

**Cumberland Township Board of Supervisors**  
**1370 Fairfield Road, Gettysburg, PA 17325**  
**June 28, 2022**  
**Conditional Use Hearing – 6:00 P.M.**  
**Regular Meeting - 7:00 P.M.**

Chairman Toddes called the Conditional Use Hearing for Ridge Rentals, LLC to order. The application is for approval to grade in an area that meets the Cumberland Township Zoning Ordinance definition for “steep slopes” and “very steep slopes” in accordance with Section 27-201 of the Zoning Ordinance. The property is located at 45 Willoughby Run Road. Present were Supervisors Toddes, Phiel, Ramsburg and Brauning; Solicitor Sam Wisner, Township Manager Ben Thomas, Jr., Zoning Officer Michele Long, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. Also present were Court Reporter Deb Zepp, Robert Sharrah, applicant Blake Slaybaugh, David Roberts, Sr., and Jim Hale from The Gettysburg Times. Solicitor Wisner conducted the hearing that was adjourned at 6:27 P.M. Please see transcript for a complete record of the hearing.

Chairman Toddes called the regular meeting to order at 7:00 P.M. Present were Supervisors Toddes, Phiel, Ramsburg and Brauning. Also present were Solicitor Sam Wisner, Township Manager Ben Thomas, Jr., Township Engineer Tim Knoebel, Acting Police Chief Matthew Trostel, Superintendent of Roads Chris Walter, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. Also present were Robert Sharrah, Blake Slaybaugh, five residents, several Cumberland Township police officers, Acting Police Chief Matt Trostel’s family members and Jim Hale from The Gettysburg Times. Supervisor Biggins arrived at 7:45 P.M.

Chairman Toddes led the Pledge of Allegiance.

Chairman Toddes reported that the Board held an Executive Session just prior to this meeting tonight and on June 9, 2022 to discuss personnel matters filling management positions.

**Mr. Brauning made a motion to approve the agenda seconded by Mr. Phiel and carried.**

**Mrs. Ramsburg made a motion seconded by Mr. Brauning and carried to approve the Minutes of the May 24, 2022 Regular Meeting and June 9, 2022 Special Meeting.**

**Mrs. Ramsburg made a motion seconded by Mr. Phiel and carried to approve the bills in the amounts stated by the Chairman: \$572,463.99 from the General Fund, \$12,498.60 from the Escrow Fund, \$8,548.38 from the ARPA Fund, \$110,152.98 from the Fire Tax Fund and \$233,797.81 from the State Liquid Fuels Fund.**

**Public comment:** Mr. Bob Bunce, Twin Lakes Drive, commented on the potential GMA water tower and water usage by new developments. Ms. Bertha Turner, Park Ave., submitted written comments and also read them regarding speeding on Park Ave., a drainage problem at her driveway and the price increase for trash collection.

Mr. Thomas stated that the Township is receiving written comments regarding the proposed Residence of Willoughby Run development (former Country Club property) and these comments will be held and read when the plan is on the Supervisor’s agenda within the next month or two.

**Engineer:**

Mr. Knoebel reported that the Township has received a Request for Time Extension for the Residence of

Willoughby Run Land Development Plan waiving the 90-day timeframe for approval and extending it until September 30, 2022. Mr. Knoebel reported that they are working on addressing comments and working through the review process. **Mr. Brauning made a motion to approve the Request for Extension until September 30, 2022 seconded by Mr. Phiel and carried.**

Mr. Knoebel also reported that bids for the MS4 Basin Retrofit projects (for credits for sediment load reduction) were opened this morning. One bid was received in the amount of \$236,760.00 for three projects; two basins in the Longview development and one basin in the Twin Lakes West development. He added that the bid is more than they estimated that it would be and they do have \$123,200.00 in grant funding to help pay for the projects. He added that it is becoming difficult to predict what the bids will be and he explained the work that will be done including replacing the soil in the bottom of the basin, installing an underdrain system to get rid of the water and adding plantings. Mr. Knoebel stated that they do want to meet with the contractor and talk about possible options to reduce the cost. Mr. Thomas added that both Homeowners' Associations have signed the agreements for future maintenance of the basins and they have a little time to fine-tune the numbers. He has asked the Finance Director to look into the Township's fund balances for the payment of what is over and above the grant funding and feels that the Township should move forward with the projects. **Mr. Phiel made a motion to table action on the bid for the MS4 Basin Retrofit projects until the July meeting seconded by Mr. Brauning and carried.**

Solicitor Wisner stated that the Board held a Conditional Use hearing prior to this meeting for Ridge Rentals, LLC, regarding grading in the areas of "steep slopes" and "very steep slopes" and it is the Board's discretion whether to act on the application now or to wait. **Mrs. Ramsburg made a motion to grant the Conditional Use approval conditioned upon the applicant, Ridge Rentals, LLC, receiving a variance seconded by Mr. Phiel and carried.**

Mr. Knoebel also acknowledged correspondence from The Lands at Cumberland Village regarding some sidewalk repairs that were done last year and he has reached out to Mr. Martin to let him know that it is under review and he will have an update before the July meeting.

