

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
May 28, 2019 Meeting Minutes**

The regular meeting was called to order at 7:00 P.M. by Chair Underwood. Present were all Supervisors: Underwood, Phiel, Paddock, Waybright and Toddes; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Engineer Tim Knoebel and Secretary Carol Merryman. Also present were: Bob Sharrah, Jim Piet, Marty Hill, Mary Grace Keller from the Gettysburg Times, and approximately twenty-five residents.

Chair Underwood led the Pledge of Allegiance.

Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the Minutes of the April 23, 2019 regular meeting.

Mr. Waybright made a motion seconded by Mr. Phiel and carried to approve the bills and transfers: Bills - \$72,889.38 from the General Fund, \$4,397.50 from the Escrow Fund and; Transfers - \$28,464.21 from the General Fund to the Health Insurance Account and \$168,310.58 from the General Fund to the Fire Tax Fund.

Visitor: Barb Harman gave a presentation on the Adams County Sheriff's Department Child Safety Program - Deputy Phil. Ms. Harman stated that the program is going into its twentieth year and it encourages children to take more responsibility in their community; to have a better appreciation for other people's property and to make sure their moral compass is going in the right direction. The program runs from kindergarten through fourth grade and is completely free to the schools. Ms. Harman asked the Township to consider supporting the program by purchasing an ad in their Activity Book.

Supervisor Phiel read a response letter dated May 16, 2019 to Jean Stone's letters of March 26, 2019 and April 23, 2019 re: Building Renovation and Long-Term Debt and Resolution Regarding Debt Repayment (copy on file).

Chair Underwood read a response letter dated May 16, 2019 to Susan Sadowski's Talking Points April 2019 re: Loan Payment Summary, Backhoe and Dump Truck Capital Lease / Purchases, Building Renovations / Financing and writings about the Manager (copy on file).

Chair Underwood also read Section 3.d. from the Rules and Regulations of Cumberland Township, Adams County, PA regarding Conduct for Public Meetings as follows: "Comments which make statements of personal attack or statements that could be construed as libelous, slanderous, or defame the character of any elected or appointed official or any member of the public, shall not be permitted."

Public comment:

Mr. Leon Reed, 205 Old Mill Road, reported that it has been 19 months since the old Country Club property was mowed, he feels that the property has been abandoned by the National Park Service and it becomes worse by the day. He added that it had been mowed twice a year in the past and he has been contacting the Park Service about this. He also reported that the Park Service owns a property at 645 Mummasburg Road that has not been mowed in over a year. Mr. Reed also expressed great concern about the Stop sign at the intersection of Old Mill Road and Lakeview Road and he has witnessed many vehicles of all description speed through the Stop sign and it is a very dangerous situation.

Mr. Speros Marinos, 912 Baltimore Pike, reported on the celebration of the 270th Anniversary of Cumberland Township being held at the Mary Penn Bed and Breakfast on June 1st and the quarterly meeting of the Cumberland Township Historical Society being held on Monday night at the Church of the Brethren. Mr. Marinos also talked about the drug problem and asked the Board to do everything they can to support the Police Department so they can keep drugs out of the Township and to keep working on the Zoning update.

Mary Grace Keller from The Gettysburg Times informed the Board that she was taking another position and she thanked them for answering all of her questions and for working with her over the two and a half years that she has been covering the Township's meetings.

Engineer/Plans:

Mr. Knoebel reported that the Township has received a request from Woodhaven Building and Development, Inc. for a 60-day time extension for approval of Cumberland Village, Phase II Preliminary Plan. The current expiration date is June 3, 2019. **Mr. Toddes made a motion seconded by Mr. Paddock and carried to approve the request for a 60-day time extension for approval of the Cumberland Village, Phase II Preliminary Plan until August 2, 2019.**

Mr. Knoebel also reported that more information was received from First Capital Engineering Co. on May 8, 2019 regarding the de-watering plan for Keystone Services and he provided a review of the information dated May 28, 2019. He stated that there were a number of comments and they were passed on to the developer's engineer.

