

**Cumberland Township Board of Supervisors
Minutes of the June 23, 2015 Meeting 6:00 P.M.**

**Conditional Use Hearing for Leonardo and Kathleen Marinelli
for self-service storage buildings at 7:00 P. M.**

The regular meeting was called to order at 6:00 p.m. by Chair Underwood. Present were Supervisors: Underwood, Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer representative Leah Heine and Secretary Carol Merryman. Others present were: Dale Molina, Carolyn Greaney, Speros Marinos, Steve Tallman, Barry and Jean Stone, Chad Claybaugh, Harry Holt, John Shambaugh, Zach Gulden and Ken Knox from The Gettysburg Times. The meeting was recorded. Mr. Paddock was absent.

Chair Underwood led the Pledge of Allegiance.

Mr. Ferranto made a motion to approve the Addendum to the Minutes of the April 28, 2015 meeting and the May 26, 2015 Minutes and Addendum seconded by Mr. Toddes and carried.

Mr. Waybright made a motion to approve the bill list in the amounts of: \$65,890.79 from the General Fund and \$2,117.00 from the Escrow Fund seconded by Mr. Ferranto and carried.

Engineer/Plans:

Ms. Leah Heine explained that they did not receive a bond reduction request from St. Francis Xavier. She turned the floor over to Chad Claybaugh, C. S. Davidson, engineer for the project. Mr. Harry Holt from St. Francis Xavier explained to the Board that they did finally work through the easement with Columbia Gas Transmission but, due to the time that has taken, PennDOT is requiring a new Highway Occupancy Permit application and for this reason has to request another extension for the completion of the intersection improvement project at Boyd's School Road and Table Rock Road. Mr. Claybaugh added that PennDOT is also requiring another structural adequacy approval, that takes approximately six months to prepare and they will not be able to start the project in 2015. Solicitor Wisner is going to investigate to see if there is any way to speed the review up by PennDOT. Mr. Thomas suggested that this item be tabled and action be taken at the workshop on July 9, 2015.

Ms. Leah Heine also presented a project status report for Misty Ridge, Lot 10 and Cannon Ridge dated June 19, 2015.

Ms. Heine reported that a Sewage Facilities Planning Module has been received for the Gettysburg Battlefield Resorts on Emmitsburg Road. The proposed private treatment plant will be designed to serve the entire resort (approximately 20,000 gallons per day) and replace existing on-lot drain fields that are showing signs of failure. Ms. Heine reported that the Planning Commission has completed the 4A Form and that has been made part of the module and many of the comments on the June 16th memo have been addressed. She added that because of the Greenmount Act 537 Plan, if public sewer ever became available (within 1,000 feet) they would have to abandon their treatment plant and connect to the public sewer. Solicitor Wisner stated that an agreement is required and he felt that PA Dept. of Environmental Protection (PaDEP) would also require it. She added that no agreement has been submitted as part of the module and feels that makes the application incomplete and the applicant has been advised of this.

Public Comment:

Mr. Speros Marinos, 912 Baltimore Pike, thanked the Police Department for their presence during the memorial ride for Jennifer LeVan that was very respectful and very nice. He indicated that he could answer questions regarding the Gettysburg Outlets / Olswfski plan because his property borders it and asked that the zoning of his property be changed.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of May including; 582 complaints, 278 traffic stops, 237 combined arrests, 10 traffic accidents, 62 targeted enforcements and 11,742 patrol miles. He added that they assisted other agencies 19 times and they were assisted five times.

Chair Underwood reported that WellSpan is no longer providing ambulance and paramedic services. These services will be provided by Adams Regional Emergency Medical Services (AREMS) a new 501C3 and this requires the approval of new box card assignments.

Active Business:

Mr. Thomas explained the request from the Gettysburg Fire Department for the associated departments of Gettysburg FD, Bonneauville FD, United FD, Biglerville FD and S.A.V.E.S. FD to update their "Box" EMS response assignments and the use of Mobile Intensive Care Units (MICU) and a chase unit due to the change to AREMS. **Mr. Ferranto made a motion to accept the "Box" cards seconded by Mr. Toddes and carried.**

Mr. Thomas also reported that Cumberland Township Authority is reviewing their current debt terms with Public Financial Management (PFM) and he brings this information to the Board because the Township is the guarantor for the Authority's loan. He added that the existing loan is for approximately \$4.5 million and the current interest rate is 3.5% for the first ten years and thereafter could go as high as 9%. He added that the Authority has authorized their Solicitor to enter into a discussion with the bank that currently holds the loan in an attempt to get a lower and fixed rate with a potential cost savings of \$150,000.00 plus.

