

**Cumberland Township Board of Supervisors
Minutes of the January 25, 2011 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairman Waybright. Present were all Supervisors; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Carol Merryman, Police Chief Boehs, Engineer Tim Knoebel. Visitors present were: Rachel Killeen from PFM, Holly Martin, Matt Sentz, Dale Molina, Don Sangirardi, Carolyn Greaney, Al Ferranto, Speros Marinos, Richard Kitner, Mike Galassi, John Longanecker, Tom Gilbert, Betty Howard, Steve Toddes, Gene and Linda Moose, Scot Pitzer from The Gettysburg Times and Tim Prudente from The Evening Sun. The meeting was tape recorded.

Chairman Waybright led the Pledge of Allegiance.

Mrs. Golden made a motion to approve the Minutes of the December 21, 2010 regular meeting, as written, seconded by Mrs. Underwood and carried.

Mrs. Underwood made a motion to approve the Minutes of the January 3, 2011 Reorganization Meeting, seconded by Mr. Phiel and carried.

Mrs. Underwood made a motion to pay the bills, in the amount of \$82,577.68 from the General Fund, \$6,000.00 from the State Fund, \$1,289.86 from the Park and Rec Fund and \$454.02 from the Traffic Impact Fund seconded by Mrs. Golden and carried.

Mr. Knoebel reported the following:

A Sewage Planning Exemption for the William H. Scott, Jr. ETAL property located on Marsh Creek Road is ready for the Board's action to forward it to PA DEP for their review and approval. The plan proposes four new building lots that will be served by on-site water and sewer. **Mr. Shealer made a motion to approve the William H. Scott, Jr. ETAL Sewage Planning Exemption seconded by Mr. Phiel and carried.**

There were also three Requests for Extension on the agenda and Mr. Knoebel recommended that The William H. Scott, Jr. ETAL request should be granted and he recommended that S & A Homes be asked to update the Board on their progress with the two plans for The Crossings.

Mrs. Golden made a motion to grant an extension for approval of the William H. Scott, Jr. ETAL Final Plan until May 2, 2011, seconded by Mrs. Underwood and carried.

Mrs. Underwood made a motion to grant an extension for The Crossings I, Phase I, Final Plan and The Crossings II Preliminary Plan until April 30, 2011 and that the developer be notified that the Board needs to be updated on the progress of these plans before the request is made for further extensions. The motion was seconded by Mr. Phiel and carried.

The Enid Craumer Final Plan still needs the submission and review of a Shared Use and Maintenance Agreement for the shared driveway. **Mr. Shealer made a motion to table the plan until the information is received seconded by Mrs. Underwood and carried.**

The Grandview Station 3-Lot Final Subdivision Plan located on Biglerville Road has been recommended for approval by the Township Planning Commission and also has a Land Development Plan for the entire lot. There are no waivers needed and the plans have been revised with the required notes and have been reviewed. Mr. Knoebel suggested that a Resolution be written to notify the developer of the requirement to withdraw the Land Development Plan. **Mr. Phiel made a motion to approve the Grandview Station 3-Lot Final Plan conditioned upon the current Land Development Plan that has been approved being voided**

upon this approval and authorizing the Chairman to execute a Resolution memorializing the same seconded by Mrs. Golden and carried.

Ms. Rachel Killeen, Consultant for Public Financial Management, Inc., presented a Final Bank Loan Commitment with Orrstown Bank. The loan has a 25-year term with a fixed rate of 3.99% for 15 years. The commitment included an analysis of payments needed to pay the loan off in 15 years. Solicitor Wisner added that the Debt Ordinance was advertised in The Gettysburg Times as required and a copy of the Ordinance was available at the Township Building, Gettysburg Times office and Law Library for public review.

Mr. Don Sangirardi stated his concern about the 25-year term of the new loan structure and he asked that the loan be paid off quicker. He asked that the Township keep their costs as low as possible. Mr. Thomas reported that there is a proposed Resolution for a Debt Retirement Plan later on the agenda which expresses the Board's wishes to have the loan paid off in 15 years.

