

**Cumberland Township Board of Supervisors  
Minutes of the May 26, 2015 Meeting  
Conditional Use Hearing for Lincoln Development Company  
for a self-service storage facility 7:00 P. M.**

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 Sam Wiser, Police Chief Don Boehs, Zoning Officer Bill Naugle, Engineer Tim Knoebel, Secretary Carol Merryman, Police Officer Joshua Goodling, Police Sergeant Tim Biggins, Police Officer Ryan Eiker and Police Detective Stephen Higgs. Others present were: Dale Molina, Speros Marinos, Steve Tallman, Barry and Jean Stone, Jim Henderson, Bob Sharrah, Rich Leatham, Pat Abell, Kevin Stouffer and Beth Kanagy from The Gettysburg Times. The meeting was recorded.

Chair Underwood led the Pledge of Allegiance.

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

**Mr. Toddes made a motion to approve the bills lists in the amounts of: General Fund \$251,988.40 that includes a \$157,458.25 transfer to the Fire Tax Fund, \$4,565.50 from the Escrow Fund, \$1,506.77 from the State Fund, \$1,769.47 from the Capital Reserve Fund, \$50.35 from the Fire Tax Fund and \$37.50 from the Park and Rec Fund. The motion was seconded by Mr. Waybright and carried.**

Chair Underwood reported that at a recent DUI checkpoint held in the 800 block of Mummasburg Road, the Police Department made six DUI arrests and three driving under suspension arrests for DUI related charges out of 72 cars coming through the checkpoint in a four-hour period. She added that there were also various other citations made for drug and traffic violations. Sergeant Biggins is the DUI coordinator and the program is funded by a grant. Chair Underwood also reported that the Board has approved a status change for part-time Police Officer Joshua Goodling to full-time status effective June 1, 2015 (see motion.) Police Officer Goodling is filling a position created by Police Officer Rich Keefer being assigned to the School Resource Officer position within the department.

**Engineer/Plans:**

Mr. Knoebel reported that the Old Mill Woods Final Plan proposes the subdivision of five lots with one existing house located on Old Mill Road. He reviewed the conditions that still need to be addressed on his May 26, 2015 memo including; a Sewage Reservation Agreement, Pa Department of Environmental Protection's approval of the Sewage Planning Exemption that the Board approved at last month's meeting, a simple Traffic Impact Fee Agreement and possible bonding for the individual road occupancy permits for the driveways. **Mr. Toddes made a motion to approve the Old Mill Woods Final Plan contingent upon the comments in the engineer's May 26, 2015 memo being addressed seconded by Mr. Paddock and carried.**

Mr. Knoebel also reported that the Township has received a bond reduction request for Misty Ridge Lot 10 and he recommends that a reduction of \$339,976.50 can be approved. **Mr. Paddock made a motion to approve a bond reduction for Misty Ridge Lot 10, in the amount of \$339,976.50, leaving a balance of \$709,174.90 seconded by Mr. Waybright and carried.**

Mr. Knoebel reported that the Township has also received a request for bond reduction from Cumberland

Village, Phase 1A and he recommends that a reduction of \$163,345.00 can be approved. **Mr. Paddock made a motion to approve the bond reduction for Cumberland Village, Phase 1A, in the amount of \$163,345.00, leaving a balance of \$259,463.98 seconded by Mr. Waybright and carried.**

Mr. Knoebel also reported that they have been working with Rich Leatham from S & A Homes on the final paving at the Cannon Ridge Development. He added that S & A Homes had been given a deadline to complete the paving by May 31, 2015 and they are asking for a one to two week extension to this deadline. Mr. Knoebel explained the many tests etc. that were done on the base paving because the road has been sitting so long and they will be giving them a remediation plan for the needed corrections before they do the final paving. Mr. Knoebel recommended that S & A Homes be given until June 15, 2015 to complete the final paving and Mr. Leatham agreed that they could meet that new deadline. Solicitor Wiser suggested that the developer and bonding company be notified that no further extension will be granted. **Mr. Waybright made a motion to grant the extension for the final paving at Cannon Ridge until June 15, 2015, including the notification to the developer and bonding company, seconded by Mr. Toddles and carried.**

Mr. Knoebel also reported that the Township has received the request for the final payment on the joint project with Cumberland Township Authority for Old Mill Road reclaiming and paving. Mr. Thomas reported that the check is included in the bills list approved tonight.

