standard Corporation, in the amount of \$174,200.00 seconded by Mrs. Ramsburg and carried.**

Mr. Thomas asked the Board to adopt a resolution for a Pa. Race Horse Gaming Act Statewide Local Share Assessment Grant, as a potential source of grant funding for three new police vehicles, in the amount of \$146,262.00. **Mr. Brauning made a motion to adopt Resolution 2022-14 seconded by Mrs. Biggins and carried.**

RESOLUTION NO. 2022-14

A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, FORMALLY REQUESTING A STATEWIDE LOCAL SHARE ASSESSMENT GRANT AND DESIGNATING BEN THOMAS, JR., TOWNSHIP MANAGER, AND CAROL MERRYMAN, TOWNSHIP SECRETARY, AS THE OFFICIALS TO EXECUTE ALL DOCUMENTS AND AGREEMENTS NECESSARY TO FACILITATE AND ASSIST IN OBTAINING THE STATEWIDE LOCAL SHARE ASSESSMENT GRANT

Mr. Thomas reported that he also submitted a Pa. Race Horse Gaming Act grant application on behalf of Cumberland Township Authority for \$1,000,000.00 for sewer plant and system upgrades. He added that our MAP Grant application has been extended yet another year and we have finally received the PennDOT Traffic Signal General Permit application that goes with the Green Light Go application for traffic improvements at the intersection of Herr’s Ridge Road and SR 0030 and are researching information with Adams County’s Recovery Funds.

Mr. Thomas recommended that Acting Police Chief Trostel be appointed as the Police Department’s Right-to-Know Officer. **Mrs. Ramsburg made a motion to appoint Acting Police Chief Trostel as the Police Department’s Right-to-Know Officer seconded by Mr. Phiel and carried.**

Mrs. Stouck-Phiel reported that the E-cycling events will be held on April 9, 2022 at East Berlin Borough at their park and on September 10, 2022 in Straban Township at the Emergency Services Building. The times for both are 8:00 a.m. until 10:00 a.m.

Mrs. Biggins made a motion seconded by Mr. Brauning and carried to approve the HRA Plan Documents from Gunn-Mowery that are required to maintain the plan and there is no change from last year.

Mr. Thomas stated that he would like to have several workshops with the Board and community so the plans for the MS4 projects can be reviewed, regarding the American Rescue Plan funds after the first audit due April 30th and for review of the Comprehensive Zoning Update prior to having public open houses.

FINANCE COMMITTEE: Mr. Phiel and Mrs. Biggins reported that the committee is recommending the following purchases:

Pipe from LB Water in the amount of \$5,919.20 and this is a budgeted item. **Approved by a**

Ramsburg/Brauning motion.

The purchase of two emergency blue light phones from Teleplus in the amount of \$5,651.00 to be paid from the building improvement funds because it is not budgeted. **The purchase was discussed and approved by a Brauning/Biggins motion.**

The purchase of duty bag shelving for the Police station in the amount of \$1,100.00. **The purchase was discussed and approved by a Phiel/Biggins motion.**

The purchase of a cargo box for Car 155 (new Durango) in the amount of \$1,209.68 budgeted from the Capital Reserve Fund. **The purchase was discussed and approved by a Phiel/Brauning motion.**

The purchase of 2022 ammunition in the amount of \$9,350.00 that is budgeted and is being purchased through the COSTARS program was approved by a Brauning/Ramsburg motion.

PERSONNEL – Mrs. Ramsburg reported that there are vacancies on the Zoning Hearing Board and the Agricultural Security Area Advisory Committee.

SOLICITOR: Solicitor Wisner reported that he has prepared an addendum to the contract for waste collection with Waste Connections because they desire to use an alternate collection vehicle. He added that under the contract they are required to use a side or rear loading collection vehicle, they are asking to use a front loading collection vehicle and they are asking for a three-month trial period. He added that if things do not work well, the Township can tell Waste Connections to go back to side or rear loading collection vehicles. **Mr. Brauning made a motion to approve the Memorandum of Understanding with Waste Connection as explained by Solicitor Wisner seconded by Mrs. Biggins and carried.** Solicitor Wisner also reported that the Stream Restoration Easement Agreement with Adams County is being reviewed and he hopes to have that for action at the April meeting.

Committee Reports and comments from Board Members:

Public Safety – Mrs. Biggins suggested that at the next meeting they go over the purchases that have been made with the donations from Mr. and Mrs. Davis. She also reported that the \$2,000.00 donation that was made in memory of Bill Stodart was received in December and turned over to the Finance Committee for deposit in February. Mrs. Biggins also stated that the last donation that was given to the former Police Chief was received on 1/25/22 and turned over to the Township Treasurer on 2/22/22. Acting Police Chief Trostel explained that the former Police Chief asked the officers to deposit the donation into their Police Association account, but they were not comfortable with that for several reasons. He added that the police officers turned the donation over to the Treasurer and the donation was deposited into the General Fund and designated for use by the Police Department. Acting Police Chief Trostel stated that the donations are used for items on their “wish list” and the police officers are adequately equipped by the Township.

Park and Recreation – Mr. Toddes reported that the Rec Park is very busy, there are a lot of kids using the park and the ball fields. He added that the July 4th activities are on and they will be having more than what they had last year.

CTA - Mr. Toddes reported that the CTA Board is discussing their capacity, pipe sizes etc. since there is a lot of development on the horizon.

COG – Mr. Phiel reported that attendance has been good and they are moving the meeting back to the Emergency Services Building.

Highways, Personnel, Planning and Zoning, COG, Economic Development, CT 411 – No reports

Mr. Thomas reported that Mrs. Stouck-Phiel applied for and got another \$1,000.00 Wellness Grant from Benecon and he thanked her for that.

The Zoning Officer and Treasurer’s reports were reviewed.

Mrs. Stouck-Phiel reported that she attended the State and Local Fiscal Recovery Funds (SLFRF) webinar that was hosted by the U. S. Treasury regarding the ARPA program and reporting requirements that are due by April 30th and then annually. She added that she has heard that many Townships are hiring accounting firms to prepare the report and that was discussed. Solicitor Wisner stated that the revenue loss option (standard allowance) provides for the most flexibility in use and least amount of continued reporting. He added that the Township has the option to do that and the Finance Committee should talk about that.

Mrs. Ramsburg and Mr. Toddes thanked the staff for working together.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 9:15 P.M. for an Executive Session to discuss personnel and real property matters with no action to follow.

Carol A. Merryman, Secretary

_____)
_____)
_____) Supervisors
_____)
_____)