Mr. Shealer made a motion seconded by Mr. Phiel and carried to adopt Ordinance 2011-138 as follows:

AN ORDINANCE AUTHORIZING THE REFUNDING OF EXISTING NON ELECTORAL INDEBTEDNESS OF CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA BY DIRECTING THE ISSUANCE OF A GENERAL OBLIGATION BOND IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,605,000.00 TO BE ISSUED BY ORRSTOWN BANK (the "PURCHASER"), PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT, TO PROVIDE FUNDS FOR THE REFUNDING OF ITS GENERAL OBLIGATION NOTE, SERIES 2007 AND GENERAL OBLIGATION NOTE, SERIES 2009; ACCEPTING A CERTAIN PROPOSAL FOR THE PURCHASE OF SUCH BOND, AT PRIVATE SALE; AUTHORIZING AND DIRECTING APPROPRIATE OFFICERS OF THE TOWNSHIP TO TAKE CERTAIN ACTIONS AND TO EXECUTE CERTAIN DOCUMENTS REQUIRED BY THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT; APPROVING THE SUBSTANTIAL FORM, MAXIMUM PRINCIPAL AMOUNTS, DATE, INTEREST MATURITY, AND SOURCES OF PAYMENT OF SAID OBLIGATION, SECURED BY THE GENERAL REVENUES OF THE TOWNSHIP AND PLEDGING THE FULL FAITH, CREDIT, AND TAXING POWER OF THE TOWNSHIP IN SUPPORT THEREOF; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; DIRECTING THE RETIREMENT OF THE REFUNDED NOTES; CONTAINING RELATED PROVISIONS; AND PROVIDING FOR THE REPEAL OF ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

A roll call vote was taken as follows: Mrs. Golden – yes, Mrs. Underwood – yes, Mr. Waybright – yes, Mr. Phiel – yes and Mr. Shealer – yes. The motion carried unanimously.

Chairman Waybright called for Public comment:

Mr. Richard Kitner thanked the Road Department for their fine job of removing the snow.

Mr. Matt Sentz, Barlow Fire Department, presented their statistics for 2010 including: 160 calls; 43 in Cumberland Township, 43 in Mt. Joy Township and 27 in Gettysburg Borough. The balance of the calls were in many different locations. He added that their response time was 4 minutes and 9 seconds with an average of 11 personnel, up 2 from 2009. He also reported that this year is their 80th Anniversary and they will be holding a Spring and Fall Community Day instead of a carnival and a special September 11th Car Show. Chairman Waybright thanked the Fire Department for the job they do protecting the people.

Mr. Speros Marinos, 912 Baltimore Pike, stated that he wishes to thank the Township for the money that they are saving on the Belmont Road bridge project and thanked the Solicitor for the information on the grant for the Historical Architectural Review Board for an architect. He also read a press release for the Cumberland Township Historical Society.

Mr. Al Ferranto asked the Board for transparency, openness and a working relationship with the Concerned Citizens group. He added that he does not feel that residents should have to pay .25 per page for information

that is emailed especially something that is brand new. He requested that Resolutions be on the website before they are voted on so people do not have to pay for copies of them. Mr. Ferranto spoke about the budget and expressed a concern about the drop in the police overtime budget because the Police Chief reports that crime is going up. He added that the Supervisors asked the employees to make sacrifices and still have full health and dental benefits and he asked the Supervisors to pay for their families to be covered. He asked if the Township Manager and Police Chief could attend their Concerned Citizens meetings and the Board acknowledged that they could attend.

Mr. Gene Moose asked the Board if they would contact PennDOT about the Cunningham Road Bridge replacement as this project has been dragging on for around five years and he owns property right on the other side of this bridge that is now difficult to access.

Police Chief Boehs presented a written and oral report of police activities for the month of December including 409 complaints, 68 combined arrests, 21 traffic stops, 21 traffic accidents and 10,123 patrol miles. He added that they assisted other agencies 9 times and they were assisted 6 times. The total number of calls for 2010 was 6,020, up approximately 600 from last year.

