

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
October 24, 2017 Public Hearing and Meeting Minutes**

At 7:00 p.m., Chair Underwood called the Public Hearing to order. Present were all Supervisors: Underwood, Waybright, Toddles, Paddock and Shealer; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Chief Don Boehs, Township Engineer Tim Knoebel and Secretary Carol Merryman. There were seven residents present and Mary Grace Keller and Harry Hartman from the Gettysburg Times.

Solicitor Wisner conducted the hearing. Solicitor Wisner stated that the purpose of the hearing is to receive public comment on: AN ORDINANCE AMENDING PART 20 OF THE ZONING ORDINANCE OF CUMBERLAND TOWNSHIP OF 2003, BEING PART OF CHAPTER 27 OF THE TOWNSHIP OF CUMBERLAND CODE OF ORDINANCES. Solicitor Wisner read the amendment specific to Chapter 27, Part 20, §27-2001 regarding fees for a change or amendment to the Zoning Map or an amendment to the text of this chapter. He explained that there currently is no fee charged for the amendment to the text of the Zoning Ordinance and this ordinance adds the provision for the Township to charge a fee to cover the usual costs associated with holding a public hearing such as advertising etc.

Elizabeth Magner, 470 Belmont Road, asked the amount of the fee and Mr. Thomas answered that the fee is \$710.00 and will not be raised this year.

Jean Stone, 1745 Mummasburg Road, asked if there could be additional charges and Mr. Thomas answered that the Township has not charged any additional fees above the \$710.00.

Mr. Thomas stated that this was brought to his attention by a citizen and he had recommended this amendment to the Board so that the residents would not be supplementing the cost of a text amendment proposed by a citizen for something that they would like to see changed. Mr. Thomas added that the expenses far exceed the \$710.00 at times. He added that if a citizen requests a change and it will be included in the comprehensive change then there is no fee.

At 7:06 p.m. the hearing was closed.

The regular meeting was called to order at 7:07 p.m. by Chair Underwood with all present that were mentioned above for the hearing.

Chair Underwood led the Pledge of Allegiance.

Mr. Toddles made a motion to approve the Minutes of the September 26, 2017 regular meeting seconded by Mr. Shealer and carried.

Mr. Waybright made a motion seconded by Mr. Shealer and carried to approve the bills in the amounts of: \$362,625.75 from General Fund and \$1,012.00 from the Escrow Fund. Mr. Waybright also made a motion seconded by Mr. Shealer and carried to approve the transfers in the amounts of: \$54,663.72 from General Fund to Health Insurance Account and \$1,596.22 from Traffic Impact Fee Fund to General Fund.

Public Comment:

Mr. Tom Brado, 72 Woodhaven Drive, asked to be able to speak during the Item 5.B discussion regarding Cumberland Village, Phase 1A and 1B release of Maintenance Security.

Mr. Speros Marinos, 912 Baltimore Pike, stated that the Supervisors and public are invited to a plaque unveiling at the Barlow Fire Company on 11/13/17 at 11:00 a.m. memorializing the voting place of President Eisenhower and his wife, Mamie, while they resided in Cumberland Township. Mr. Marinos also stated that he felt that it is unfair for all of the residents to pay for the maintenance and upkeep of roads that are located in developments and are almost solely used by those people who live in the developments. Mr. Marinos also stated that he is looking forward to the completion of the Comprehensive Plan and ensuing zoning update.

Mr. Lee Zimmerman of Waste Connections introduced himself and stated that he was present to answer any questions in regards to the Waste / Recycling Collection Contract Bidding.

Elizabeth Magner, 470 Belmont Road, thanked the road crew for the excellent job that they did cleaning up after a storm that we had earlier in the month.

