

Cumberland Township Board of Supervisors
ACT 537 ISSUE SPECIFIC STUDY HEARING AND PRESENTATION
March 25, 2014

At 6:00 p.m., Chair Underwood called the public hearing to order. Present were all Supervisors: Underwood, Paddock, Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineers Tim Knoebel and Ben Mayer; Secretary Carol Merryman and Court Reporter Deb Zepp. There were approximately 20 others present including Vanessa Pellechio from The Gettysburg Times.

Engineer Tim Knoebel gave a Power Point presentation of the Act 537 Issue Specific Special Study followed by Solicitor Wisner conducting the hearing which closed at 7:25 p.m. Please see transcript for the entire record of the hearing.

Minutes of the March 25, 2014 Meeting

The regular meeting was called to order at 7:00 p.m. by Chairperson Underwood. Present were all Supervisors: Underwood, Paddock, Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineers Tim Knoebel and Ben Mayer; and Secretary Carol Merryman. Others present were: Dale Molina, Carolyn Greaney, Steve Tallman, Jim Henderson, Elizabeth Magner, Barry and Jean Stone, Terry Sheldon, Scott Milhimes, Riley Hollingsworth, Jim Piet and Vanessa Pellechio from The Gettysburg Times. The meeting was recorded.

Chairperson Underwood led the Pledge of Allegiance.

Mr. Ferranto made a motion to approve the Minutes of the February 25, 2014 Meeting seconded by Mr. Toddes and carried 5-0.

Mr. Ferranto also made a motion to pay the bills, in the amount of \$65,661.95 from the General Fund, \$6,140.00 from the Escrow Fund and \$2,028.14 from the State Fund seconded by Mr. Waybright and carried 5-0.

Engineer/Plans:

Mr. Knoebel reported that the Scott and Michelle Milhimes Land Development Plan was discussed at length at the workshop and he stated that he is recommending approval of the plan contingent upon the comments of his March 19, 2014 letter being addressed. He reported the plan proposes the combination of two lots and the expansion of an existing auto repair business located on Chambersburg Road with the construction of a 3,600 square foot building. He added that the project has Conditional Use approval by the Board and there is one waiver request to Section 304.3.A.2 of the Subdivision and Land Development Ordinance that requires the E & S plan approval by the Adams County Conservation District. **Mr. Ferranto made a motion to approve the waiver to Section 304.3.A.2 seconded by Mr. Toddes and carried 5-0. Mr. Ferranto also made a motion to approve the Scott and Michelle Milhimes Final Subdivision and Land Development Plan and Lot Consolidation Plan subject to the comments of the engineer's March 19, 2014 letter being addressed and authorizing the Chair to execute the Memorandum of Understanding that addresses future connection to public sewer seconded by Mr. Toddes and carried 5-0.**

Mr. Knoebel also reported that Misty Ridge Lot 10 Final Land Development Plan was also discussed at great length at the workshop and since then the waiver request for the road slope to be less than 1% in two places has been withdrawn and the plan will be updated to address that. He reported that Lot 10 proposes

50 attached condominium dwelling units, a community building and associated parking, a half basketball court, 5 foot wide walking trails and the completion of Misty Ridge Rd. This project is located on Biglerville Road. He also stated that there will be a Developer's Agreement for this project and that will encompass all of the administrative items and memorializes everything that still needs to happen. Mr. Knoebel also requested that the approval of the plan be contingent upon the comments in his February 11, 2014 letter as well as his March 19, 2014 letter. Solicitor Wisner reported that the developer will remit the recreation fee and then make a request for the fee to be released when they need it to spend on their recreation area within the development and this will be included in the Developer's Agreement. He added that the Township will be getting bonding from the developer and they will pay traffic impact fees. **Mr. Ferranto made a motion to conditionally approve the Misty Ridge Lot 10 Final Land Development Plan subject to the comments of KPI dated February 11, 2014 and March 19, 2014 and specifically providing a Developer's Agreement that is satisfactory to the Township Solicitor and staff seconded by Mr. Paddock and carried 5-0.**