Mr. Thomas also requested the re-signing of the Gettysburg Outlets / Olswfski land development plan that was originally approved on September 25, 2012 as they are finally getting their approvals from Mt. Joy Township. **Mr. Ferranto made a motion to re-approve and authorize the Chair to sign the Gettysburg Outlets / Olswfski land development plan seconded by Mr. Waybright and carried.**

Solicitor – Mr. Wisser reported that he has prepared and duly advertised Ordinance 2015-159 which amends the Amusement Tax Ordinance to include a 2% administrative fee reduction for the compensation of collecting the tax. **Mr. Ferranto made a motion seconded by Mr. Toddes and carried to adopt Ordinance 2015-159 as follows:**

ORDINANCE 2015-159

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24, PART 1, OF THE CODE OF THE TOWNSHIP OF CUMBERLAND, REGARDING AMUSEMENT TAX PERMIT EXPIRATION AND PERMITTED DEDUCTION BY THE AMUSEMENT TAX COLLECTOR

Mr. Wisner also gave an update on amending the Special Events Ordinance mainly concerning the insurance requirement and he has discussed this with Nathan Hockley to ensure that the requirement is in conformance with industry standards for general liability insurance. He added that they have noticed that there are other provisions in the ordinance that need to be modified as well and he is working on a comprehensive modification of the ordinance to be ready for action later this Fall.

Committee Reports and comments from Board Members:

Finance – The committee is requesting approval to purchase/replace the existing 25 year old tractor/mower that is in poor condition. The purchase will be through the Co-stars program for a four-wheel drive John Deere tractor in the amount of \$15,822.72. Mr. Thomas suggested that the tractor be paid for 60% from the Capital Reserve Fund and 40% from the Park and Rec Fund since it will be used to mow the future recreation property. Mr. Thomas added that the old tractor could be sold for approximately \$2,500.00 and those funds returned to the Capital Reserve Fund. **Mr. Waybright made a motion to approve the purchase of the new tractor/mower and deem the old tractor/mower as surplus seconded by Mr. Toddes and carried.** In accordance with the budget, Mr. Thomas recommended that \$35,000.00 be transferred from the General Fund to the Capital Reserve Fund. **Mr. Toddes made a motion to approve a \$35,000.00 transfer from the General Fund to the Capital Reserve Fund, as budgeted, seconded by Mr. Waybright and carried.**

Public Safety – Chair Underwood reported that the Police Department has lost two part-time officers and would like authorization to hire Derek J. Hartman. She added that the committee has met with Mr. Hartman and are recommending that he fill one of the vacancies. **Mr. Toddes made a motion to hire Derek J. Hartman as a part-time Police officer seconded by Mr. Ferranto and carried.** Chair Underwood also reported that discussions have begun with Adams County regarding problems at the Sachs Bridge that is in Cumberland Township on one side of the bridge and Freedom Township on the other side of the bridge.

Highway Administration – Mr. Thomas reported that the 2015 road projects have been approved and there is some preparatory work (crack seal and poly patch) that needs to be done first. He added that the work will be slightly over the \$19,400.00 limit that requires the work to be bid. He asked the Board to authorize the advertisement for this work to be bid. **Mr. Waybright made a motion to authorize the advertisement for bids for the crack seal and poly patch preparatory work seconded by Mr. Toddes and carried.**

Planning and Zoning – Regional Comprehensive Plan – Chair Underwood reported that the meetings continue.

Staff Report:

Mr. Thomas reported that the Gettysburg Fire Department canceled their carnival due to the rainy weather conditions.

The Zoning Officer and Secretary's reports were reviewed.

Chair Underwood adjourned the regular meeting at 6:58 p.m.

**Conditional Use Hearing for Leonardo and Kathleen Marinelli
for self-service storage buildings at 7:00 P. M.**

At 7:00 p.m. the Conditional Use Hearing for the Leonardo and Kathleen Marinelli application for a Self-Service Storage Facility located at 1101 Biglerville Road was commenced. Solicitor Wisner presided over the hearing and there were comments from the Zoning Officer, applicant's representatives and the public. The hearing was closed at 7:33 p.m. and the regular meeting continued. Please see the transcript prepared by Deb Zepp, Court Reporter, for a full record of the hearing.

The regular meeting was reconvened at 7:35 p.m. by Chair Underwood.

Mr. Toddles made a motion to approve the Conditional Use application from Leonardo and Kathleen Marinelli for self-service storage facilities with the conditions that there be no outdoor storage of vehicles, boats or similar items and no retail business being conducted from the storage units; businesses may use a unit for storage, seconded by Mr. Waybright and carried.

Unless otherwise noted, all votes were unanimous.

At 7:37 p.m. the meeting was adjourned for an Executive Session regarding personnel matters with no report to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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