

**Cumberland Township Board of Supervisors  
Minutes of the March 24, 2015 Meeting**

The regular meeting was called to order at 6:00 p.m. by Chair Underwood. Present were all Supervisors: Underwood, Paddock, Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Jason Kelso, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer Tim Knoebel and Secretary Carol Merryman. Others present were: Dale Molina, Carolyn Greaney, Barry and Jean Stone, Jim Henderson, Bob Sharrah, Elizabeth Magner, Phil and Barbara Wolf, David Bolton, Chris Entenmann, Pam Keller, Doug Cooke and Jeff Widmer from The Gettysburg Times. The meeting was recorded.

Chair Underwood led the Pledge of Allegiance.

Chair Underwood stated that, as advertised for 6:00 p.m., the Supervisors will consider two ordinances as follows:

**ORDINANCE 2015-156**

**“AN ORDINANCE OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, AUTHORIZING ENTRANCE INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT TO ALLOW THE TOWNSHIP OF CUMBERLAND TO PROVIDE POLICE SERVICES TO GETTYSBURG AREA SCHOOL DISTRICT IN FRANKLIN TOWNSHIP”**

**Mr. Ferranto made a motion to adopt Ordinance 2015-156 seconded by Mr. Toddes and carried.**

**ORDINANCE 2015-157**

**“AN ORDINANCE OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, AUTHORIZING ENTRANCE INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT TO ALLOW THE TOWNSHIP OF CUMBERLAND TO PROVIDE POLICE SERVICES TO GETTYSBURG AREA SCHOOL DISTRICT IN STRABAN TOWNSHIP”**

**Mr. Toddes made a motion to adopt Ordinance 2015-157 seconded by Mr. Ferranto and carried.**

**Mr. Ferranto made a motion to approve the Minutes of the February 24, 2015 regular meeting seconded by Mr. Paddock and carried.**

**Mr. Waybright made a motion to pay the bills, in the amount of \$97,003.36 from the General Fund, \$5,702.25 from the Escrow Fund, \$137.50 from the Park and Rec Fund, \$4,193.32 from the Capital Reserve Fund and \$4,284.47 from the State Fund seconded by Mr. Toddes and carried.**

**Engineer/Plans:**

Mr. Knoebel updated the Board on the Gettys Point Land Development Plan which is located at the corner of Boyd’s School and Table Rock Roads. The plan proposes a one-story memory care building with 42 units, a three-story assisted living facility with 90 units and a kitchen/service building. He reported that they have addressed all of his comments and are working on administrative items that are listed in his February 11, 2015 memo. He added that they have requested a waiver to Section 415 of the Subdivision and Land Development Ordinance regarding Park and Rec fees. He explained, based on the ordinance, their fees would be based on the 128,080 square feet of floor area (\$64,040.00) and their

request is to base their fee on the building area; a total of 66,180 square feet (\$33,090.00.) Mr. Thomas reported that after his researching of the ordinance and review by the Solicitor the recommendation is to deny the request. **Mr. Toddes made a motion to deny Harvest Investment Group, LLC's November 24, 2014 request for reduction of the recreation fee seconded by Mr. Waybright and carried.**

Mr. Knoebel also reported that the Philip and Barbara Wolf plan is located on the corner of Willoughby Run Road and Blackhorse Tavern Road and proposes the subdivision of a 10.881 acre parcel from a parent tract of approximately 146 acres. The proposed new lot is being created for a single-family dwelling and there is a Sewage Planning Module that will also need approval to be forwarded to PaDEP. **Mr. Waybright made a motion to approve the Sewage Planning Module seconded by Mr. Toddes and carried. Mr. Paddock made a motion seconded by Mr. Waybright and carried to approve the Philip and Barbara Wolf Final Subdivision Plan.**

Mr. Knoebel also updated the Board on the following:

- St. Francis Xavier has gotten approval from Columbia Gas Transmission to move forward on the intersection improvements and they are getting everything to PennDOT for their permit. He added that they were granted an extension to have this work completed by August 3, 2015 and they hope to start the work around the second week of June.
- They have installed all of the sewer lines and storm drainage at Misty Ridge and will be working on the installation of the water lines and curbs.
- He will be taking a look at the roads in Cannon Ridge before they move forward with paving because of the bad winter that we had.
- He was notified by the Keller's that they are going to begin work on the second poultry barn in April.
- Sidewalks for the Gettys Point project were discussed and there is an easement provided. Mr. Sharrah added that grading has been done for easier construction. Mr. Thomas stated that the developer's agreement should contain the language that triggers the construction at the appropriate time.

