

**Cumberland Township Board of Supervisors**  
**1370 Fairfield Road, Gettysburg, PA 17325**  
**August 23, 2022**  
**Public Hearing for Ordinance 2022-190 – 6:30 P.M.**  
**Regular Meeting – 6:40 P.M. Immediately following hearing (as advertised)**

Chairman Toddes called the Public Hearing for Ordinance 2022-190 that amends Chapter 27, Part 12, Buffer Requirements, of the Township of Cumberland Code of Ordinances to order at 6:30 P.M. Present were Supervisors: Toddes, Phiel, Brauning and Biggins; Solicitor Sam Wisner, Zoning Officer Michele Long, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. Also present were Court Reporter Deb Zepp, and Jim Hale from The Gettysburg Times. Solicitor Wisner conducted the hearing and summarized the ordinance for the Board. There were no public comments. The hearing was adjourned at 6:35 P.M. Please see transcript for the complete record of the hearing.

Chairman Toddes called the regular meeting to order at 6:40 P.M. Present were Supervisors: Toddes, Phiel, Biggins and Brauning. Also present were Solicitor Sam Wisner, Township Engineer Tim Knoebel, Police Chief Matthew Trostel, Superintendent of Roads Chris Walter, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. Also present were Mr. and Mrs. Brian Fitzgerald, Jim Hale from The Gettysburg Times and approximately 8 residents. Mrs. Ramsburg arrived at 7:15 P.M.

Chairman Toddes led the Pledge of Allegiance.

Chairman Toddes reported that the Board held an Executive Session on August 16, 2022 regarding personnel matters with no action following.

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

**Mr. Brauning made a motion seconded by Mr. Phiel and carried to approve the Minutes of the July 19, 2022 Special Meeting and the July 26, 2022 Regular Meeting.**

**Mr. Phiel made a motion seconded by Mr. Brauning and carried to approve the bills in the amounts stated by the Chairman: \$398,273.08 from the General Fund, \$2,493.50 from the Escrow Fund, \$1,088.90 from the ARPA Fund, \$19,840.00 from the State Liquid Fuels Fund, \$64,872.88 from the Capital Reserve Fund and \$7,500.00 transfer from General Fund to FSA Account.**

**Public comment:** Mr. Brian Fitzgerald from Barlow-Greenmount Road spoke to the Board regarding stormwater run-off from the Keystone property that is currently for sale. The Keystone property is still being monitored by the Township engineers and Mr. Knoebel will work with Mr. Fitzgerald regarding his concerns.

**Engineer:**

Mr. Knoebel reported that they were able to negotiate a cost reduction change order for the two MS4 basin retrofit projects. The amount of the reductions totals \$49,600.00 bringing the total cost of the two projects to \$187,600.00. Mr. Knoebel added that the “Notice to Proceed” was sent to the contractor and they will be working by the time the Board meets next month. Mr. Knoebel also reported that the two other projects for stream bank restoration have permits and approvals in place from the state and the county and are a little ahead of schedule. He stated that they will have a presentation ready for the next Board meeting.

Mr. Knoebel reported that the Township has a Request for Extension from Sharrah Design Group, Inc. for Cambridge Crossing Phases II and III until November 30, 2022. Mr. Knoebel stated that the developer is

working on addressing comments and they are working with Cumberland Township Authority constructing a portion of a sewer line extension along Boyd's School Road. **Mrs. Biggins made a motion seconded by Mr. Phiel and carried to approve the extension request for Cambridge Crossing Phases II and III until November 30, 2022.**

Mr. Knoebel also reported that the Township has a Request for Extension from Sharrah Design Group, Inc. for the James and Joyce Knefley Subdivision until November 30, 2022. Mr. Knoebel reported that PA DEP is reviewing their Sewage Planning Module. **Mr. Phiel made a motion to grant the extension until November 30, 2022 seconded by Mr. Brauning and carried.**

