

Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
January 23, 2018 Meeting Minutes

The regular meeting was called to order at 7:00 p.m. by Chair Underwood. Present were Supervisors: Underwood, Waybright, Toddes, Phiel and Paddock; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Zoning Officer Bill Naugle and Planning Secretary, Michele Long.

Chair Underwood led the Pledge of Allegiance.

Mr. Waybright made a motion seconded by Mr. Toddes and carried to approve the bills in the amounts of \$50,052.75 from General Fund.

Public comment:

Steve Niebler, 110 Windbriar Lane; Mr. Niebler is concerned regarding the Township Supervisors being criticized about the recent tax increase. Mr. Niebler stated that we need to welcome economic development into the Township if they do not want tax increases. Mr. Niebler is also concerned regarding the opposition against the donations to the Gettysburg Area Recreation Authority. Mr. Niebler spoke for himself and the other Township residents who utilize the Gettysburg Rec Park and hopes that we continue to donate to this organization so we can further enjoy the area. Mr. Niebler also recognized Mr. Toddes for his hard work at the Gettysburg Rec Park. Mr. Niebler welcomed Mr. Phiel to the Board of Supervisors.

Nita Gross, 938 Barlow Greenmount Road; Ms. Gross spoke of the flood on her property this morning in regards to the Keystone Project and the recent heavy rains. Ms. Gross submitted a complaint form for the water run off onto her property. Ms. Gross said the silt fence has been knocked down last evening with the rains. Ms. Gross also submitted photos to the Supervisors which will be forwarded to KPI Engineering for review.

Al Ferranto, 501 Knight Road; Mr. Ferranto was angry regarding the tax increase with having a surplus in the budget for a building renovation and that the Supervisors receive health insurance. Mr. Ferranto wants Workshops to be scheduled at night and not at 8:30 in the morning for residents to be able to attend without taking off work. Mr. Ferranto requested all building and grounds committee meetings be scheduled with the public involved. Mr. Ferranto is also upset with the Park and Rec fund and that the Township should not donate to the Gettysburg Area Recreation Authority. Mr. Ferranto asked for the budget to be reopened and rescind the tax increase.

Speros Marinos, 912 Baltimore Pike; Mr. Marinos welcomed Mr. Phiel to the Board. Mr. Marinos spoke of the Township services that are provided to residents, the police force, the road department, office staff and fire protection. Mr. Marinos spoke of the zoning on Baltimore Pike which is useless as VMX. Mr. Marinos mentioned all of the old business that used to be in the Township that are now non-profit organizations within the park. Mr. Marinos stated that the Township took a really heavy hit on all of these businesses being taken away and he is asking to work on the new zoning and bring business back to the Township.

Engineer/Plans:

Mr. Knoebel reviewed a time extension request from Getty's Point.

Mr. Paddock made a motion to grant an extension request through July 31, 2018 for the Getty's Point final land development plan seconded by Mr. Phiel and carried.

Mr. Knoebel reviewed the DeSimon preliminary/final subdivision plan with the Board. Mr. Knoebel gave the past history of the plan and explained that it had only been modified slightly since its previously reviewed submission. Mr. Knoebel stated he had no issues moving forward with this plan based upon the engineering comments.

Mr. Toddes made a motion for approval of the DeSimon Estate/Bette Rinehart preliminary/final plan which is a re-subdivision of an approximate five (5) acre parcel located on Park Avenue & Twin Lakes Drive creating five (5) new lots for future homes and six (6) lot additions to adjacent improved lots in accordance with the engineering comments dated January 17, 2018. Seconded by Mr. Waybright and carried.

Mr. Knoebel reviewed the Wherley final lot addition subdivision plan with the Board. Mr. Knoebel explained the plan adding that it will create lots of more equal size with a more regular lot configuration and compliance with more residential district standards.

Mr. Paddock made a motion to approve the non-building waiver for the sewage planning module for the Wherley subdivision. Second by Mr. Waybright and carried.

Mr. Paddock made a motion for approval of the Douglas E & Denise A Wherley and Vonny C. Wherley final lot addition plan in accordance with the engineering comments dated January 18, 2018. Seconded by Mr. Phiel and carried.

Mr. Knoebel spoke of the bond release request for Round Top Campground waste water treatment plant upgrade. Mr. Knoebel added that after inspections, review of the record drawings and water quality management post construction certification information he recommends retaining \$30,500.00 which represents 10% of the original bond. This would be a reduction of \$305,000 of the original bond. Mr. Knoebel did state that the Township will continue to hold the long term maintenance bond at this time.