**Police Report:** Acting Police Chief Matthew Trostel presented an oral and written report of police activities for the month of May 2022 including: 270 calls for service, 34 traffic stops, 7 criminal incidents and 6,308 patrol miles. Some highlights of the report were:

- Officer Jered Marshall has completed his Basic X95 Rifle Training
- Station meeting was held to go over the Camacho report
- Department spring firearms qualifications are complete
- Speed line painting has begun – will place speed lines on Park Avenue
- Car 157 is having mechanical problems and he recommends that the vehicle be approved for sale on Muncibid
- Preparing for 4<sup>th</sup> of July and Gettysburg Bike Week
- CTPD is prepared for the annual inventory audit and working on securing some surplus military shipping containers for storing the contents of the evidence room
- Wiring has been done for the new server and excess, decommissioned wiring will be removed and thank you to Crouse Electric for donating four LED lights for the patrol room

**Maintenance Department Report:** Mr. Walter gave the report for June and some highlights are as follows:

- Two paving projects are complete – Woodcrest Drive resurfacing and an in-house project on Spruce Drive
- Yearly weed spraying has been completed
- The crew assisted Straban Township on a paving project

- Lightning struck the traffic signal and damaged two key components – working on insurance claim
- They are painting speed enforcement lines with the Police Department and the help of Gettysburg Borough’s line painting machine
- Four applicants for the Skilled Laborer position have been interviewed and he will be making a recommendation in the near future
- The new fuel tank should be delivered in early July
- Tom Clowney requested a Farm Machinery Crossing sign on Barlow Road and he has made this request to PennDOT since this is a state road
- The landscaping has been touched up around the front of the building
- He is working with a resident on some “No Parking” signs on Apple Avenue
- Mr. Walter also explained how their intermunicipal cooperation works

### **Active Business:**

Mr. Bradley Kommeth from the Adams County Department of Emergency Services explained the new Next Generation 911 system. He reported that one of the major facets of the program is GPS and calls will be dispatched based on the GPS data. He added that due to the new technology they had to take a look at the fire boxes that have been switched to parcel base. Mr. Kommeth stated that the fire box changes have been made by the fire chiefs, not the county, and the new NG911 system has to go live by the end of the year. **Mrs. Biggins made a motion seconded by Mrs. Ramsburg and carried to approve the fire box boundaries as presented by Mr. Kommeth for NG911.**

Mr. Thomas reported that the Board needs to set a hearing date for a zoning text amendment request from Gettysburg Municipal Authority. The request is to amend Chapter 27, Part 5, Section 27-503(1) of the Cumberland Township Zoning Ordinance to set the maximum height regulations for essential services in the residential districts to 175 feet. He added that the hearing has to occur prior to July 31, 2022. **Mr. Phiel made a motion to set the hearing date for the GMA zoning text amendment for Tuesday, July 26, 2022 at 5:00 PM. The motion was seconded by Mrs. Ramsburg and carried.**

Mr. Thomas also reported that the Board needs to set a hearing date for a zoning map amendment application from Stanley T. Clark Jr. for the rezoning of the southern portion of his property located at 1170 Chambersburg Road from Residential Medium High (RMH) to Mixed Use (MX). He added that the northern portion of Mr. Clark’s property is already zoned Mixed Use (MX). **Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to set the hearing date for Stanley T. Clark, Jr. for Tuesday, July 26, 2022 at 4:30 P.M.**

Mr. Thomas read a resolution supporting the Pennsylvania Commission for the United States Semiquincentennial known as “AMERICA250PA”. The resolution states that the commission was formed in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250<sup>th</sup> Anniversary of the United States in 2026. **Mrs. Ramsburg made a motion to adopt the AMERICA250PA Resolution seconded by Mr. Phiel and carried.**

Mr. Thomas reported that the Right-to-Know requests, that come from many different places, have cost the Township approximately \$3,000.00 over the past several months. **He added that there has been pending legislation for years now to be able to charge for the staff time that is spent on the responses.**

**PERSONNEL COMMITTEE – Mrs. Ramsburg made a motion seconded by Mr. Brauning and carried to appoint Matthew Trostel Chief of Police.** Mr. Toddes thanked Police Chief Trostel for his

hard work over the past few months and also reported that Chief Camacho recommended Matt for the Police Chief position along with every police officer in the department.

