

**Cumberland Township Board of Supervisors
May 27, 2014 Meeting Minutes**

The regular meeting was called to order at 7:00 p.m. by Chairperson Underwood. Present were all Supervisors: Underwood, Paddock, Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Lieutenant Tim Guise, Zoning Officer Bill Naugle and Secretary Carol Merryman. Others present were: Dale Molina, Carolyn Greaney, Barry and Jean Stone, Steve Tallman, Elizabeth Magner, Speros Marinos, Josh Ehrman, Jack Bream, Kim Patrono, Pat Abel, Rob Lauriello, Jim Piet and Vanessa Pellechio from The Gettysburg Times. The meeting was recorded.

Chairperson Underwood led the Pledge of Allegiance.

Mr. Ferranto made a motion to approve the Minutes of the April 3 and 17, 2014 workshops and April 22, 2014 meeting seconded by Mr. Paddock and carried 5-0.

Mr. Ferranto made a motion to pay the bills, in the amounts of \$169,554.94 from the General Fund including an \$112,100.32 Fire Tax transfer, \$4,602.38 from the Escrow Fund and \$50.00 from the Park and Rec Fund seconded by Mr. Toddes and carried 5-0.

Visitors:

Mr. Jack Bream, Chairman of the Gettysburg Area Recreation Authority (GARA), thanked the Board of Supervisors for their support of GARA. He also thanked Supervisor Toddes for all of his hard work. Mr. Bream reported on the progress of the dog park which is underway, strategic planning for recreation programs, grants available and fund raising. The Board thanked Mr. Bream for his work as Chairman.

Mr. Josh Ehrman, Penn State University Master's Degree candidate and Intern for Cumberland Township through a grant from the Pa. Dept. of Community and Economic Development (DCED) and Pa. State Association of Township Supervisors (PSATS), presented a Power Point presentation on one of the projects that he has been working on; a Road Systems Inventory. Mr. Ehrman thanked the Board for allowing him to present his work and he also thanked and commended the Township staff and reported that it has been a pleasure working with everyone here. He reported that there are five major components of the project; inventory of all township roads including stress metrics based on cracking, scoring and sorting of all of the roads by their level of distress, historical trends of road deterioration and an inventory of signs and drainage infrastructure. He reported that the inventory will be an extremely valuable tool for the Road Department and it is very user-friendly. Mr. Ehrman explained the advantages of a pro-active rather than re-active road maintenance strategy and answered questions from the Board.

Engineer/Plans:

Mr. Knoebel reported that the Board had spent a great deal of time discussing the Cambridge Crossing, Phase 1 Final Plan at the workshop last Thursday. He reported that the plan proposes 42 attached units; the entire development has preliminary approval and is moving forward as a Planned Unit Development (PUD) rather than a condominium development that was previously approved. He added that he prepared a report dated May 21, 2014 and that was reviewed at the workshop and they are down to administrative

items only and have even narrowed down some of those items. He stated that the roads will not be dedicated to the Township and the developer will be attending the Cumberland Township Authority meeting regarding the dedication of the sewer lines. Mr. Lauriello stated that a question was asked at the workshop if the \$42,000.00 Park and Recreation fees had to be paid at the time of final approval or could they be paid prior to the issuance of a building permit for each building, \$6,000.00 at a time. Solicitor Wisner stated that the Board may grant a waiver to the total up-front payment of the Rec fees and permit them to be paid per building as requested. Solicitor Wisner also asked if the Board granted the waiver, would the applicant be willing to waive the three-year spending requirement? Mr. Abel indicated that they would. **Mr. Ferranto made a motion to grant a waiver to the provision of the Subdivision and Land Development Ordinance that requires payment of the Park and Recreation fee prior to the recording of the Land Development Plan, but requiring the fees to be paid prior to the application for a building permit seconded by Mr. Toddes and carried 5-0. Mr. Waybright made a motion to approve the Final Phase I Land Development Plan for Cambridge Crossings for the 42 residential units subject to meeting the comments contained in the KPI May 21, 2014 report and including the execution of the Developer's Agreement and the Stormwater Management Operations and Maintenance Agreement in a form satisfactory to the Solicitor, Manager and Engineer seconded by Mr. Toddes and carried 5-0.**

Solicitor Wisner reported that the Keller Land Development was given Conditional Use approval that consisted of conditions that needed to be met and there was approval of a Land Development Plan that needed to be followed. He added that there was an enforcement action that did take place to enforce the condition of the roadway apron and connection to Mummasburg Road. He stated that the driveway apron does appear to be complete and the enforcement matter has been closed out for that issue. He also reported that the normal process for the land development is being followed with the Township's engineer doing a post-construction inspection of the public improvements and bonding is being held for those improvements. He added that KPI has done that inspection and they will be generating a report and submitting it to the Township. He reported that the Township will review the report from KPI along with any other reports received and determine if any additional action is needed. He added that the Township would notify the landowner of any deficiency items that may or may not be discovered and they will be given a reasonable time to address those items and if not, the Township is still holding bonding and will determine what the appropriate actions are at that time. He also stated that he will keep the Board updated.

Public Comment:

Mrs. Jean Stone, 1745 Mummasburg Road, asked Solicitor Wisner to elaborate on what is still outstanding on the Keller project. Solicitor Wisner stated that he cannot do that until the report is received from KPI and appropriate action will be taken at that time, if necessary. Mrs. Stone stated that she feels that the PennDOT specifications have not been met with the construction of the driveway apron and there is a big pond at the end of the storm drain. She added that Mr. Keller ruined their entire weekend with his fire that was allowed to smolder until he finally put it out on Monday afternoon after they called Adams County Control.

