

Minutes of the October 8, 2002 Meeting

The meeting was called to order at 7:30 p.m. by Chairman Waybright. Present were all Supervisors, Ron Horton, Chief Sease, Henry Heiser, Carol Merryman, Mike Galassi, George Lambert, Leo Goulden, Rich Eckert, Bob Sharrah, Drew Plunkert, Chris Bell, Buzz and Joan Wherley and reporters from THE GETTYSBURG TIMES and THE EVENING SUN. The meeting was tape recorded.

The Minutes of the previous meeting were approved by motion of Mr. Gregor, seconded by Mr. Bowling and carried.

Chief Sease presented a written and oral report of police activities for the month of September including: 160 complaints, 144 arrests and 17 incidents.

Mrs. Chris Bell, on behalf of Boyds Collection, Ltd., requested permission to hold a fireworks display at their business on Cunningham Road on October 19, 2002 at 11:00 p.m. The Board asked her why it is going to be held so late and she explained that is when they anticipate the other activities that evening being finished. The Board also verified that the contractor searches for any unexploded fireworks. Mrs. Bell stated that all shells have to be accounted for that night. Mrs. Bell agreed to notify the neighbors, especially those with livestock. Mr. Gregor made a motion to approve the request and authorize Chief Sease to issue the permit, seconded by Mr. Bowling and carried.

The Board asked Chief Sease for his opinion on Mr. Bowling's request to amend the Traffic Ordinance to remove the Stop sign at Blacksmith Shop Road and Hospital Road, which is currently a three-way Stop intersection. Chief Sease stated that the safest situation would be for the signs to stay as they are and he would not endorse a right turn without Stop because it would create a confusing situation for vehicles turning left from Hospital Road. He stated that he could support the removal of both signs on Blacksmith Shop Road making it a through road. He added that he is not aware of any accidents between two vehicles at that intersection due to the Stop signs. He is aware of vehicles that have slid off of the road. Mr. Gregor stated that he feels that everyone is accustomed to stopping there now and he does not feel that it should be changed. Mr. Weikert made a motion to leave the intersection as is, a three-way Stop, seconded by Mr. Gregor and carried. Mr. Bowling voted no. Mr. Bowling stated that he has never gotten an answer on his question of whether an engineering study was required before the Stop sign was installed. Mr. Heiser stated that he is unaware of an engineering study being required for a Stop sign. Mr. Shealer stated that the placement of any sign has criteria that has to be met.

Mr. Heiser presented an executed Deed of Dedication for Deatrck Drive on behalf of Realty Leasing. He also presented a check in the amount of \$74,156.50 to be held in escrow for the completion of the road. Mr. Shealer asked if the closure of the road has been incorporated in the deed. Mr. Heiser stated that it has, and he read that portion of the deed. Mr. Shealer also reported that he conducted an inspection of the road and he has a punch list of small items (approximately \$2,000.00) that need to be addressed. Mr. Horton stated that there are a couple of big items that do not appear on the engineer's estimate including: approximately 6,000 sq. ft. of sidewalk estimated at \$18,000.00, street lights (cost not known), landscaping and a maintenance bond for 10% to 15% of the construction costs. He stated that these items could represent an additional \$60,000.00 to \$70,000.00 above the \$74,156.50 offered. The sidewalks are located within the right-of-way of Deatrck Drive, but who maintains them was not clear. Mr. Sharrah stated that he feels that the sidewalks do not need to be secured because they were not required by the SALDO. He added that the maintenance bond should not start until the road has been totally completed. He stated that this is an unusual situation and they are in a "Catch 22" with the federal government. Mr. Heiser stated that the sidewalks, street lights, landscaping are land development issues and Mr. Sites will be presenting further plans for this development and the Deed of Dedication deals only with the acceptance of the roadway. Mr. Horton stated that he has a concern about accepting a road with no maintenance bond being provided. It was agreed that the maintenance bond should be effective when the road is completed. Mr. Shealer asked if Mr. Sites would get his contractor back in to take care of the punch list items this fall. Mr. Sharrah reviewed the punch list and agreed that these items should be taken care of before the ground freezes. Mr. Horton verified that the responsibility of the E & S permit remains with Mr. Sites. Mr. Sharrah stated that it does. Mr. Shealer made a motion to accept the monetary offer and Deed of Dedication for Deatrck Drive provided that Mr. Sites provides a letter to the Township within the next few days stating that when the road is completed, a maintenance bond for 15% of the total construction cost of the road, will be provided for an 18 month period, seconded by Mr. Weikert and carried.