**Police Report:** Police Chief Matthew Trostel presented an oral and written report of police activities for the month of July 2022 including: 308 calls for service, 77 traffic stops, 17 criminal incidents and 8,294 patrol miles. Some highlights of the report were:

- Expected delivery date of the two Durangos is late September and receipt of upfit equipment shortly thereafter
- The station door has been replaced
- The surplus 2014 Tahoe and K-9 kennel have been sold on Municibid for \$4,700.00 and \$525.00 respectively
- Officer Eiker is working on a 2023 Pa. Commission on Crime and Delinquency (PCCD) grant to apply for funding to cover various training and there may be future available funding bonuses for officer retention and recruitment
- Various training being taken by the officers; garage clean-up including transfer of the contents of the evidence room to the military container and Oak Lawn and Police records being organized

**Maintenance Department Report:** Mr. Walter gave the report for August and some highlights were:

- The above-ground fuel tank will likely be ready to go online by the beginning of October
- They are working on stormwater piping and structure replacement in Twin Lakes I and II and will continue through the end of September
- Roadside mowing continues and they will be utilizing a rented boom mower
- With approval to advertise, will be receiving bids for line painting due to inflation
- With approval, will be contracting with Signal Service, Inc. for maintenance and inspections of the traffic signal
- New dump truck delivery expected first quarter of 2023
- Our PennDOT representative has requested that the Township vacate a portion of Natural Dam Road in the area of the Ridge Road intersection in conjunction with PennDOT Liquid Fuels verifying the total miles of both township and state roads. The verification did result in an increase of about .7 miles even after the vacation. After discussion, Solicitor Wisner suggested that maybe a "restriction of access" would be more what the Township would like to see happen here and that will need to be done by October.
- They will be prepping for the winter season and requesting proposals for contracting snow plowing for the 2022/2023 season
- Mr. Walter met with the homeowner of 35 Maple Ave. regarding stormwater run-off and a Comcast contractor damaged the new portion of Spruce Drive while doing a road crossing that he had denied and the Township will not be issuing any road occupancy permits for Comcast until this damage has been taken care of.

Solicitor Wisner reported that the Township's traffic signal maintenance has been done by Pa. PERCS and they suddenly closed up shop. He added that Mr. Walter has found a replacement company, Signal Service, Inc., and he has provided an amended agreement that includes all PennDOT's requirements. Solicitor Wisner added that the agreement has not been reviewed by Signal Service, Inc., but he asked the

Board to authorize the agreement in substantially the form that it is presented so that the Township can get them on board in case there is an emergency. **Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to approve the agreement with Signal Service, Inc. for traffic signal maintenance.**

**Active Business:**

Solicitor Wisner reported that the Board held a public hearing at 6:30 P.M., just prior to the regular meeting, regarding Ordinance 2022-190 that amends Section Chapter 27, Part 12, of the Township's Code of Ordinances regarding Buffer Requirements. He added that there were no public comments received.

**Mrs. Biggins made a motion to adopt Ordinance 2022-190 amending certain buffering requirements seconded by Mr. Phiel and carried.**

Solicitor Wisner noted that he has direction on the next agenda item for vacating a portion of Natural Dam Road and he will have information on this for September's meeting.

Solicitor Wisner reported that the Township has a request for Zoning Map amendments for 1086, 1076 and 1064 Biglerville Road all of which are improved with residential dwellings, one of the dwellings was the parsonage associated with the church and that parsonage has been sold. He added that the dwelling that was the parsonage is zoned Institutional and can not be used as a single family dwelling. Solicitor Wisner also stated that the request is for the three parcels to be zoned Residential, but this may be "spot zoning." Solicitor Wisner suggested that he could contact the applicant and recommend that they request that the change be to Mixed Use (MX) and there is MX zoning across the street. **Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to set the public hearing for the Zoning Map amendments for three properties along Biglerville Road for September 27, 2022 at 6:30 P.M. and to authorize Solicitor Wisner to contact the applicants as was stated.**

The Board acknowledged a letter to the National Park Service American Battlefield Protection Program supporting a grant application from the American Battlefield Trust that will fund the creation of a plan to further research and restore a key piece of the Gettysburg Battlefield located along Chambersburg Road at Seminary Ridge.