Engineer/Plans:

Mr. Tim Knoebel updated the Board on the dedication of Kestrel Drive in Phase 1C in Cumberland Village. Mr. Knoebel stated that the technical aspects have been completed. Solicitor Wisner reported that the developer has provided the Title Insurance policy, Deed of Dedication and Maintenance Bond. He added that the last thing needed would be to ascertain the amount the Township would have received in Liquid Fuels money had this dedication occurred before PennDOT's cut-off time and this amount is to be paid by the developer this year. Solicitor Wisner added that there was not a date on the Maintenance Bond and that would be the date the Township takes action and accepts the Deed of Dedication. Mr. Thomas added that the Township wants the responsibility for the maintenance of the curbs to be spelled out in the Developer's Agreement. **Mr. Shealer made a motion seconded by Mr. Toddles and carried to ask the Manager and Roadmaster to compute the amount of Liquid Fuels money that would have been received by the Township for Kestrel Drive and that amount be entered into an agreement with the developer.**

Mr. Knoebel also reported that the next item is concerning Phase 1A and 1B of Cumberland Village and the release of Maintenance Security. He stated that everything had been completed on their punch list with the exception of one thing, but he received a packet of information today from the Homeowner's Association, has not had time to review it and is still working on it. Mr. Knoebel added that he will hold a meeting with the developer and it is his goal to make sure that this is taken care of. Mr. Brado stated that the damage to his curb gutter was done by the builder, Summit Homes. He added that it has been patched several times and the crack reappears in the spring. Mr. Brado asked that the homeowners be included in the meetings with the Township and developer and he is sure that this can be worked out.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of September, 2017 including: 431 complaints - Psych/suicide-4, Disturbances-5, Assault/Harassment-4, Domestic-11, Criminal Mischief-0, Suspicious Activity-13, Thefts-1, Alarms-16 Medical Emergency-9, 911 Hang Up-3, Sexual assault-1, Burglary-0, Fraud-1, Wanted Person-2, Reported Drug Activity-0, Welfare checks-14, Shots Fired-0, Follow-up Investigation-40; 74 traffic stops, 81 combined arrests, 8 traffic accidents, 31 targeted enforcements and 8,478 patrol miles. He added that they assisted other agencies ten times, they were assisted three and the assists to Pa. State Police were in Straban and Mt. Joy Townships. Police Chief Boehs reported that they had 82 walk-in complaints.

Active Business:

Mr. Thomas reported that the lowest responsible bidder for the 1/1/2018 through 3/31/2021 Waste / Recycling Collection Contract Bidding appears to be Waste Connections of Pa. He added that there were two options; #1 which includes weekly trash collection, bi-weekly recycling and large-item pick-up (what the residents currently have) and #2 which includes the same trash, recycling and large-item pick-ups, but also includes a quarterly electronic recycling event. Mr. Thomas reported that the yearly cost for Option #1 is \$179.40 or \$44.85 quarterly and the yearly cost for Option #2 is \$188.16 or \$47.04 quarterly. There is also a per bag option of \$3.75 per bag for either option. Solicitor Wiser stated that he has reviewed the bid and it is legally sufficient. **Mr. Toddles made a motion to authorize the issuance of a "Notice of Intent to Award" the Waste Contract, selecting Option #2, to the lowest apparent bidder; Waste Connections of Pa. The motion was seconded by Mr. Shealer and carried.** The Board thanked Adams County for their administration of the Waste Contract Bidding and stated that it is a huge benefit to the residents of the county.

Mr. Thomas reported that the Board heard a presentation from Charles Friedlander, the Township's Actuary, at their workshop on Thursday regarding recommendations that he has for two of the assumptions that he uses to prepare the Actuarial Valuations for the Minimum Municipal Obligations. **Mr. Paddock made a motion seconded by Mr. Waybright and carried to authorize the Actuary to change the mortality rate from 2000 to the new figures for 2014 and leave the interest rate at 7% for the 2018 Minimum Municipal Obligation calculation.**

Mr. Thomas reported that Item E is being removed from the agenda subject to further review.

Mr. Thomas reported that Adams County Office of Planning and Development will be handling the Local Update of Census Addresses (LUCA) for the Township and they have been sending new addresses to the Census Bureau from time to time since the last census. He added that this is a great partnership with the County and he thanked them for that. Mr. Thomas stated that the Township will be working to get the word out to the residents of how important it is for them to cooperate with the Census Bureau.

Mr. Thomas also mentioned the plaque unveiling at the Barlow Fire Hall memorializing the voting place of President and Mrs. Eisenhower while they were living in the Township, at the Fire Hall, on November 13, 2017 at 11:00 a.m.