Mr. Horton explained that in January of 2000, Mr. and Mrs. Wherley signed an agreement with the Township regarding the maintenance, testing and inspection of their Spray Irrigation septic system. This agreement was required by PaDEP for this new type of system. He reported that he has spoken to the Wherleys and they are asking for relief from the financial burden of the monthly and quarterly testing. Mr. Horton stated that he originally wrote the agreement. He went back over PaDEP's requirements, and he has made a couple of changes to the existing agreement. He changed the requirement for fecal coliform testing from every month to every other month and the testing for BODs and suspended solids from quarterly to every six months. He added that there is a \$100.00 yearly inspection fee due to the Township for inspections that has not been paid for the past two years.

Mr. Horton stated that he feels that the inspection fee should be paid immediately and remain part of the agreement. The Wherleys asked what will be done for the \$100.00 fee because everything is underground. They asked where to find PaDEP's requirements and Mr. Horton stated that they have a code book. The Wherleys also asked if the testing for coliform could be reduced to quarterly if they have good test results for the next year. Mr. Horton explained that as the system ages, testing should be done more frequently, not less. Mr. Weikert asked what the test results for the past two years have been. Mr. Horton stated that the testing has not been done on a regular basis and he gave Mr. Weikert the four tests that were done. Mr. Weikert stated that two of the tests for fecal coliform were high. Mr. Weikert stated that without more data, he would not be comfortable reducing the amount of testing. Mr. Shealer suggested, in accordance with the agreement, that the inspection fee could be reviewed annually based on the test results. Mr. Weikert made a motion to reconsider the agreement after sufficient test data has been provided, seconded by Mr. Gregor and carried. The Board agreed that they can come back after three months of testing.

Mr. George Lambert asked why the Township does not do anything about all of the junk cars sitting around.

Mr. Horton reported that the Township has received a written request from J.A. Myers Homes for adoption of the streets in Twin Lakes West, Phase 1A and 1B. He added that since this request was received, he has met with the developer's representatives and come up with a punch list of items and some of the issues have been taken care of. A final inspection will be necessary to make sure that the punch list items have been addressed. He added that there is a drainage concern with some ponding on a lot that was not previously there. Mr. Horton stated that he would like to have a plat of dedication so that he could see where the drainage ditch actually falls on the plans. Mr. Plunkert stated that the lots have already been recorded and transferred to another person so he isn't sure how a drainage easement would be created now. He suggested that the drainage swale be tied into the final grading plan for each lot when application is made for the building permit. Mr. Horton stated that he is concerned about getting the ponding off of the lot now because he does not feel that it is a buildable lot the way it is. Mr. Horton asked the Supervisors to go look at this ponding problem. Mr. Sharrah reported that most municipalities that he works in use the Final Plan for dedication. He added that he would have a problem preparing a dedication plat because he does not know what was dedicated as part of Phase I. Mr. Plunkert stated that he is willing to talk to the current owner and he feels that he will put a swale in, but he is not sure if he would be willing to give the Township any drainage easements. Mr. Horton stated that he doesn't care if the easements are given to the Township or the Homeowner's Association, but he would not recommend accepting the dedication without them. The Supervisors requested that Mr. Horton work this out with Mr. Sharrah and Mr. Plunkert and bring something back to the next meeting. Mr. Shealer made a motion to table, seconded by Mr. Bowling and carried.

Mr. Shealer made a motion, seconded by Mr. Gregor and carried to approve a request from the Twin Lakes West Property Owner's Association to provide a street light at the intersection of Sunshine Avenue and Fairfield Road. There is already a light at the intersection and the POA pays the bill. They are requesting that the Township pays the bill. The Township currently pays for about fifteen street lights at various intersections throughout the Township.

Mr. Gregor made a motion, seconded by Mr. Shealer and carried to adopt the Cumberland Township Park and Recreation Districts as depicted on a map created by the Adams County Office of Planning and Development dated September 2002. The map shows three districts. The northern district which is everything to the north and east of Mummasburg Road. The central district which is everything between Mummasburg Road and the National Park Service property at Red Rock Road. The southern district is everything below the National Park Service property.

