

**Cumberland Township Board of Supervisors  
Minutes of the August 23, 2011 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairman Waybright. Present were all Supervisors; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Assistant Secretary Carol Merryman, Police Sergeant Cliff Molloy and Engineer Tim Knoebel. Visitors present were: Martin Hill, Jim Piet, Dale Molina, Carolyn Greaney, Al Ferranto, Don Sangirardi, Steve Tallman, Rich Kitner, Steve Toddes, Speros Marinos, Mike Jackman, Stan Clark, Jeff Stough, Elizabeth Magner and Scot Pitzer from The Gettysburg Times and Tim Prudente from The Evening Sun. The meeting was tape recorded.

Chairman Waybright led the Pledge of Allegiance.

**Mrs. Golden made a motion to approve the Minutes of the July 21, 2011 workshop and July 26, 2011 regular meeting, as written, seconded by Mrs. Underwood and carried.**

**Mr. Phiel made a motion to pay the bills, in the amount of \$79,070.23 from the General Fund, seconded by Mr. Shealer and carried.**

**Engineer's Items:**

Mr. Thomas reported that everything has not quite been worked out with the developer of Cumberland Village regarding the sharing of the improvements to Herr's Ridge Road so there is no action to be taken.

Mr. Knoebel reported that there are a few items on the punch list to be completed at Patriot's Choice, but they are minor and can be addressed during the maintenance period and a maintenance bond is in place. He added that all of the paperwork is in order and a resolution has been prepared regarding the acceptance of the Deed of Dedication for the following streets: South Avenue, Laura Lane, Bryan Court, Boyd's School Road and Waterford Court. **Mrs. Underwood made a motion to adopt Resolution 2011-15 as follows; per the positive position of the Township's Engineer, Solicitor and Roadmaster, seconded by Mr. Phiel and carried.**

**Resolution 2011-15**

**A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA LAYING OUT AND OPENING STREETS IN THE FINAL SUBDIVISION PLANS FOR PHASE I AND PHASE II OF PATRIOT'S CHOICE: A PLANNED RESIDENTIAL COMMUNITY; SOUTH AVENUE, LAURA LANE, BRYAN COURT, BOYD'S SCHOOL ROAD AND WATERFORD COURT**

Mr. Knoebel also reported that a request has been made for the acceptance of a Deed of Dedication for Meadow Drive in the last remaining portion of The Meadows Development. He added that he has an as-built plan and the work has been completed, but they are still working on the Maintenance Bond and Deed of Dedication. Solicitor Wisner reported that he is happy with the Deed of Dedication, once it is executed, and they are requesting to offer a Letter of Credit for financial security and he is fine with that, but he will need to review it for form. **Mr. Phiel made a motion to approve Resolution 2011-16 conditioned upon the receipt of an executed Deed of Dedication; a Letter of Credit, in an amount approved by the Township Engineer and in a form approved by the Township Solicitor, no later than 9:00 a.m. on August 31, 2011. The motion was seconded by Mr. Shealer and carried.**

**Resolution 2011-16**

**A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA LAYING OUT AND OPENING A STREET IN THE MEADOWS SUBDIVISION; MEADOW DRIVE**

Mr. Knoebel also reported that Hagemeyer North America has requested a total release of the financial security for their project; an electric supply building on Biglerville Road, and he has prepared a report dated August 15, 2011 recommending a full release. **Mrs. Golden made a motion to release the financial security for the Gettysburg Construction Co., Hagemeyer North America building, in the amount of \$125,895.90, seconded by Mrs. Underwood and carried.**

Lastly, Mr. Knoebel reported that he has received the amended Land Development Plan for Comfort Suites and will be reviewing it next week.

#### **Public comment:**

Mr. Speros Marinos, 912 Baltimore Pike, reported on behalf of the Cumberland Township Historic Society that they are a group of township historians with no political ties or concerns with Township government, have no stance on the closing of Bream Hill Road at this time and their next meeting is September 12, 2011 at 7:00 p.m. at the Church of the Brethren.

Mr. Don Sangirardi, 51 Hunter's Trail, questioned the Township's ability to get lower health insurance rates than the Federal government and also expressed his concern about the Township "self-insuring." Mrs. Golden clarified that the limit of the Township's liability is the \$1,000.00 individual/\$2,000.00 family deductible and it is working very well for the Township and has saved and will continue to save the Township a lot of money.