Mr. Knoebel reported that a plan was received today that proposes the removal of the connector trail from Cumberland Village, Phase 1A to Phase 1C that has been discussed at the last couple of meetings.

Mr. Knoebel reported that Cannon Ridge is in the process of completing improvements in Phase 3. And in 2018 the Township amended the Developer's Agreement with S & A Homes and provided that improvements within the development be completed by June 30, 2019. He added that they have actively been working on the improvements, his office is working with the Road Department and developer in order to help preserve the road surfaces in Phases 1 and 2 and this may necessitate another amendment to the Developer's Agreement.

Mr. Knoebel reported that they provided a status report for MS4 at the workshop last week and summarized as follows: five-year permit process; includes six Minimum Control Measures and the Township must implement projects and policies that would result in a 10% reduction in sedimentation loading within the next five years. Mr. Thomas added that this was placed on the agenda tonight for the community to understand that a third utility is coming to the Township by an unfunded mandate.

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of April, 2019 including: 390 complaints - Psych/suicide-8, Disturbances-8, Assault/Harassment-3, Domestic-10, Criminal Mischief-0, Suspicious Activity-14, Thefts-1, Alarms-14, Medical Emergency-4, 911 Hang Up-3, Cruelty to Animals - 0, Wanted Person - 1, Reported Drug Activity - 2, Welfare Checks - 11, Shots Fired - 1, Fraud - 2, Burglary -2, Sexual assault-1, Follow-up Investigation- 32, SRO Calls - 11 with 2 DOC and 2 Theft/Criminal Mischief arrests; 93 traffic stops, 75 combined arrests, 9 traffic accidents, 33 targeted enforcements, 10,912 patrol miles and 66 walk-in complaints. He added that they assisted other agencies 10 times and they were assisted twice. There were two assists to Pa. State Police in Straban Township.

Active Business:

Mr. Thomas reported that the Board discussed the Cumberland Village proposed walking trail in great detail at their workshop last week and the Board decided to request that the proposed trail that connected Phase 1A and 1C be removed from the plan. Mr. Thomas explained that it is an amendment to the plan and must go back through the approval process beginning with Adams County Planning and Development and Township Planning Commission review. The Board and Solicitor Wisner concurred.

Mr. Thomas reviewed the actions taken by the Board at their May 23, 2019 workshop including: approval of Box Alarm Card changes for Barlow VFD; request for developer to remove the proposed connector trail in Cumberland Village; approval to waive the special event permit fee of \$331.00 for the celebration of Cumberland Township's 270th Anniversary being held on June 1, 2019 and also to allow the Historical Society to use the Township's logo on their program for that event; strategic planning in reference to MS4; the Board tasked Mr. Thomas and Solicitor Wisner with gathering a list of possible facilitators and Request for Proposals for the Zoning update process; brief discussion of the building renovation that has been downsized and Mr. Thomas and Mr. Toddles will be going to C. S. Davidson to get a revised plan so the Township can get a cost and staffing was briefly discussed due to the increasing workload.

Mr. Thomas reported that the 90-day timeframe for recording the Hartman, Maitland and Croy Final Plan has lapsed and the plan needs to be re-approved for recording. **Mr. Toddles made a motion seconded by Mr. Paddock and carried to re-approve the Hartman, Maitland and Croy Plan for recording.**

Mr. Thomas updated the Board on the proposed Fireworks Ordinance. He reported that himself, Solicitor Wisner and Police Chief Boehs have written a draft ordinance and are in the process of making some revisions. Solicitor Wisner reviewed the draft ordinance which largely addresses consumer grade fireworks and includes definitions that are consistent with the state law. He added that the proposed ordinance limits the time for discharge of fireworks, limits the days to December 31st and July 4th and the discharge may not be on public property or the property of another person without their consent. Solicitor Wisner stated that they do need to have more discussion on the display fireworks and the rest of the requirements are consistent with state law. There was discussion regarding the need for the ordinance. Mr. Thomas stated that when the draft ordinance is complete the Board has to authorize the advertisement of the ordinance, a hearing is held on the ordinance and that would be the time and place for residents to voice their opinions.