**Visitor** – Mr. Kevin Stouffer, CPA, of Smith, Elliott, Kearns and Company, presented a Power Point presentation of the 2014 Audit. He reported that the audit was given an unmodified opinion (the best opinion that they can give), there were no findings and there were increases in the fund balances. Mr. Ferranto asked for an analysis of the Township's debt compared to other Townships in the county and state. Chair Underwood thanked the staff for the unmodified opinion.

#### **Public Comment:**

Mr. Speros Marinos, 912 Baltimore Pike, reported for the Cumberland Township Historical Society that they have gotten endowment funds to provide historical services to the Township. The Society's next meeting will be June 1, 2015 at the Church of the Brethren at 7:00 p.m. and Dr. Beverly Eddy will be giving a presentation on Camp Sharpe in McMillan Woods. Mr. Marinos also expressed a concern about gangs and gave his support for the Township's Police Department. He reported that there will be historical information included in the Joint Comprehensive Plan and feels that the process it is taking way too long.

#### **Police Report:**

Police Chief Don Boehs presented a written and oral report of police activities for the month of April including; 426 complaints, 151 traffic stops, 132 combined arrests, 8 traffic accidents, 16 targeted enforcements and 11,331 patrol miles. He added that they assisted other agencies 14 times and they were assisted four times. Chair Underwood also acknowledged the status change for Officer Joshua Goodling from part-time to full-time effective June 1, 2015.

#### **Active Business:**

Chair Underwood reported that the Township has acted as the permittee (as required) for a PennDOT Highway Occupancy Permit for St. Francis Xavier's intersection improvement project.

Chair Underwood affirmed that a Conditional Use Hearing for Leonardo Marinelli is scheduled for Tuesday, June 23, 2015 at 7:00 p.m. for an application for storage buildings on Biglerville Road.

Mr. Thomas reported that the 2015 Road Bids were advertised in The Gettysburg Times and the results of the bids are as follows:

Product	Location	Bidder	Price
Superpave	Kinsey Dr. & Park Ave.	New Enterprise Stone	\$197,920.00 **
		C. E. Williams Sons	\$199,950.00
Double Seal Coat	Sachs Rd. & Ridge Rd.	Hammaker East, Ltd.	\$63,059.10 **
		Stewart and Tate	\$64,846.20
Micro-surfacing Type A & B	Tiffany Lane, Boyd's School Rd., Ridgewood Development, Old Mill Rd.	Stewart and Tate	\$182,790.10 **
		Asphalt Maintenance Solutions	\$192,350.00

Mr. Thomas reported that the total of all work is \$443,769.20 by the apparent low bidders and the total amount budgeted is \$477,000.00. The projects are under-budget. He added that Solicitor Wisser has reviewed the bids and the bids from the apparent low bidders are complete. **Mr. Ferranto made a motion to accept the bids from the apparent low bidders seconded by Mr. Waybright and carried.**

Mr. Thomas reported that the Board has received a letter from Tom Clowney regarding agricultural land preservation and the Board has discussed the topic.

Mr. Thomas also reported that the Township has received a letter from the law firm of Kulla, Barkdoll and Stewart of Waynesboro, PA indicating their willingness to represent the Zoning Hearing Board at the Keller Hearing on June 17, 2015 (rate \$125.00 per hour.) Mr. Thomas also stated that the former solicitor, Chester Shultz, has retired. **Mr. Todd made a motion to appoint the law firm of Kulla, Barkdoll and Stewart of Waynesboro, PA to represent the Zoning Hearing Board for the Keller Hearing on June 17, 2015 seconded by Mr. Paddock and carried.**

Mr. Thomas reported that the Township has also received a letter from the law firm of Phillips and Phillips indicating Mr. John S. Phillips' willingness to represent the Zoning Hearing Board as solicitor for future zoning hearings after the June 17<sup>th</sup> hearing at a rate of \$120.00 per hour. **Mr. Waybright made a motion to appoint Mr. John Phillips as solicitor for the Zoning Hearing Board for hearings held after the June 17<sup>th</sup> hearing seconded by Mr. Waybright and carried.**

Mr. Thomas reported that the Township has received one bid for the surplus communications tower from the Greencastle-Antrim Education Foundation in the amount of \$300.00. The Foundation, a 501 C, 3, will use the tower to place a low-power, FM radio station on the air this summer and Mr. Thomas added that he has a non-vested interest in this project. **Mr. Paddock made a motion to approve the bid seconded by Mr. Ferranto and carried.**

CONDITIONAL USE HEARING – LINCOLN DEVELOPMENT COMPANY  
SELF-SERVICE STORAGE FACILITY – 7:00 P.M.

