

Minutes of the June 22, 2010 Meeting

The regular meeting was called to order at 7:00 p.m. by Chairman Waybright. Present were all Supervisors; Flo Ford, Attorney Melissa Dively, Carol Merryman, Tim Knoebel, Chief Boehs, Sergeant Molloy, Mike Galassi, Speros Marinos, Jay Patel, John Hayes, Don Sangirardi, Elizabeth Magner, Terry Sheldon, three other visitors who did not speak and Scot Pitzer from The Gettysburg Times. The meeting was tape recorded.

Mrs. Underwood made a motion to approve the Minutes of the May 25, 2010 regular meeting seconded by Mr. Phiel and carried.

Mrs. Ford pointed out that there is no health insurance bill from Highmark included in the bills list. She explained that Highmark is changing our product to a new corporation and they do not have the bills ready and we have been assured that we will be given extra time to pay the bill when it arrives. **Mrs. Golden made a motion to pay the bills, in the amount of \$41,651.61 from the General Fund and \$10,814.78 from the State Fund, seconded by Mrs. Underwood and carried.**

A sign-in sheet was used and Chairman Waybright called on the following people to speak as they had signed in.

Mr. Terry Sheldon, representing the Samuel Feldman Planning Module will wait until that comes up on the agenda.

Mr. Speros Marinos, 912 Baltimore Pike, stated that it came to his attention that some of the Supervisors attended the meeting regarding the proposed casino and it was disappointing to him because no Supervisors have ever visited their business that has been there since 1962 and he invited the Supervisors to come out for free tours. He also mentioned that they do collect admission tax for the township. Mr. Marinos also stated that he understands now that there is no permit required for Bike Week and he feels that something must be done about that because their earning potential is diminished to 80 or 90% of a normal July day and he asked the Board to help protect them.

Mr. Jay Patel, 945 Baltimore Pike, stated that Bike Week is around the corner and that The Pike will make a lot of money from it and it is a nightmare for the neighbors. He asked what his protection is against cars illegally parked on his parking lot because his hotel is sold out for that weekend and each guest must be guaranteed a parking spot. He also asked what protection he has against a large financial loss because of all of the noise coming from the Pike's parking lot and all of the litter that is left and that his employees have to go clean up.

Mr. John Hayes, 445 Pumping Station Road, asked Attorney Dively if she negotiated the MOU with Mason Dixon Resorts and she stated that she did coordinate things but, the negotiations were done by Brian Salzman. Mr. Hayes also asked if he could get a copy of the original MOU proposed by David LeVan. Attorney Dively asked Mr. Hayes to file a Right to Know request in the morning for this information. He also asked who John Lashinger is and Attorney Dively stated that he is their authorized signer and he should pose that question to Mason Dixon.

Mr. Don Sangirardi, 51 Hunter's Trail, stated that it came to his attention, through the newspaper, that the township had leased three new Tahoes and he asked when this started. He also asked for a copy of a memo dated March 28th regarding the decision to lease and he wanted to know a little history about that and how the decision was made. He also asked if the leases are open-ended or close-ended. He also stated that they have questions about the police fleet and if the township plans on keeping all eight vehicles, how the vehicles are used and how many vehicles are on the road at one time and do the

officers drive the vehicles home or are they parked somewhere?

Chief Boehs presented a written and oral report of police activities for the month of May including 628 complaints, 78 combined arrests, 94 traffic stops, 13 traffic accidents and 8,806 patrol miles. He added that they assisted other agencies 14 times and they were assisted 8 times. Mrs. Underwood stated that the call volume is going up and asked if the types of calls they are receiving are more violent crimes? Chief Boehs reported that the number of serious crimes are going up. He added that the detectives are currently investigating 25 ongoing sex cases, 24 burglaries, several assaults and a handful of thefts. Mrs. Golden asked if there are any trends that the public should be aware of and Chief Boehs stated that there have been burglaries in the campgrounds, two home invasions and church burglaries.

There was no old business on the agenda.

Chairman Waybright stated that the first item under New Business is to authorize the manager to sign a contract with Constellation Energy to purchase electricity for the township. Mrs. Ford reported that the rate caps are going to be lifted in January, 2011 and the township has been interested in finding cheaper alternatives for energy purchase. She added that the PLCM has taken bids from companies around the country and Constellation Energy was awarded the bid and some of the larger boroughs such as Lancaster and Harrisburg have already started using Constellation Energy. She added that the term can be from 1 year to 4 years and the Board is looking at a 3 year agreement and it will save us 30% today even before the rate caps come off. She stated that the best time to sign is when the rates are at their lowest and if she misses this low period she will wait until September when the rates go back down to sign. **Mrs. Golden made a motion to authorize the Manager to sign the contract with Constellation Energy for the purchase of electricity seconded by Mrs. Underwood and carried.**

Chairman Waybright stated that the township has a request for a fireworks display on July 10, 2010 at the Allstar during Bike Week. **Mr. Shealer made a motion to approve the request to hold a fireworks display on Saturday, July 10, 2010 at the Allstar seconded by Mr. Phiel and carried.**

Chairman Waybright also reported that Barlow VFC as filed an application for a Special Event permit for their annual carnival to be held July 15 – July 17. **Mr. Phiel made a motion to approve the special event permit for Barlow VFC annual carnival seconded by Mr. Shealer and carried.**

Mr. Knoebel gave some background information on the Samuel Feldman Planning Module. He reported that they wish to place a second single-family home on a 31 +/- acre parcel on White Oak Trail which requires a land development plan and while discussing this at the workshop the question came up why they are not hooking into the private sewer lines owned by the HOA and Mr. Terry Sheldon from Carl Bert Associates was present to elaborate on that. He added that connection to the public sewer line is the back-up should their on-lot system fail and they have a letter from Cumberland Township Authority.