Mrs. Golden made a motion seconded by Mrs. Underwood and carried to authorize a letter of support for the Community Media Initiative to be signed by the Manager and forwarded, seconded by Mrs. Underwood and carried.

Mrs. Underwood made a motion to appoint Mr. Ben Thomas, Township Manager, as the Public Information Liaison seconded by Mr. Phiel and carried.

Mr. Thomas responded to questions that were asked by Mr. Don Sangirardi at the December meeting and a copy of these answers is attached. Mr. Ferranto commented again on the budget and stated that the Township is in financial distress and stated that we need to work together to find solutions. He also commented again on the cost of the Supervisors' health and dental benefits.

Chairman Waybright reported that the Township has received a letter from William Stebbing requesting that the zoning of his property located on Mummasburg Road be changed. He added that this was reviewed at the workshop and will be incorporated into the current Zoning amendments that will ultimately be advertised and have a public hearing held in the near future. Solicitor Wisner also stated that the door has to be closed on zoning change requests in order to keep on schedule.

Mr. Thomas reported that the Historical Architectural Review Board needs to also consist of a licensed Real Estate broker and a registered Architect to make the Board whole and the Solicitor did provide the information on a possible grant to help pay for an Architect's time to serve.

Mr. Thomas reported that Resolution 2011-05 expresses this Board's intention, and encourages future Supervisors, to pay-off the debt restructuring within a 15 year period that will require the appropriate budgeting and if this can be accomplished, the Township could save over \$500,000.00. **Mrs. Golden made a motion seconded by Mrs. Underwood and carried to adopt Resolution 2011-05 as follows:**

A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA RECOMMENDING A DEBT-RESTRUCTURING AND DEBT RETIREMENT PLAN FOR CURRENT AND FUTURE SUPERVISORS.

Mrs. Golden made a motion seconded by Mrs. Underwood and carried to adopt Resolution 2011-06 as follows:

A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA ESTABLISHING ADMINISTRATIVE RECREATION COSTS AND REIMBURSEMENTS TO THE GENERAL FUND.

Mr. Thomas explained that the Policy for Police outside employment clarifies Police services and the pay that they would receive for special service requests that the Chief of Police does receive and it also clarifies our Liability and other insurances. Mr. Thomas added that he would like to clarify as many of the events as possible and more time is needed for that and for review of the policy. **Mrs. Golden made a motion seconded by Mr. Phiel and carried to table the Policy for Police outside employment for additional review and clarification of the specific events.**

Chairman Waybright stated that the Township has become aware that they need an Airport Zoning Planning Agency because there is an airport in the Township. Solicitor Wisner added that PennDOT requires that the Township adopt an Airport Zoning Overlay and this is part of the Zoning amendments that are currently being worked on and the statute does permit the Township's Planning Commission to be the Airport Zoning Planning Agency. **Mrs. Underwood made a motion to appoint the Cumberland Township Planning Commission as the Airport Zoning Planning Agency and notify them of same seconded by Mr. Phiel and carried.**

Mr. Thomas asked Mr. and Mrs. Moose to stay after the meeting because he has some information on the Cunningham Road Bridge that he would be happy to share with them.

The Zoning Officer and Assistant Secretary's reports were reviewed.

Solicitor Wisner reported that he has reviewed the Police Department's Ride-Along Policy and he feels that there are adequate indemnification and release provisions in the policy.

Mrs. Underwood reported that there is an ACTPO meeting scheduled for tomorrow and she will inquire regarding the Cunningham Road Bridge. She added that there is also an Adams County COG meeting scheduled for tomorrow morning at the Emergency Services Building and a gentleman will be speaking on the importance of Marcellus Shale to Adams County. She added that the COG follows the Gettysburg Area School District policy for cancellation if the weather is inclement and the meeting is canceled if there is a two-hour delay.

At 8:20 p.m., Chairman Waybright adjourned the regular meeting for an Executive Session to discuss a personnel issue with no report to follow.

There being no further business the meeting was adjourned at 9:00 p.m. by motion of Mrs. Golden seconded by Mr. Phiel and carried.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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