

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
Minutes of the May 24, 2016 Regular Meeting**

The regular meeting was called to order at 7:00 p.m. by Chair Underwood. Present were all Supervisors: Underwood, Waybright, Toddes, Shealer and Paddock; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs and Secretary Carol Merryman. Others present were: Barry and Jean Stone, Al Ferranto, Carolyn Greaney, Sharon Martin, Doug and Nita Gross, Don Kauffman, Steve Tallman, Speros Marinos, Zach Gulden, several members from Greenmount Fire Company and Ken Knox from The Gettysburg Times. The meeting was recorded.

Chair Underwood led the Pledge of Allegiance.

Mr. Toddes made a motion to approve the Minutes of the April 7, 2016 Workshop and April 21, 2016 Regular Meeting, as written, seconded by Mr. Paddock and carried.

Mr. Thomas reported that all of the bills are budgeted and include, in part, the payment for the guide rail replacement project, the Maintenance building mortgage, gasoline and diesel fuel and engineering review fees. **Mr. Shealer made a motion seconded by Mr. Waybright and carried to approve the bills and transfers as follows: \$77,037.85 from General Fund, \$1,663.00 from Escrow Fund, \$79,472.45 from Capital Reserve Fund, Transfer of \$31,540.46 from General Fund to Health Insurance Account and \$201.50 from Escrow Fund to General Fund.**

Engineer/Plans:

Mr. Thomas reported that the Township has a request from Timeless Towns of the Americas, Inc. for a 90-day extension for approval of their Land Development Plan until September 5, 2016 and this will probably appear on the June 28th agenda. He added that the project is an update to their wastewater treatment facility. **Mr. Waybright made a motion to approve the request for extension for Timeless Towns of the Americas, Inc. seconded by Mr. Shealer and carried.**

Mr. Thomas also reported that a request for extension has also been received from Keystone Service Systems for a 90-day extension for approval of their Land Development Plan. Mr. Thomas added that their plan is on hold pending an active zoning hearing. **Mr. Shealer made a motion to approve the request from Keystone Service Systems for a 90-day extension for approval of their Land Development Plan seconded by Mr. Toddes and carried.**

Public Comment:

Mr. Al Ferranto, 501 Knight Road, asked to reserve his comments until Active Business (Item G) when public participation is discussed. The Board agreed to allow his comment later.

Mrs. Jean Stone, 1745 Mummasburg Road, also asked to reserve her comments until Active Business. The Board also agreed to allow Ms. Stone to comment later.

Mr. Speros Marinos, 912 Baltimore Pike, reported that the Act 209 discussion at the workshop was interesting and he stated that he would be against any improvements to Emmitsburg Road due to the historic nature of the road and he is against roundabouts. Mr. Marinos also asked the Board to keep working towards meaningful zoning.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of April including; 430 complaints, 144 traffic stops, 80 combined arrests, 5 traffic accidents, 16 targeted enforcements and 11,272 patrol miles. He added that they assisted other agencies 11 times and they were assisted three times. Chief Boehs also reported that they have had 640 Oak Lawn Cemetery complaints and 149 walk-in complaints.

Active Business:

Mr. Thomas reported that the Township has a request from The Complex Group for a reduction in the liability insurance requirement for their Gettysburg Memorial Day Cup Soccer Tournament special event permit from \$5 million to \$2 million. Chair Underwood made the Board aware that Gettysburg Fire Department will not provide ambulance service for the event. **Mr. Waybright made a motion to grant the reduction in required insurance from \$5 million to \$2 million seconded by Mr. Paddock and carried.**

Mr. Thomas also reported that the Township has a request from Gettysburg Bike Week, Inc. to reduce the liability insurance requirement for their special event permit from \$5 million to \$2 million. **Mr. Paddock made a motion to approve the Gettysburg Bike Week, Inc. request to reduce the required insurance from \$5 million to \$2 million seconded by Mr. Shealer and carried.**

Mr. Thomas reported that Solicitor Wisner has revised the Special Event Ordinance addressing the insurance requirement. Solicitor Wisner explained how a sliding scale is used in the revised ordinance to determine the amount of insurance required and other revisions that were made to improve the ordinance. The revised ordinance will be provided for the Board's review and then it will be advertised, as required.