Mr. Knoebel also reported that they are still working on the Cumberland Village Americans with Disabilities Act (ADA) Action Plan and Memorandum of Understanding (MOU) and it deals with the handicap accessible facilities and the continuation of a sidewalk in the development down to the end of Fairplay Road where there is a small shopping center and eliminating a short portion of sidewalk on the opposite side of the road. He added that this should make the dedication of the public facilities go smoothly and is necessary because the approved plan is now dated and ADA requirements have changed. Solicitor Wisner reported that they have been working on the MOU and the developer, Mr. Hill, has agreed to everything except for a termination date for the agreement and does feel that they will be able to work this out.

Public Comment:

Ms. Elizabeth Magner, 470 Belmont Road, explained that she was at the last meeting 28 days ago and there may have been eight days of those last 28 that she has been able to use her heat due to the odor from the Keller poultry operation. She asked the Board who she is supposed to call and feels she has been robbed of her property and peace of mind. Mr. Paddock offered to make some calls to see what he could find out for her. The Board and Solicitor suggested that she contact her State Legislators because they have taken all control away from the local officials.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of February including; 257 complaints, 50 traffic stops, 30 combined arrests, 10 traffic accidents, 11 targeted enforcements and 8,651 patrol miles. He added that they assisted other agencies 20 times and they were assisted four times.

Active Business:

Mr. Thomas reported that he is asking the Board for authorization to advertise and bid the 2014 road projects listed below. He also reported that the Township's Liquid Fuels allocation for 2014 was \$193,738.47 and along with the surplus there is a current balance in the fund of \$343,500.00 that is restricted to road related expenses or equipment purchases. Mr. Thomas added that \$35,000.00 is being held for the Township's share of the Belmont Road Bridge replacement project.

Single Seal Coat / Fiber	Double Seal Coat	Micro Surface / Fiber	Hot Mix, Wearing & Scratch
Willoughby Run Rd. - \$75,249	Natural Dam Rd. - \$31,299	Meadow Drive - \$26,790	Hunter's Trail – moved to 2015
Ridge Rd. - \$44,744	Blacksmith Shop Rd. - \$31,240	Round Top Lane - \$48,725	
	McCallister Mill Rd. - \$1,549	Pin Oak Lane - \$28,315	
	Bream Hill Rd. - \$3,251	Creekside Court - \$10,778	
	Chapel Ridge Rd. - \$2,273	Skyline Court – \$36,355	

Mr. Ferranto made a motion to authorize the advertisement and bidding of the proposed 2014 road projects as presented by Mr. Thomas seconded by Mr. Waybright and carried 5-0.

Mr. Thomas also reported that he would like the Board to think about the 2015 projects and their funding.

- Hunter's Trail – Hot Mix, Wearing and Scratch \$151,436
- Contribution for Old Mill Rd. rebuild \$150,000
- Park Ave – Full Depth Reclamation / Overlay \$185,856
- Willoughby Run Bridge @ Blackhorse Tavern P/M \$34,775
- Complete repair to Herr's Ridge Rd. (from Mummasburg Rd. to Biglerville Rd.) \$722,773
- Line Painting \$13,000

Mr. Thomas reported that these projects total \$1.4 to \$1.5 million and he asked the Board to consider borrowing the money from the Pennsylvania Infrastructure Bank (PIB) at about 1.6% interest over a 10 year term. He added that repayment of the loan could possibly come from surplus in the General Fund, Traffic Impact Fees (if allowed), a portion of Liquid Fuels funds (being cautious to allow enough for road maintenance needs) and a restricted Real Estate tax for road reconstruction only. Mr. Thomas told the Board that it would take about six month to get a PIB loan approved so he would like to have a decision by June so the process could be started. He added that the Road Department budget is 17% of the Township's total budget and he would like to see the Township become more proactive with their road maintenance.