Mr. Thomas reported that Solicitor Wisner has represented Pennsylvania Municipal Code Alliance (PMCA) and having done so, would like the Board's approval for him to review the agreement with PMCA for zoning, building code, and code enforcement services. **Mr. Phiel made a motion seconded by Mrs. Biggins and carried to authorize Solicitor Wisner to review the agreement with PMCA and authorize Chairman Toddes to sign the Consent to Waiver of Conflict.**

Chairman Toddes reported that four applicants for the Skilled Laborer position with the Maintenance Department have been interviewed and he suggested that the Manager and Maintenance Supervisor be authorized to hire for this position, as budgeted. **Mr. Brauning made a motion seconded by Mr. Phiel and carried to authorize the Manager and Maintenance Supervisor to hire for the Skilled Laborer position, as budgeted.**

**FINANCE COMMITTEE** - Mr. Phiel reported that the balance in the Fire Tax Fund is \$227,566.80 and they are recommending funding of \$33,723.34 to Barlow VFC for their 4<sup>th</sup> quarter, 2021 and 1<sup>st</sup> quarter, 2022 expenses and to fund Gettysburg FD \$55,871.80 as requested by both. **Mrs. Ramsburg made a motion seconded by Mrs. Biggins and carried to approve the fire tax funding as stated by Mr. Phiel.** Mr. Phiel also recommended that the Purchase Policy be amended to increase the amount needed for Purchase Orders to \$300.00. **Mrs. Biggins made a motion seconded by Mrs. Ramsburg and carried to update the Purchase Policy to require a purchase order for purchases of \$300.00 or more.** Mr. Phiel reported that the committee is continuing to monitor the American Rescue Plan funds and requests that are coming in for donations.

**PUBLIC SAFETY COMMITTEE** – Mrs. Biggins reported that the committee is recommending that the 2014 Chevy Tahoe (157) be deemed as surplus and approved for sale on Municibid. **Mrs. Ramsburg made a motion to deem the 2014 Chevy Tahoe (car 157) as surplus and authorize the public sale of the vehicle seconded by Mr. Brauning and carried.**

**SOLICITOR:** Solicitor Wisner reported that the Board did not act on the Repository Sale Price Consent for 2664 Emmitsburg Road (Gettysburg Foundry site) last month and they do need to act. Solicitor Wisner explained that the Adams County Tax Claim Bureau has recommended accepting the bid from the Adams County Industrial Development Authority, in the amount of \$10,000.00, although it is not the highest bid, it is in the best interest of the taxing bodies. **Mrs. Biggins made a motion to accept the Repository Sale Price Consent for the property located at 2664 Emmitsburg Road from the Adams County Industrial Development Authority. Mr. Phiel seconded the motion and it carried.**

Solicitor Wisner also reported that he has amended the buffers/fencing requirements within Section 27-1201D of the Zoning Ordinance and the amended ordinance (to allow for more buffering options) has been reviewed by the Planning Commission, they made a few changes and now recommend that the amendment go to the Board to be moved forward in the process. The process would include sending the amendment to the Adams County Planning Commission and scheduling a public hearing. **Mr. Phiel made a motion to advertise the amended ordinance for a public hearing on August 23, 2022 at 6:30 P.M. seconded by Mrs. Ramsburg and carried.**

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

**Park and Recreation** – Mr. Toddes reported that the fireworks display will be held on Monday, July 4<sup>th</sup> at 9:20 P.M., there will be a lot of food trucks and two bands.

**Planning and Zoning** – Solicitor Wisner reported that he met with Mr. Thomas and Ms. Long to review

the Zoning Ordinance Update. He stated that the recommendation is for them to be given time to review and then present an updated document to the Zoning Update Committee for their review.

**COG-** Mr. Phiel reported on the last COG meeting. Some items that were discussed were: County republican ballot re-count, America250PA and the Rec Park's 4<sup>th</sup> of July event.

**Highway, CTA, Economic Development – No reports**

The Zoning Officer and Treasurer's reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:35 P.M. for an Executive Session to discuss personnel and real property matters with no action to follow.

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Carol A. Merryman, Secretary

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