Mr. Al Ferranto, 501 Knight Road, asked the Supervisors to give up their health and dental benefits and he reported the amount spent on these benefits in each of the five previous years. He also asked that the payment of the copays and deductibles be rescinded. He expressed his concern about waivers that were granted on the Cumberland Village, Phase I Subdivision Plans.

Mr. Mike Jackman, 862 Boyd's School Road, thanked the Board and staff for their work in getting the streets in Patriot's Choice dedicated and stated that they are looking forward to the Township taking over the maintenance of their streets.

#### **Police Report:**

Police Sergeant Molloy presented a written and oral report of police activities for the month of July including 451 complaints, 78 combined arrests, 115 traffic stops, 11 traffic accidents and 6,170 patrol miles. He added that they assisted other agencies 11 times and they were assisted 6 times. Mrs. Underwood reported that the Cumberland Township Police Union Teamsters Local 776 has approved the Highmark Blue Shield health care plan, as proposed, and it will be effective September 1, 2011. Police Sergeant Molloy reported that there have been residential and commercial burglaries in the past month and they seem to be targeting copper pipe.

#### **Active Business:**

**Mr. Phiel made a motion seconded by Mrs. Underwood and carried to schedule a Conditional Use Hearing for Cumberland Township Authority's proposed Willoughby Run Pump Station on Tuesday, September 27, 2011 at 6:45 p.m. just prior to the regular meeting.**

Mr. Thomas reported that the proposed By-Laws and Ordinance for the change to York Adams Tax Bureau as the Township's tax collector for Earned Income Tax and Local Services Tax has been sent to the Supervisors and Solicitor for review. He added that he is working with the Tax Collection Committee to do a joint advertisement for all affected municipalities in the county to save money and action will be needed at the September 27<sup>th</sup> meeting. The change to York Adams Tax Bureau is effective January 1, 2012.

Mr. Thomas thanked Ms. T. Elizabeth Magner for her letter suspending her application for her property to be placed in the Township's Agricultural Security Area (ASA) until next year. He reported that the Township

intends to open their ASA once a year in June or July and hold the required Public Hearing in August and this information has been given to Adams County and will be placed on the Township's website. **Mrs. Underwood made a motion to acknowledge receipt of Ms. Magner's letter seconded by Mr. Phiel and carried.**

**New Business:**

Mr. Thomas asked the Board to consider adopting a fee in January, 2012 to assess a \$50.00 re-stamping fee for subdivision and land development plans that are not recorded within the 90-day time limit.

**Reports:**

Mr. Thomas reported that he attended the National Park Service Advisory Committee meeting and that Superintendent Kirby gave a presentation on all of the activities that the Park Service was involved with this summer. The Superintendent also presented a written informational report that he can provide a copy of to anyone who would like it. The Superintendent also reported that the former Country Club property is open to the public and will be undergoing a very extensive land use study.

The Zoning Officer and Assistant Secretary's reports were reviewed.

**Solicitor:**

Solicitor Wisner requested a brief Executive Session to discuss contractual negotiations.

Chairman Waybright stated that recently a comment was made regarding the trustworthiness of the Township staff and that this comment did not sit well with him or the rest of the Board. The Board has prepared a letter to each member of the staff and he read it as follows:

“TO THE EMPLOYEES OF CUMBERLAND TOWNSHIP AND CUMBERLAND TOWNSHIP AUTHORITY

This past year has presented challenges and issues that have never occurred in our Township before. Your continued professionalism to your job and the residents of Cumberland Township are greatly appreciated.

Thank you for all you do above and beyond the normal scope of your job.

You are indeed a valued and trusted employee.”

Board of Supervisors, Cumberland Township

- /sgn/ David P. Waybright, Chairman
- /sgn/ Barbara H. Underwood, Vice-Chairman
- /sgn/ Randy L. Phiel
- /sgn/ Debra Golden
- /sgn/ Thomas D. Shealer

At 8:10 p.m., Chairman Waybright adjourned the regular meeting for an Executive Session with no report to follow.

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

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