Mr. Thomas reported that Intern Josh Ehrman has completed one half of his 300 internship hours and he is requesting payment of \$2,500.00. He added that he is very, very pleased with the two projects that Josh is working on and the money to pay him comes from a grant. **Mr. Ferranto made a motion to pay Intern Josh Ehrman \$2,500.00 for 150 hours of his internship seconded by Mr. Toddes and carried 5-0.**

Mr. Thomas reported on the Adams County Tax Collection Committee, York Adams Tax Bureau and Act 32 Legislation that consolidated Earned Income Tax Bureaus down to about 57 or 58 from approximately 1,000. He added that he believes that Act 32 is working and the Township is seeing an income increase because of a decrease in unallocated funds. He also reported that CENTAX no longer exists and Berkheimer Tax Collection Agency has been working on what was left from CENTAX and the Township did receive a small amount of funds that CENTAX had collected and this could go on for some time yet. Mr. Thomas also reported that York Adams Tax Bureau has received records from Berkheimer and they are examining them on behalf of their clients to see if there are any additional funds owed to the Township or are owing to someone else.

Mr. Thomas also reported that the YWCA is requesting the Township to accept a \$2 million liability insurance policy in lieu of the required \$5 million for their Race against Racism on April 26, 2014 and Spirit of Gettysburg on June 21, 2014. **Mr. Ferranto made a motion to waive the \$5 million liability insurance policy and accept a \$2 million liability insurance policy for both events, as requested, seconded by Mr. Toddes and carried 5-0.**

Solicitor: Brief Executive Session requested.

Committee Reports and comments from Board Members:

Finance - Chair Underwood requested a motion to approve the Police Department replacement camera security system as discussed on February 25, 2014. **Mr. Ferranto made a motion to approve the replacement of the camera security system in the Police Department seconded by Mr. Waybright and carried 5-0.** Chair Underwood also reported that the committee is recommending the purchase of a 2014 Chevy Tahoe PPV, 2WD via the Westmoreland Council of Governments Cooperative Purchasing

Contract from Day Chevrolet, in the total amount of \$33,878.00, including equipment, which was budgeted in the Capital Reserve Fund. She added that car #7 will be sold via the sealed bid process. **Mr. Waybright made a motion to approve the purchase of the 2014 Chevy Tahoe seconded by Mr. Toddes and carried 5-0.** Lastly, Chair Underwood reported that the Police have received three bids for ten mobile cubicles and would like to accept the local bid from Eicholtz Co. although it is a little higher than the others; it is for a better quality cubicle, gives task lights in the cubicles and they will do the installation for \$275.00. She added that \$12,000.00 was budgeted for these renovations. **Mr. Toddes made a motion to approve the purchase of the cubicles from Eicholtz Co., seconded by Mr. Paddock and carried 5-0.**

Personnel – Chair Underwood reported that Road Department employee Mike Redding has successfully completed his six month probation period and can be moved to full-time status and Police Sgt. Matthew Trostel has also completed his one-year probation period for his promotion to the Sergeant’s position and can be moved to non-probationary status.

Chair Underwood reported that there was a media session held in the Board meeting room today with District Attorney Shawn Wagner and others regarding medication collection and the prescription drug overdose problem that we have in the County. She added that there is now a box located in the lobby of the Police Department where people can drop off their unused medications (including pet medications).

Mr. Waybright reported that PennDOT is putting up the Cumberland Township name signs at the borders on their roads where you enter into the Township.

Mr. Ferranto complimented the Gettysburg Area Recreation Authority (GARA) for all of their time and hard work and he thanked Mr. Toddes for his participation.

Chair Underwood also reported that it had been stated that the April 24, 2014 Workshop would be cancelled because it conflicted with the COG Legislative Forum, but the Workshop is on April 17, 2014 so no cancelation is necessary.

Staff Reports:

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

There being no further business, the meeting was adjourned at 9:01 p.m. for an Executive Session with no report to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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