Mr. Thomas reported that the Township has received a Fire /EMS Tax Distribution – Reimbursement Report from Greenmount Fire Department, in the amount of \$56,693.73. The Board asked some questions about the expenses (all of the expenses for 2015) and confirmed that they have submitted the required reports. Mr. Thomas recommended that the Board calculate the services that are provided by all of the entities and also look at how Greenmount has been funded historically. He added that Greenmount responded to 30 calls in Cumberland Township in 2015 that is about 29% of their total calls, and historically the maximum funding to them has been \$7,500.00 per year. **Mr. Waybright made a motion to table Greenmount Fire Department's request until later (July 26 meeting) when information has been received from all three fire companies seconded by Mr. Paddock and carried.**

Mr. Thomas responded to Mrs. Stone's question from a previous meeting regarding a deficit being shown on the 2015 audit report that appeared in the Legal Notices in the Gettysburg Times as required by law. Mr. Thomas explained that the General Fund (where most of the revenues and expenditures occur) ended with a year-end surplus of \$7,876.00. He added that there were three other funds, State Highway Aid Fund, Park and Rec Fund and Capital Reserve Fund that were utilized and had negative year-end balances of \$145,072.00, as budgeted. The difference between the surplus in the General Fund and negative balances in the other funds making the deficit of \$137,196.00 that was shown in the legal notice. He explained that the "restricted funds" are allowed to build up and begin with a surplus or fund balance, but the money that was saved up in prior years for projects was spent in 2015 which collectively made the financial statement show a deficit. Mrs. Stone then asked why the 2015 Budget showed a surplus in the General Fund of \$135,000.00 and ended with a surplus of only \$7,876.00 and feels the figure should have been much closer. Mr. Thomas stated that the Township had a 27th pay period and paid extra on the principal of the mortgage for the Maintenance Building, but he would have to research the rest of the difference.

Mr. Thomas reported that, at a prior meeting, the Board decided to discuss the “Rules and Regulations of Cumberland Township, Adams County, Pennsylvania regarding conduct at public meetings that was passed in 2010. Mr. Paddock stated that the Board can choose what to allow at their public meetings and he feels that there should be a “public comment” period at the end of the meeting and also allow reasonable questions to be asked during the meeting. He added that he was not recommending that the rules be changed. Mr. Toddes feels that the Board does allow the residents to speak and Mr. Shealer stated that the rules do allow people to speak at the discretion of the Board Chair. Mr. Waybright agreed that the rules were adopted in case things get out of control, but he agrees with the other Supervisors that residents should be allowed to speak within reason. Mr. Wisner added that the regulations do have to be applied in an objective manner and the workload of the meeting may have to dictate the amount of time spent on taking public comment.

Mr. Al Ferranto, 501 Knight Road, stated that he feels that the meetings have been going better since he presented Mr. Hale’s article from the Gettysburg Times on public participation at the meetings. He added that he feels that the residents who attend the meetings regularly may have questions about what the Board is discussing and also may have things to contribute. He also asked for a “public comment” period at the end of the meeting.

Mrs. Jean Stone, 1745 Mummasburg Road, pointed out that there are grammatical errors in the Rules and Regulations and asked that the documents be checked more carefully so people do not have trouble understanding what they are reading.

Mr. Thomas reported that he was able to get a comparable waste hauling rate from South Middleton Township (similar in size to Cumberland) and their quarterly rate under a new contract is \$43.23 and the Township’s current rate is \$34.32. He added that South Middleton’s hauler is Advanced Disposal. Mr. Thomas recommended that the Township’s current contract with Advanced Disposal be extended for one more year at the current rate of \$34.32 per quarter. **Mr. Toddes made a motion to extend the current contract with Advanced Disposal for one more year seconded by Mr. Paddock and carried.**