Mr. Thomas reported that the Finance Committee met and recommended approval of the following purchases for the Road Department as budgeted: Impact Wrench - \$260.00, 4 Point Lifting Cable - \$900.00, Tires for Bobcat - \$1,450.00 and Tires for Truck #10 - \$1,600.00. Purchases for Administration including: Maxon 5 Drawer Lateral File - \$678.00 and Maxon Panel System - \$4,719.48. These items will be used to re-invent the front office for additional staffing. He added that the prices include delivery and set-up. **Mr. Waybright made a motion to approve the purchase of the items, as stated and as recommended by the Finance Committee. The motion was seconded by Mr. Toddles and carried.**

Solicitor: Solicitor Wiser stated that a Public Hearing was held at 7:00 p.m. this evening on an amendment to the fee for citizen's text amendments. He stated that the Board has received comments from the public and from the staff and the Board can now take action, if so inclined. **Mr. Waybright made a motion to adopt an Ordinance 2017-171 amending Chapter 27, Part 20 §Section 27-2001 subsection 4 seconded by Mr. Paddock and carried.**

Solicitor Wiser also reported that he has prepared amendments to the Special Events Ordinance, Chapter 13, of the Code of Ordinances of Cumberland Township, specifically Part 2. He added that the amendment reduces the minimum participants or spectators from 500 to 100 and amends the insurance section based on the 100 participants to be consistent. There was a lengthy discussion regarding the

amendments to the ordinance. **Mr. Toddes made a motion to adopt Ordinance 2017-172 amending the Special Events Ordinance seconded by Mr. Shealer and carried.**

Lastly, Solicitor Wisner stated that the Board had talked about revising the Recreation Fee Ordinance to reflect two changes to the Municipalities Planning Code providing the Township with more flexibility and that amended ordinance has been drafted. He added that this should be reviewed and will be placed on next month's agenda.

Committee Reports and comments from Board Members:

Highway – Mr. Waybright read the Highway Report; all 2017 road improvements and stormwater piping projects have been completed, the line painting should be done in the next week or so and the sale of the 1990 International Dump Truck brought \$7,450.00 through Muncibid.

Parks and Recreation – Mr. Toddes reported that the new playground is being used and they will be working on the ball fields.

CTA – Mr. Shealer reported that the Fairfield Road project has been completed, unfortunately GMA had to cut through the new paving to make repairs. Mr. Waybright also reported that the hauling of the bio-solids has been completed thanks to the good weather. The Board thanked Mr. Waybright for allowing the bio-solids to be applied on his farmland.

COG – Meets Thursday.

Public Safety, Finance, Building and Grounds, Personnel, Planning and Zoning, Economic Development and CT 411 – no reports

Chair Underwood reported that the Township received a resignation letter from Lori Bridel for her position on the Zoning Hearing Board and a replacement will have to be appointed.

Staff Reports:

Manager – Mr. Thomas reported:

- COG Legislative Forum on November 16, 2017 at 8:30 a.m.
- Adams County Association of Township Supervisors Annual Convention the same evening at the SAVES Fire Hall.
- Workshop items; presentations by Charles Friedlander, Cumberland Village Homeowners Association regarding curbing, Stanley Flaggs requesting a zoning change. No action was taken at the workshop.
- It is possible that neither he nor Mr. Toddes can attend the November meetings of the York Adams Tax Bureau (YATB) or Adams County Tax Collection Committee (ACTCC) so he asked for the Board's approval for Carroll Valley Mayor, Ron Harris, to be a proxy for the Township. **Mr. Paddock made a motion seconded by Mr. Waybright and carried to approve Mr. Ron Harris as a proxy for the Township at the November meetings of YATB and ACTCC, if needed.**

Mr. Thomas reported that on June 27, 2017 the Zoning Officer received a written property complaint for 1915 Herr's Ridge Road, the former Township Building. Mr. Thomas added that a letter was sent to the owner of record who was incarcerated in the Adams County Prison, with no response and it is the Township's understanding that the owner's assets have been frozen by the Court. Mr. Thomas read from the Township's Dangerous Structure Ordinance and recommended that the Board appoint the Zoning Officer, Township Manager, Chief of Police and a Board member to review this complaint as is required by the ordinance. Mr. Paddock and Mr. Shealer volunteered to be on the review team, as required. **Mr. Waybright made a motion seconded by Mr. Toddes and carried to form the review team including the Zoning Officer, Township Manager and Chief of Police.**

The Zoning Officer and Secretary's reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:25 p.m.

Carol A. Merryman, Secretary

_____)
_____)
_____) Supervisors
_____)
_____)