Mr. Thomas read a letter from Russell Ryan, Resource Conservationist, Adams County Conservation District regarding: weed ordinances versus stormwater management designs and he asked the Board to review it for consideration in 2020 prior to the spring growing season.

Mr. Thomas reported that the township has received an application from Stanley Flaggs, 284 Swetland Road for a Zoning Map amendment and that requires a public hearing. The hearing was scheduled for June 25, 2019 at 6:00 p.m. prior to the regular meeting.

Mr. Phiel reported that the Finance Committee is recommending that the Board authorize a replacement purchase for a 2019 Police Vehicle (all-wheel drive Dodge Charger at a total cost of \$34,733.00 - \$42,000.00 budgeted) and deem a 2014 Chevrolet Caprice as surplus and subject to sale after the new vehicle is in service. **Mr. Phiel made a motion to authorize the above-mentioned purchase and sale seconded by Mr. Toddles and carried.** Mr. Phiel also reported that Finance Committee recommends that the Board authorize utilizing 10% of the 2019 Pa. Liquid Fuels Allocation to pay for a portion of the 2019 dump truck currently on order (estimated @ \$8,400.00). **Mr. Phiel made a motion seconded by Mr. Paddock and carried to authorize the use of approximately \$8,400.00 of Liquid Fuels funds towards the purchase of the new 2019 dump truck.** Lastly, Mr. Phiel reported that that the Township has a request from Barlow Fire Company for reimbursement of the 4th Qtr. expenses in the amount of

\$19,550.25. Mr. Waybright made a motion seconded by Mr. Toddes and carried to reimburse Barlow Fire Company \$19,550.25.

Mr. Thomas also reported that Road Superintendent, Chris Walter, expressed his desire to the Finance Committee to strengthen Old Mill Road by crack sealing the road prior to micro-surfacing the road later on this summer. Mr. Thomas reported that Mr. Walter got two written quotes; the first from C. E. Williams for approximately 1,000 gallons of crack sealer at \$5.60 per gallon and the second from Asphalt Maintenance Solutions for approximately 1,000 gallons of crack sealer at \$19.50 per gallon. The Finance Committee recommended to move forward with the low bid from C. E. Williams at approximately \$5,600.00. **Mr. Paddock made a motion to accept the low bid for crack sealer from C. E. Williams seconded by Mr. Phiel and carried.**

Solicitor: Solicitor Wisner updated the Board on the Oaklawn funds held in escrow for maintenance purposes. Solicitor Wisner reported that ACNB Bank has agreed to serve as escrow agent, at no cost, and they do require an escrow agreement to be in place. The Township can seek reimbursement from the escrow funds should the owner fail to maintain the cemetery and the Township must step in to do it and it also allows the Township to object to a reimbursement to the other parties if they do not feel that it is appropriate. **Mr. Toddes made a motion to authorize the Chair to sign the Stipulated Escrow Agreement with Oaklawn seconded by Mr. Paddock and carried.**

Committee Reports and comments from Board Members:

Parks and Recreation – Mr. Toddes reported that things are going well at the park and there is a Greenspace gathering being held there.

CTA – Mr. Toddes reported that the sanitary sewer line being replaced down at the bridge on Rt. 116 has been completed and just needs to be tested and the sewer lines in Cumberland Village have been dedicated, they are updating the Rules and Regulations and they are still hauling biosolids out to Mr. Waybright’s farm and he thanked him for that.

Public Safety, Personnel, Highway, Planning and Zoning, COG, Building and Grounds, Economic Development and CT411 – No reports.

Chair Underwood thanked Mary Grace Keller for her service as reporter for the Township and wished her well in her new job. She added that she has represented her profession and The Gettysburg Times well with her professionalism and she would ask questions and made sure what she was reporting was accurate.

The Zoning Officer and Secretary/Treasurer’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:23 p.m.

Carol A. Merryman, Secretary

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