Mr. Thomas also asked for approval to get a quote for professional services to perform the annual audit for 2016 from Smith, Elliott, Kearns and Company. He reported that the Township was in a three-year contract with Smith, Elliott, Kearns and Company which they completed this year. He added that this firm’s bids were considerably lower than the other bids received in 2012 and one of the bidders in 2012 no longer does municipal audits. **Mr. Paddock made a motion to approve obtaining a quote from Smith, Elliott, Kearns and Company for 2016 auditing services seconded by Mr. Shealer and carried.**

Mr. Thomas reported that he and some citizens attended the PennDOT Open House regarding the replacement of the bridge east of the Township Building on Fairfield Road in 2018. He reported that the plans are here if anyone wants to look at them and one lane of the bridge will remain open with traffic signals.

Mr. Thomas also reported that the Township has received an application for the Estate of Stanley and Louise Hull (now deceased) property, located at 491 Sachs Road, for inclusion in the Township Agricultural Security Area (ASA). The Hull property, parcel number (G15-0045), consists of 60.49 acres and is zoned A/R. Mr. Thomas added that the ASA procedures will be fairly expensive to the Township and the Township cannot charge for the application. **Mr. Waybright made a motion to acknowledge receipt of the ASA application for the Hull property seconded by Mr. Toddes and carried.**

Solicitor – Solicitor Wisner presented a revised draft ordinance repealing Chapter 10, Part 1 of the Township Code regarding “the cutting of grass, weeds, and other vegetation.” Solicitor Wisner explained that the current ordinance only applies to residential uses where houses are within 300 feet of each other.

He added that there are other areas in the Township where this should be applied so it does apply to all property in the Township, but there are some exemptions. Solicitor Wisner explained the exemptions including: agricultural, large vacant lot and wooded lot and the violation provisions. Solicitor Wisner stated that if there are any modifications needed, they should be made prior to the advertisement of the ordinance so it does not have to be re-advertised. Mr. Thomas stated that the ordinance will be available for public review prior to adoption. **Mr. Toddles made a motion to advertise the draft Grass/Weed ordinance seconded by Mr. Paddock and carried.**

Committee Reports and comments from Board Members:

Finance Committee – Mr. Shealer reported that the committee is recommending that the Township enter into an agreement with PENNSYLVANIA PERCS for the maintenance of the Township’s traffic signal at the intersection of Route 30 and Herr’s Ridge Road. He added that the semi-annual scheduled maintenance cost is \$150.00/year and the annual scheduled maintenance cost is \$225.00/year that is included in the budget. Mr. Thomas added that PennDOT requires that all traffic signals be owned and operated by the municipality even if they are located on a state highway. **Mr. Waybright made a motion to approve entering into the agreement with Pennsylvania PERCS for traffic control signals seconded by Mr. Toddles and carried.** Mr. Shealer also reported that the committee is recommending the replacement/upgrade purchase of the Road Department’s 12+ year old cut off saw at the cost of \$1,472.49 that includes trade-in of the old saw and cart. This purchase is included in the budget. **Mr. Toddles made a motion to approve the purchase of the cut off saw, in the amount of \$1,472.49 seconded by Mr. Paddock and carried.**

Planning and Zoning – Mr. Paddock reported that they met twice this month and are discussing the economic issues that are involved in the Joint Comprehensive Plan.

Parks and Recreation – Mr. Toddles reported that they have narrowed it down to two candidates for the Park Director position and hope to make a decision tomorrow night. He added that they have a lease and rentals and usage has been good.

CTA – Mr. Shealer reported that the replacement of the bridge on Fairfield Road will require relocation of existing sewer lines in that area and the State will reimburse for only some of the costs. He added that he has not heard anything about a rate increase due to that work.

COG – Chair Underwood reported that the meeting is Thursday morning.

CT411 – Chair Underwood, on behalf of the Board, thanked Mayor Troxell for his many years of service representing the greater Gettysburg area and stated that he has been a good ambassador.

Public Safety, Personnel, Highway, Economic Development, Building and Grounds – no reports

Staff Reports:

Mr. Thomas had nothing further to report and 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 8:42 p.m. for an Executive Session with no report to follow.

Carol A. Merryman, Secretary

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