**Visitor** – Mr. John Philips representing the “Barnstormers” at the Gettysburg Regional Airport presented a Power Point presentation. He reported that the runway is in very good shape, but there is a general lack of repair to the buildings and access roads. He added that the airport is unattended so only “locals” can get fuel there and they are in danger of losing that fuel. He reported that there is a good possibility that they will be getting a commercial tenant (Frederick Flight Center) at the airport that will bring jobs, boost the local economy and bring the airport out of its “decay”. Mr. Philips asked the Board for their support; specifically by contacting Susquehanna Area Regional Airport Authority (SARAA) and support having Frederick Flight Center here at Gettysburg Airport, restore the Airport Hazard Zoning, incorporate the airport in the Central Adams Joint Comprehensive Plan and formally request a seat on the SARAA Board of Directors.

### **Public Comment:**

Mr. Doug Cooke, representing the Cumberland Township Historical Society (CTHS), presented the mission and goals of the CTHS Preservation Committee including the identification of unprotected historically significant sites, developing supporting documentation and historical facts, public education, identifying threats and advocating for the protection of these sites.

Mrs. Jean Stone, 1745 Mummasburg Road, presented written and oral questions regarding the Keller Poultry Project: installation of a fence along the side of the existing building and approval of an updated Nutrient Management Plan by the Adams County Conservation District to “convert their existing layer operation...to an organic operation allowing the birds to have access to fenced in outside areas when

conditions are favorable.” Mrs. Stone asked why this information was not included in the update on the Keller project given by Mr. Knoebel. Mrs. Stone’s questions also included the 200 foot setback requirement set forth in the Zoning Ordinance’s Manure Management Plan when wastes are stored outside and whether periodic inspections are being made by the Zoning Officer to verify that the conditions of the plan have been met and continue to be in compliance. Solicitor Kelso stated that pending enforcement actions cannot be discussed in public so no response was given by the Board at that time. Mr. Thomas added that an investigation is ongoing.

Mr. Barry Stone, 1745 Mummasburg Road, asked the Board if they did not care to make a comment and Solicitor Kelso reiterated that the Board cannot discuss the matter. He added that they never get answers to their questions and the Township states that there is a bond to cover the work. He stated that he feels that the Township is not enforcing their ordinances and that there are consequences for that.

Mrs. Elizabeth Magner, 470 Belmont Road, asked Mr. Phillips if the potential students that would be coming to the Gettysburg Airport would be investigated and he assured her that they would. She also asked if anyone is overseeing the prices being charged by Comcast because she thought that the representative that was at the Township meeting several years ago stated that the price would not go up. Chair Underwood stated that she believes that their prices are federally regulated. Mrs. Magner also commented on the Keller Poultry project and the chickens being considered “organic” with the addition of the fence.

Mr. David Bolton presented a revised resolution in support of the Industrial Hemp cultivation clarifying that the THC concentration is not more than .3% on a dry weight basis and that they are trying to initiate the pilot studies through the State Department of Agricultural and Universities rather than trying to legalize the market at this time.

Mr. Chris Entenmann, 389 Belmont Road, asked if Mr. Keller checked with the Township about allowing the chickens to go outside of the building. Mr. Thomas affirmed that the Township did not receive any information in this regard and reiterated that they are actively investigating the situation.

### **Police Report:**

Police Chief Don Boehs presented a written and oral report of police activities for the month of February including; 300 complaints, 72 traffic stops, 44 combined arrests, 10 traffic accidents, 4 targeted enforcements and 11,583 patrol miles. He added that they assisted other agencies 11 times and they were assisted three times. Chair Underwood also acknowledged the promotion of Ryan Eiker to Patrolman First Class.