Solicitor Wisner explained that the 2023 Minimum Municipal Obligations are a funding requirement for the Township's Uniformed and Non-Uniformed Pension Plans. He added that the amounts have been actuarially calculated as follows: Non-Uniformed 2023 MMO \$80,060.00 and Uniformed 2023 MMO \$168,437.00. **Mrs. Biggins made a motion to approve the 2023 MMO's in the amounts stated by Solicitor Wisner seconded by Mrs. Ramsburg and carried.**

**Mrs. Biggins made a motion seconded by Mr. Brauning and carried to adopt Resolution 2022-11 authorizing the destruction of specific records.**

**FINANCE COMMITTEE** – Mr. Phiel reported that the Township needs to purchase pavement markings for the North Gettysburg Trail on Old Harrisburg Road (sharing the cost with the other municipalities involved in the trail), in the amount of \$1,334.13. **Mrs. Ramsburg made a motion to approve the purchase, as stated, seconded by Mr. Brauning and carried.** Mr. Phiel also reported that authorization is needed to request bids for the Township-wide line painting for 2022 (bids needed due to inflation.) **Mrs. Biggins made a motion seconded by Mr. Brauning and carried to authorize staff to advertise for bids for the line painting.** Mr. Phiel reported that the Maintenance Department needs to purchase another two-way radio for the new employee, in the amount of \$3,290.54, through the Costars Program. **Mr. Brauning made a motion to approve the purchase of a new two-way radio, in the amount of \$3,290.54, seconded by Mrs. Ramsburg and carried.** Lastly, Mr. Phiel reported that the Fee Schedules will have to be amended due to the change to Pa. Municipal Code Alliance and Ms. Long is working on that.

**PERSONNEL COMMITTEE** – Mrs. Ramsburg reported that there is a vacancy on the Planning Commission and she recommends that Kirby Kiefer be appointed. She added that the Board appreciates residents’ willingness to volunteer for these Commissions and Boards. **Mr. Brauning made a motion seconded by Mr. Phiel and carried to appoint Kirby Kiefer to the Planning Commission.** Mr. Kiefer’s term will expire on 12/31/2023.

**SOLICITOR:** Solicitor Wisner reported that Cambridge Crossings, Phase I has had outstanding punch list items for a few years now, the developer has been notified regarding his continuing default under the Developer’s Agreement and the Township informed the developer that they needed to take substantial steps to complete the items or action would be taken. Solicitor Wisner stated that the Township can pull the developer’s financial security and suggested that be done if the items are not completed by September 30, 2022. **Mrs. Biggins made a motion to continue with the default notification and pull the developer’s financial security if punch list items are not completed by September 30, 2022.**

Solicitor Wisner also reported that Act 57 of 2022 mandates that taxing authorities adopt an ordinance that would provide some level of relief for someone who has purchased a home but, has not received a tax notice because of timing when they made the purchase, to be able to pay the tax at face value. He added that he does not believe that this ordinance will harm the Township’s revenue from property tax and it provides a relief valve in case there is an administrative glitch with not getting the tax bill. **Mrs. Biggins made a motion to authorize the Solicitor to prepare the ordinance, as required by the Local Tax Collection Laws, seconded by Mr. Phiel and carried.**

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

**Park and Recreation** – Mr. Toddes reported that the park is doing well and he thinks that COVID got everyone into the park.

**Planning and Zoning** – Solicitor, Manager and Zoning Officer continue the review process

**Public Safety** – Mrs. Biggins reported that the Board visited Barlow Fire Dept., had a tour, met their officers and heard about their challenges. Gettysburg Fire Dept. has a fund raiser being held on September 10<sup>th</sup>.

**Highway, CTA, COG, 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 8:15 P.M. for an Executive Session to discuss personnel with no action to follow.

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Carol A. Merryman, Secretary

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