Mr. Paddock made a motion to grant the bond reduction of \$305,000.00 and retaining \$30,500.00 for the Round Top Campground Waste Water Treatment Plant upgrade. Seconded by Mr. Toddes and carried.

Mr. Knoebel stated that he had reviewed the current status of the public improvements within Cumberland Village Phase 1A & 1B. Based on the engineering review Mr. Knoebel recommended that the Township retain \$30,565.00 for Phase 1A which is 15% of the original financial security as per the engineering conditions listed on the comment letter dated January 23, 2018. Mr. Knoebel also stated that with their review he recommended the entire release of the maintenance security bond for Phase 1B. Mr. Hill asked if this was approved can they submit a check with a security agreement to be filled out in lieu of a bond. Mr. Wisner stated this would be fine and has been done before with a completed security agreement.

Mr. Paddock made a motion to retain \$30,565.00 for Cumberland Village Phase 1A in accordance with the engineering comments. Seconded by Mr. Toddes and carried.

Mr. Waybright made a motion to release the maintenance bond for Cumberland Village Phase 1B as recommended by the Township Engineer. Seconded by Mr. Phiel and carried.

Mr. Toddes made a motion of the approval for replacement collateral in the form of cash with agreement formatted by Mr. Wisner, seconded by Mr. Paddock and carried.

Visitors:

Mr. Eric Hubbard Chief from Barlow Fire Department; Mr. Hubbard gave a report on the number of fire calls they received in 2017. Mr. Hubbard also gave a schedule of events that will be held at the fire department for 2018. Mr. Hubbard explained that they just signed a contract to replace an engine that is currently 26 years old and that the old unit is currently up for sale. Mr. Hubbard distributed drawings of the new engine and stated it will cost the Department \$383,961.00 which \$50,000 will come from the general account at the Fire Department as a down payment. Mr. Hubbard asked the Board for any unappropriated fire tax funds to help purchase the new apparatus. Mr. Hubbard thanked Chief Boehs on all the help they receive from the Township Police Department. Jim Brown, President of the Barlow Fire Department, asked for any questions. Mr. Thomas asked if the Board would want to send this request to

the Finance Committee for review and recommendation. The Board agreed.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of December, 2017 including: 282 complaints - Psych/suicide-4, Disturbances-7, Assault/Harassment-5, Domestic-9, Criminal Mischief-1, Suspicious Activity-15, Thefts-0, Alarms-11 Medical Emergency-10, 911 Hang Up-4, Sexual assault-1, Burglary-1, Fraud-1, Wanted Person-2, Reported Drug Activity-1, Welfare checks-15, Shots Fired-1, Follow-up Investigation-32; 64 traffic stops, 44 combined arrests, 19 traffic accidents, 6 targeted enforcements and 10,274 patrol miles. He added that they assisted other agencies 10 times, they were assisted three times. Assists to Pa. State Police were in Straban and Mt. Joy Townships. Police Chief Boehs reported that they had 72 walk-in complaints. The total calls for the year of 2017 were 4,311. Mr. Boehs announced that Township resident Mr. Gregory gave a generous donation of \$5,000 which will be used for ballistic tactical helmets and ceramic vests. Mrs. Underwood asked the Township to send a thank you note to Mr. Gregory.

Active Business:

Mr. Thomas acknowledged the action by the Supervisors on January 2, 2018 regarding the withdrawal of the Country Meadows Conditional Use Application.

Mr. Thomas also acknowledged the participation by Supervisors in the Cumberland Township Health Care Plan as authorized in Section 606C, (1) of the Pennsylvania Second Class Township Code. Mr. Toddes, Mr. Waybright and Mr. Phiel are requesting the participation in the health care plan. Mr. Paddock and Mrs. Underwood are denying the request for participation in the health care plan. Mrs. Underwood does accept the life insurance plan.

Mr. Thomas affirmed the Cumberland Township Park & Recreation District Map as previously approved by the Supervisors, also noting that a copy of this map has been handed out to each Supervisor this evening.

Mr. Paddock made a motion to adopt the Cumberland Township Park & Recreation District Map seconded by Mr. Waybright and carried.

Mr. Thomas reviewed the Transportation Impact Fee Ordinance recommendation. Mr. Thomas read a diatribe of history on information that has been collected in regards to the Transportation Impact Fee Ordinance since 2007. Mr. Thomas stated that the Transportation Impact Fee Committee is asking the Board to consider the following actions:

1. Authorize the Solicitor to begin legal proceeding's to repeal Cumberland Township's Traffic Impact Fee Ordinance, Chapter 25.
2. Subject to legal review and appropriate release form the Township would pro-rate the Transportation Impact Fee fund balance with a percentage of funds paid in since inception and return the pro-rated amount to developers subject to signature of an appropriate release form.