At 7:00 p.m. the Conditional Use Hearing for the Lincoln Development Company's application for a Self-Service Storage Facility located on Chambersburg Road was commenced. Solicitor Wisser presided over the hearing and there were comments from the Zoning Officer, applicant's representatives and the public. The hearing was closed at 7:18 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 7:20 p.m. by Chair Underwood.

**Solicitor:** Solicitor Wisser reported that he is preparing a modification to the Amusement Tax Ordinance

for the 2% collection fee that will be ready for action at the June meeting and he has the language, in draft form, for the Special Events insurance requirements that he would like Nathan Hockley to review for compliance with industry standards. Lastly, Solicitor Wiser reported that the Township has the signed Intergovernmental Cooperation Agreement with Gettysburg Borough for the School Resource Officer and he has advertised the following ordinance for adoption this evening:

### **ORDINANCE 2015-158**

**“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 THE GETTYSBURG AREA SCHOOL DISTRICT IN GETTYSBURG BOROUGH”**

**Mr. Ferranto made a motion to authorize the Board Chair to sign the Intergovernmental Cooperation Agreement with Gettysburg Borough for the School Resource Officer seconded by Mr. Toddes and carried.**

**Mr. Ferranto also made a motion to adopt Ordinance 2015-158 authorizing the entrance into the Intergovernmental Cooperation Agreement with Gettysburg Borough seconded by Mr. Toddes and carried.**

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

Personnel – The committee is asking for approval of the revised Personnel Policy Manual. **Mr. Waybright made a motion seconded by Mr. Paddock and carried to approve the revised Non-Uniform Employee Personnel Policies and Guidelines.**

Public Safety – The Police vehicle that was ordered will be delivered in late August and the Township will be getting a 2016 model for the 2015 price. **Mr. Waybright made a motion to convert Police Officer Joshua Goodling from part-time status to full-time status effective June 1, 2015 seconded by Mr. Toddes and carried.** Mr. Ferranto explained that the size of the Police Department is not being increased and should the School District give up the School Resource Officer program Officer Goodling understands that he would be laid-off.

Planning and Zoning (Joint Comprehensive Plan) – The basis of the plan has been completed and the material is going to be made available for public view and comment. A steering committee (that included Mr. Thomas) has made recommendations for the “roll-out” of the information. The next meeting is June 2, 2015 at 3:00 p.m. and they hope to have the draft plan completed by the end of this year.

Finance – No report

Economic Development – Executive Session

Highway Administration – No report

CTA – televising of the sewer lines at both plants has been updated and I and I testing revealed some sump pumps that were discharging into the lines and that has been corrected

Park and Recreation – Open House for Hall of Fame this Friday and they have a new youth program that is free

Grand History Trail – No report

COG – meets Thursday at 8:30 a.m.; speakers Kathy Gaskin, Healthy Adams County and Rusty Ryan Adams County Conservation District. Mr. Ryan will be speaking on MS4 requirements.

GMA – No report

CT411 – Chair Underwood reported that starting June 1, 2015 Mason-Dixon Road will be closed for the reconstruction of the bridge over Marsh Creek and they hope to re-open the road on or around September 4<sup>th</sup>. Residents will soon be receiving a 2015/2016 ambulance subscription drive in the mail from Adams Regional Emergency Medical Services (EMS.)

Mr. Waybright reported that the CTA hauled an excess of 600 thousand gallons of bio-solids that were applied to a farm in the southern end of the township and that saves the sewer customers many thousands of dollars.

**Staff Report:**

The Manager reported that the June 4<sup>th</sup> workshop may be canceled.

The Zoning Officer and Secretary’s reports were reviewed. Mr. Naugle reported that they are framing building #8 out of 11 buildings at Misty Ridge.

Unless otherwise noted, all votes were unanimous. There being no further business, the meeting was adjourned at 7:50 p.m. for an Executive Session with no report to follow.

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Carol A. Merryman, Secretary

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