

**Cumberland Township Board of Supervisors  
Minutes of the January 24, 2012 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairperson Underwood. Present were all Supervisors; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Assistant Secretary Carol Merryman, Police Lieutenant Tim Guise and Zoning Officer Bill Naugle. Visitors present were: Riley Hollingsworth, Barry and Jean Stone, Martin Hill, Elizabeth Magner, Dale Molina, Everett Ladd, Speros Marinos and Mark Walters from The Gettysburg Times. The meeting was recorded.

Chairperson Underwood led the Pledge of Allegiance.

**Mr. Shealer made a motion to approve the Minutes of the December 20, 2011 regular meeting and January 3, 2012 Reorganization meeting, as presented, seconded by Mr. Waybright and carried.**

**Mr. Waybright made motion to pay the bills, in the amount of \$77,424.89 from the General Fund, \$375.06 from the Traffic Impact Fund and \$631.68 from the Park and Rec Fund seconded by Mr. Toddes and carried.**

**Public Comment:**

Mr. Barry Stone, 1745 Mummasburg Road, congratulated Mr. Ferranto and Mr. Toddes on their election to the Board and submitted an application for an amendment to the Zoning Ordinance to the Zoning Officer.

Mrs. Jean Stone, 1745 Mummasburg Road, submitted written comments to support their application for an amendment to the Zoning Ordinance that they submitted at the October 25, 2011 meeting.

Mr. Everett Ladd, 215 Ridgewood Lane, stated that he supports the written comments submitted by Mrs. Stone.

**Police Report:**

Police Lieutenant Tim Guise presented a written and oral report of police activities for the month of December including: 425 complaints, 50 combined arrests, 67 traffic stops, 10 traffic accidents and 9,301 patrol miles for November and December. He added that they assisted other agencies 6 times and they were assisted 3 times. He also reported that the majority of the officers attended mandatory in-service training that is required to maintain their certifications.

**Active Business:**

Chairperson Underwood reported that the Township received a letter from Community Media (formerly Adams County TV) requesting funding in the amount of 6% (approximately \$4,200.00) of the cable franchise fee. Mr. Thomas added that the Board has a copy of the 2012 budget from Community Media, as requested, and there are approximately 1,500 households with cable TV in the Township. He also reported that Comcast gives Community Media \$3,000.00 per month. Mr. Ferranto stated that this donation was not budgeted and Community Media does not serve all Township residents. **Mr. Shealer made a motion to deny the request from Community Media for a donation of 6% of the cable franchise fee seconded by Mr. Ferranto and carried.**

Mr. Thomas explained that, as a result of the latest Police negotiations for their three year contract, an "Opt Out/Continuation Policy" it is recommended for a non-uniformed employees who waive health care insurance coverage as follows: a single employee waiving insurance would receive \$500.00 per calendar quarter, (\$2000.00 per year); an employee waiving a family plan would receive \$1,000.00 per quarter, (\$4,000.00 a year) and an employee changing from a family plan to a single plan would receive \$600.00 per quarter, (\$2,400.00 per year). He added that the potential savings for a single employee opt out is approximately

\$1,917.00 annually; family opt out savings is approximately \$7,360.00 annually and family to single employee opt out savings is approximately \$2,497.00 annually. **Mr. Ferranto made a motion to approve the “Opt Out/Continuation Policy and Guideline” seconded by Mr. Toddes and carried.** Mr. Shealer abstained because he is also an employee of the Township.

Solicitor Wisner reported that he has reviewed the request from Martin Hill – Cumberland Club Investment, LLC to change the zoning classification of the former Gettysburg Country Club property, located at 730 Chambersburg Road, from Residential to Mixed-Use for spot-zoning because it is a single parcel. He reported that it is not “spot-zoning” if you can prove that planning has been done and when he looked at the Township’s Comprehensive Plan he found that you could not present a better zoning change request than this one and it was definitely contemplated in the Comprehensive Plan. He reported that the Comprehensive Plan states that commercial development is best suited along the major roads in the Township and this area along US 30 was designated as a “growth area.” He added that all necessary public utilities are there to serve the development. He also reported that one of the goals listed in the Comprehensive Plan is to direct commercial business to the US 30 corridor to create a Town Center. Solicitor Wisner concluded that the request is completely consistent with the Comprehensive Plan and this would not be “spot zoning.” Mr. Hill agreed with Solicitor Wisner’s opinion and stated that they will cover all costs of the zoning change process. **Mr. Waybright made a motion to consider Mr. Hill’s request for rezoning and to move forward with the process of a public hearing with Mr. Hill paying all of the fees associated with the process seconded by Mr. Ferranto and carried.**

Mr. Thomas reported that Resolution 2012-01 that is required by Act 600 has been amended to read that municipal contributions may be needed to keep the fund actuarially sound as discussed at the January 3, 2012 meeting. **Mr. Waybright made a motion seconded by Mr. Shealer and carried to adopt the Resolution as follows:**

#### **RESOLUTION 2012-01**

#### **A RESOLUTION ELIMINATING EMPLOYEE CONTRIBUTIONS TO THE POLICE PENSION PLAN FOR 2012**

BE IT RESOLVED AND ENACTED by the Authority of Cumberland Township, Adams County, Commonwealth of Pennsylvania, by the Board of Supervisors:

The conditions required by Act 600 allowing for the elimination of employee contributions to the Police Pension Plan have been met;

The conditions of the Plan are such that contributions may be reduced, or eliminated, as evidenced by an actuarial study;

Municipal contributions may be required to keep the fund actuarially sound;

The governing body of the Municipality reviews contributions on an annual basis.

ENACTED AND RESOLVED THIS 24<sup>TH</sup> DAY OF JANUARY, 2012 BY THE CUMBERLAND TOWNSHIP BOARD OF SUPERVISORS.

BY: Barbara Underwood, Chair

ATTEST:

Carol A. Merryman, Assistant Secretary

**Mr. Shealer made a motion to reschedule the April 24, 2012 regular meeting to April 17, 2012 at 7:00 p.m. since there is a conflict with the Primary Election seconded by Mr. Toddes and carried.**

**New Business:**

Mr. Thomas reported that the Township received a conditional use application from HACC for an expansion to their parking lot. The Township then learned that HACC is also going to need a variance from the Zoning Ordinance. He stated that HACC must proceed with the Zoning variance request first and if the variance is granted then they can move ahead with the conditional use request and the Township will notify HACC of this.

**Reports:**

Mr. Naugle reported that he has received a plan for a major renovation to James Getty Elementary School.

The Assistant Secretary's report was reviewed.

Mr. Ferranto reported that there is a meeting of the Zoning Amendment Review Committee on February 1, 2012 at 7:00 p.m. and the Park and Rec Committee is meeting tomorrow.

**Solicitor:**

Solicitor Wisner reported that he received the transcript for the Keller conditional use hearing from Ms. Zepp today and the Findings of Fact and Conclusions of Law will be going out tomorrow.

There being no further business, the meeting was adjourned at 7:22 p.m. by motion of Mr. Waybright seconded by Mr. Shealer and carried.

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Carol A. Merryman, Asst. Secretary

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