Mr. Thomas added that the Township will never be able to afford millions of dollars for road projects especially when most of those road projects would be on PennDot roads. Mr. Thomas added that he feels a better system would be that if and when future development occurs to negotiate improvements that will be completed immediately. Mr. Waybright stated that the funds are so restricted that the Township cannot make use of the monies collected.

Mr. Tallman spoke regarding the state improvements to Route 30 and Herr's Ridge Road asking if the funds could be used to update that traffic light. Mr. Thomas responded that this is the main intersection which the committee reviewed and the improvements for this intersection were into the millions. Mr. Crushong asked what monies being released on pro-rated figures meant. Mr. Thomas stated this means the engineering fees that the Township has already incurred has been deducted from what is currently being held.

Mr. Toddes made a motion to authorize the Solicitor to begin legal proceeding's to repeal Cumberland Township's Traffic Impact Fee Ordinance, Chapter 25, seconded by Mr. Paddock and carried.

Mr. Paddock made a motion to approve the Township to pro-rate the transportation impact fee fund balance with a percentage of funds paid in since inception and return the pro-rated amount to developers subject to signature of an appropriate release form, upon repeal of the current ordinance, seconded by Mr. Toddes and carried.

Mr. Thomas asked to reschedule the strategic planning review of projects for 2018 which was scheduled for last week and then cancelled. Mr. Thomas suggested the rescheduled date to be at the next regular scheduled workshop which will be February 22nd at 8:30 am. The Board agreed on this date.

Solicitor: Mr. Wisner acknowledged that they received the fully executed police collective bargaining agreement for the years 2018-2021. Mr. Wisner also spoke of the Comcast agreement which is currently being negotiated. Mr. Wisner explained that many Townships are in the process of renegotiating the franchise agreement. ACTV is talking with Comcast regarding this agreement and it is currently in the process of being reviewed.

Committee Reports and comments from Board Members:

Finance - Mrs. Underwood asked Mr. Wisner to speak to Comcast regarding the need of a Business account which is required for the Police Department to obtain a static IP address for the new reporting program that the police department will now be using in their patrol cars. The Finance Committee is asking for this to be moved forward.

Mr. Waybright made a motion to authorize the expenditure for the upgraded Comcast service for the Police Department to be shared by all departments including the Administrative Offices and Sewer Authority, seconded by Mr. Toddes and carried.

Mr. Phiel stated that the Maintenance Department currently has two truck radios which are outdated and do not work properly with the new radios. The Maintenance Department is requesting the purchase of two additional upgraded radios. Mr. Thomas stated that these items were budgeted.

Mr. Toddes made the motion to authorize the purchase of two additional radios at \$6,355.98 for the trucks, seconded by Mr. Waybright and carried.

Highway – Mr. Waybright had no report.

Building and Grounds – No report

Personnel – Mrs. Underwood stated they would be meeting shortly to finalize the job description and advertisement for the Administrative Assistant position.

Planning and Zoning – Mrs. Underwood explained that each member received a copy of the Comprehensive Plan this evening. The Planning Commission will be receiving the Comprehensive Plan at their February meeting.

Parks and Recreation – Mr. Toddes stated that the indoor walking program has started at the High School on Monday & Wednesday evenings from 7-8:30 p.m., this is a free program that allows the public to walk on the High School Track. Mr. Toddes reported the Blood Mobile will be at the Recreation Park on Jan. 29th from 3:00-7:00 p.m. Mr. Toddes also stated that their Director, Jackie has been invited as a speaker to the PA Rec Park Society Conference. This is at no cost to the park. Mr. Toddes corrected some information that was given out by a citizen at the beginning of the meeting regarding employees at the Recreation Park. Mr. Toddes added that their meetings are the 3rd Monday of every month, are open

to the public, the budget is available and any other information is available.

CTA – Mr. Toddes reported that they met in early January and reorganized with the same people in the same positions.

COG – Mrs. Underwood stated the meeting Thursday, January 25th at 8:30am.

Economic Development – Mrs. Underwood stated that everyone received a memorandum regarding a program on February 5th from Robin Fitzpatrick regarding LERTA (Local Economic Revitalization Tax Assistance Program) implementation. Mrs. Underwood stated that the memorandum is an invitation to this program which is being presented to the Gettysburg Area School District and is open to the public. Mrs. Underwood explained that this will be a full presentation regarding LERTA and she hopes to work with LERTA to fill our empty buildings in the Township and provide some economic development.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:19 p.m.

Michele Long, Planning Secretary

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_____) Supervisors
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