The revised fee schedule for on-lot septic systems remained on the table. Mr. Horton will prepare a memo and place it in the Supervisors' mailboxes for review prior to the next meeting.

Mr. Gregor reported that negotiations have been ongoing with the Police Association for several months and things have gone well. The contract has been signed by the Association and Mr. Gregor presented the contract for the Board's approval. Mr. Gregor reported that it is a four-year contract 2003 - 2006 inclusive. There have only been a few changes from the last contract. Mr. Gregor made a motion to adopt the 2003-2006 Police Contract, seconded by Mr. Weikert and carried.

Mrs. Merryman requested that the Board adopt a new Resolution and sign new signature cards for Adams County National Bank for a new Classic Money Market account. The Board approved the transfer of \$1,000,000.00 from the General Fund to the Classic Money Market account at the last meeting. The interest rate on the new account is 3.05% and the required term is seven days. All or any part of the money can be withdrawn after that time. Mrs. Merryman also requested that Mr. Gregor, Secretary/Treasurer, sign a newly-revised Agreement to Originate Automated Clearing House Entries with Adams County National Bank for the Township's Direct Deposit.

Mr. Gregor made a motion to exonerate J.P. Harris for per capita taxes in the amount of \$137.50,

seconded by Mr. Weikert and carried.

Mr. Gregor made a motion, seconded by Mr. Bowling and carried to schedule Trick or Treat for Thursday, October 31, 2002 (the same night as Gettysburg Borough).

Mr. Weikert reported that the tenants called about a leak in a wall-mounted sink and since there was a contract there, he asked them to take a look at it. The contractor suggested that the wall-mounted sink (1940s) be replaced with a new vanity at the cost of approximately \$245.00 because a new faucet to fit the existing sink would be a special order and would run about \$170.00. Mr. Shealer made a motion to approve the expenditure of \$245.00 to replace the old sink with a new vanity, seconded by Mr. Weikert and carried.

The Manager/Engineer's Report was reviewed. Mr. Horton reported that he has gotten a written quote from Keystate Publishers for codification of the Township's Ordinances and he will get a second quote from another consultant. Mr. Horton stated that the timing would be right with the updating of the Zoning and amendments to the SALDO. He requested that this be discussed further at the budget workshops.

Mr. Weikert asked Mrs. Merryman to get an estimate on mailing a newsletter or possibly a survey to each resident in the Township.

Mr. Bowling asked about the status of the tree over Willoughby Run. Mr. Horton stated that he has asked Mr. Bower to check on it.

The Zoning Officer's Report was reviewed.

The Assistant Secretary's Report was reviewed.

There will be Budget Workshops held on October 15 and 29, 2002 at 7:30 p.m.

Mr. Weikert reported that the Ag Zoning Committee met last night and they have a proposed resolution for the Zoning Update Committee.

Mr. Gregor reported that the Zoning Update Committee has not done anything for about a month and they are waiting to get the information back from Mr. Bucovetsky. Mr. Bucovetsky will also be sending the first draft of the Zoning map. Mr. Gregor also reported that the Zoning Officers from Cumberland and Straban Townships have met with the 140<sup>th</sup> Anniversary Committee regarding the re-enactment for next July to be held on Dave Redding's farm. This is a Special Event that would need Conditional Use approval. A Conditional Use hearing has been tentatively scheduled for November 11, 2002. Mrs. Merryman reported that she spoke to Attorney Heiser earlier and he will be out of the country on that date. The Board requested that Mrs. Merryman find out if Attorney Heiser has to be at the hearing since Straban's attorney will be attending.

Mr. Shealer requested a meeting of the Highway Committee to discuss road projects for the 2003 budget.

Mr. Bowling reported that he feels that they did a pretty decent job on Blacksmith Shop Road. He asked Mr. Shealer to check on a couple of spots where they started and stopped the chipper that is like a washboard.

The bills were paid. Expenditures for this meeting totaled \$1,058,789.59 from the General Fund.

There being no further business, the meeting was adjourned at 10:10 p.m. by motion of Mr. Gregor, seconded by Mr. Weikert and carried.

*Carol A. Merryman*  
Carol A. Merryman, Asst. Secretary

*David R. Weyler*  
*R. D. S.A.*  
*Sharon P. ...*  
*Sharon P. ...*  
Supervisors