### **Active Business:**

Mr. Thomas reported that the Township has received a request from Bernard Yannetti, Esquire, on behalf of Gettysburg Bike Week, for a letter to go with their PennDOT paperwork stating that the Township has no objection to their parade route for the Gettysburg Bike Week Parade to be held on July 11, 2015. He added that a letter has been drafted indicating that the Township has no objection subject to receipt and approval of the Special Event Permit, Indemnification, Assumption and Reimbursement Agreement. **Mr. Toddles made a motion to approve the letter for Gettysburg Bike Week seconded by Mr. Waybright and carried.**

Mr. Thomas also reported that a letter has been drafted to Ed W. Clark, Superintendent of the Gettysburg National Military Park, recommending that Alan Ferranto be appointed to the Gettysburg National Military Park Advisory Commission for a three-year term, as requested by Superintendent Clark’s February, 17, 2015 letter to the Township. **Mr. Paddock made a motion to approve the letter**

**recommending Alan Ferranto for appointment to the Advisory Commission seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the Township is in need of a 2015 Zoning Hearing Board Solicitor. He added that the Township was notified by Chester Schultz (who has served in this capacity for many years) that he will be retiring and can no longer serve in this capacity. Mr. Thomas asked for the Board's approval to solicit for a replacement and the Board was in agreement.

Mr. Thomas also reported that the 90-day time limit for recording of the Adams Electric Plan has expired and re-approval is needed. He added that there is a \$52.00 fee for this action. The Board agreed to this action.

Mr. Thomas asked to table review of the cost to update the "Space Utilization Study" for the Administrative / Police facilities and future road maintenance projects and funding so that he may review the two items with the Finance Committee meeting being held next week.

Mr. Thomas reported that the Township received preliminary information that Cumberland Township has been placed on the Draft MS-4 Requirement Table for having regulated small municipal separate storm sewer systems (MS4s.) Mr. Knoebel stated that they have been working with this for years, it is an ongoing process, mapping will be one of the bigger expenses and perhaps Adams County Office of Planning and Development could assist with that.

Mr. Thomas reported that the Township has received a resolution for adoption of the Adams County 2015 Hazard Mitigation Plan. He added that the Plan has been approved by FEMA, but also must be approved by every municipality in the county. Mr. Thomas suggested that this item be placed on the April 9, 2015 workshop agenda so the Board has some time to review the plan.

**Solicitor: No report – Executive Session items only**

**Committee Reports and comments from Board Members:**

Planning and Zoning (Joint Comprehensive Plan) – It was suggested by Mr. Paddock that Ellen Dayhoff, Administrator, Agricultural Land Preservation Program for Adams County attend a public meeting to present further information to the Board and residents regarding Township participation in Agricultural Land Preservation. The Board agreed to have her attend the April 28<sup>th</sup> meeting if available.

Finance – meeting next week

Economic Development – no report

Public Safety – meeting next week

Highway Administration – no report

CTA – Gettys Point and Adams Electric discussed, reports on plants that go to PaDEP, two new board members are doing well

Park and Recreation – still working on Comprehensive Plan, leagues are starting, field work needed, checking on Act 33 money and Hall of Fame has been moved out to the park. Cumberland Township has paid their 2015 allocation to GARA.

Grand History Trail – they have had several meetings, the trail runs from Washington D.C. all the way to

Pittsburgh, and to Baltimore, York, Hanover and there is a plan to get a link between Gettysburg and Maryland. We are involved at the end of the trail and initially it will just utilize rural roads.

Personnel – Executive Session

COG – meets Thursday at 8:30

GMA – Max Felty has requested an informal sit-down with Mr. Thomas and Mr. Naugle to discuss Zoning as it pertains to GMA

CT411 – Chair Underwood attended the Chamber of Commerce Legislative Lunch. Mr. Ferranto attended the Adams County Tax Collection Committee meeting and they finally have a Vice-Chair, Lori Duncan from Conewago Valley School District. He would like to talk about the Tax Collector contract in Executive Session. Mr. Ferranto will also be attending the Chamber Breakfast and Ron Harris, Carroll Valley Borough, has agreed to Chair the COG Legislative Committee.

**Staff Report:**

The Manager had nothing further to report.

The Zoning Officer and Secretary’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. There being no further business, the meeting was adjourned at 8:00 p.m. for an Executive Session with no report to follow.

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

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