Mr. Sheldon presented an amended Alternative Sewage Facilities Analysis to be placed in the Planning Module and explained that in order for them to connect to either the public lines on Biglerville Road or the private lines in White Oak Trail it would require them to disturb other private property or the right-of-way of White Oak Trail and they are longer distances then if they go with an on-lot system. **Mr. Shealer made a motion to approve the Planning Module for Samuel Feldman with the inclusion of the Alternative Sewage Facilities Analysis seconded by Mrs. Underwood and carried.**

Chairman Waybright reported that the road projects were put out for bid and the bids were opened on June 16th. Mr. Shealer reported that there were two bidders on the overlay project on Old Mill Road from Route 116 to Herr's Ridge Road. The bids were from C. E. Williams Sons, Inc, in the amount of \$103,342.54 and Valley Quarries in the amount of 113,976.50. He added that there was an alternate bid for double yellow line and thermoplastic stop bars and the COG had bid for these items and the

township could see a savings of about \$1,900.00 by going with the COG bid. **Mrs. Underwood made a motion to approve C. E. Williams Sons, Inc. as low bidder seconded by Mr. Phiel and carried.**

Chairman Waybright reported that there was a second bid for double seal coat and there was only one bidder. Mr. Shealer further reported that the bid would cover Black Horse Tavern Road from Rt. 116 to Millerstown Road, Sachs Road from Taneytown Road to the township line, Herr's Ridge Road from Rt. 30 to Old Mill Road and Ridge Road from Emmitsburg Road to Knight Road. He added that the bid from Hammaker East, Ltd. came in under his estimate of 121,967 in the amount of \$114,998.40. **Mr. Phiel made a motion to award the 2010 double seal coat bid to the sole bidder, Hammaker East, Ltd., in the amount of \$114,998.40, seconded by Mrs. Golden and carried.** Mr. Shealer added that it looks like we will end up with a reserve carry over of around \$60,000.00 and this is all state Liquid Fuels money, not township tax money.

Mrs. Underwood made a motion to schedule the public hearing for the ASA V review at 6:45 p.m. on August 24, 2010 seconded by Mrs. Golden and carried.

Chairman Waybright reported that he would like to advise the residents that the matter of Police Association representation is a decision driven by the Association and not the Board of Supervisors. He added that after receiving this request from the Association and looking into the matter, the Board has been advised by their legal counsel that it is the Association's legal right to make this decision and the Board hopes that it will end up being a prudent decision for everyone and it will not affect the current contract that expires at the end of 2011. Attorney Dively stated that the Board is taking action on a Joint Request for Certification certifying and acknowledging that there was a recent vote to place the Teamsters Local 776 as the member's choice for representation replacing the Cumberland Township Police Association and that will be filed with the PLRB and the Police Association has already voted. **Mr. Phiel made a motion to acknowledge the Memorandum of Agreement between the Cumberland Township Police Commission and the Teamsters Local 776 seconded by Mrs. Underwood and carried.**

Mrs. Ford reported that the owner of the Gettysburg Inn has established an escrow account in the amount of approximately \$32,000.00 and has a \$5,000.00 escrow with the township to cover related fees and Mr. Oza has requested to have the \$32,000.00 released. **Mrs. Underwood made a motion to release the \$32,000.00 escrow account back to Mr. Oza with the township retaining the \$5,000.00 escrow account for fees seconded by Mrs. Golden and carried.** Mrs. Ford added that she will make sure that the \$5,000.00 escrow account is replenished back to the \$5,000.00, as required, before she releases the \$32,000.00.

Mrs. Ford also reported that she and Mr. Knoebel met with PennDOT at the Belmont Road bridge and they are on board with the township overlaying the road and making some drainage improvements piggybacking on to their bid and Mr. Knoebel just has to supply the quantities to Will Cameron, county bridge engineer.

Mrs. Ford reported that she is working with the Authority on the Glace contract and she will be meeting with Todd Williams next week and lastly she reported that we received notification from PEMA that we will be receiving just under \$27,000.00 reimbursement for our snow removal expenses from the February snow storms.

Mrs. Underwood reported that she and Mrs. Ford attended an airport zoning meeting regarding bringing the Gettysburg Airport up to date as required by the federal government and this item will go to the Planning and Zoning Committee.

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

Being no further business the meeting was adjourned at 7:43 p.m. by motion of Mr. Shealer seconded by Mr. Phiel and carried.

Carol A. Merryman, Asst. Secretary