Mr. Barry Stone, 1745 Mummasburg Road, asked if they would need a Right-to-Know request to obtain a copy of the KPI report on the Keller project and Solicitor Wisner advised that receipt of the report would be acknowledged, but they would have to file a request to obtain a copy of it.

Mr. Speros Marinos, 912 Baltimore Pike, thanked the Board for not unifying the Township Police Department with any other agency. He also stated that the Cumberland Township Historical Society (CTHS) approved the expense for an additional 11 Cumberland Township signs to be placed along the Township roads to finish up the project. He also reported that the CTHS will support the Open House commemorating the 265th anniversary of Cumberland Township. He added that Cumberland Township is a colonial township and is older than the United States of America and 2015 marks the 250th anniversary of the surveying of the Mason-Dixon Line. He also asked the Board to finish the Joint Comprehensive Plan and then get some good zoning on Baltimore Pike.

Mrs. Elizabeth Magner, 470 Belmont Road, reported that no one was watching the fire on the Keller property over the weekend and reported that the drainage from the Keller property comes west towards her property. Mrs. Magner also asked if sediment ponds attract mosquitos. Mr. Paddock explained that the ponds are actually stormwater ponds and they could be designed to be wet or dry, but his guess would be that these are designed to be dry and there are standards for the timeline for them to be dry. Mr. Knoebel explained the difference between a sediment pond (what they currently are) and a stormwater pond (what they will be after the project is stabilized).

Mrs. Jean Stone, 1745 Mummasburg Road, reported that one of the trees on the Keller property died and was removed and they want to make sure that any dead trees are replaced.

Active Business:

Mr. Thomas reported that the Board is affirming a hearing date for an application received from Kenneth Stake for the possible placement of his property, located at 1590 Mummasburg Road, into the Township's Agricultural Security Area. The hearing has been scheduled for Tuesday, July 22, 2014 at 6:30 p.m. here at the Township Building.

Mr. Thomas also reported that the Township received a letter from Woodhaven Building and Development, Inc. on June 26, 2013 requesting the elimination of major intersection lighting in Phase I of Cumberland Village and to allow the community to continue build-out with the individual on-lot residential lighting as provided in section 1A. Mr. Thomas added that he did contact the Homeowner's Association for Phase 1A and they have written back indicating their endorsement of Woodhaven's request. Solicitor Wisner added that if the request is approved Woodhaven would have to amend their land development plan for Phase 1A (Sheet 15) that makes note to the fact that there will be major intersection lighting. He added that this can be addressed by an as-built that supplements Sheet 15 with the proper notation and this will require official action of the Board to approve the modification to the plan. **Mr. Toddes made a motion to approve the modification to Cumberland Village Final Subdivision, Phase 1A, 1B and 1C Plans to allow for the removal of the overhead intersection lighting and require the submission of an as-built plan reflecting such modification and reflecting that the developer must pay for the recording of the revised plan sheets seconded by Mr. Waybright and carried 5-0.**

Mr. Thomas recommended that the Township commemorate the 265th Anniversary of Cumberland Township by holding an Open House on Monday, October 13, 2014 from 3:00 p.m. to 6:00 p.m. **Mr.**

Ferranto made a motion to hold an Open House on October 13, 2014 from 3:00 p.m. to 6:00 p.m. seconded by Mr. Toddles and carried.

Mr. Thomas also reported that approximately eight years ago the Township had their Police and Non-Uniformed Pension Plans with the Principal Financial Group and when those investments were moved to Leonard J. Ferrara, a local broker, for some reason 150 shares of Principal Financial stock remained with Principal and quarterly the Township receives a dividend check for around \$42.00. Mr. Thomas stated that it costs the Township more to deposit the check and cut another check to be deposited into the plans and he is requesting that the 150 shares be liquidated. He added that the funds are a little over \$7,000.00 and they will be placed in the hands of PFM at U.S. Bank pro-rated between the two pension plans. **Mr. Paddock made a motion to liquidate 150 shares of Principal Financial Group stock and deposit the funds into the Township's pension plans seconded by Mr. Waybright and carried 5-0.**

Police Report:

Lieutenant Guise was called away from the meeting and had not returned so Zoning Officer Naugle presented the report of police activities for the month of April including: 370 complaints, 102 traffic stops, 91 combined arrests, seven traffic accidents, 24 targeted enforcements and 14,350 patrol miles. He added that they assisted other agencies 24 times and they were assisted three times.

Solicitor: Nothing further to report.

Committee Reports and comments from Board Members:

Mr. Waybright reported that the Agricultural and Natural Resources subcommittee of the Joint Comprehensive Plan met and they are making progress. He added that the full committee will meet on June 3, 2014. Mr. Paddock added that the survey will be coming off of the County and Township's website at the end of the month.

Chair Underwood reported that the subcommittee for Community Resources met for the first time this afternoon.

Chair Underwood also reported that she has accepted a position on the Adams County Emergency Medical Services Strategic Planning Committee and that will be starting next week.

Mr. Paddock reported that there is a Cumberland Township Historical Society meeting on Monday, June 2, 2014 at the Brethren Church at 7:00 p.m.

Staff Reports:

Mr. Thomas reported that we were notified by Shentel that the monopole is on a three month back-log. He also reported that the Board of Supervisors will hold a workshop on June 5, 2014 at 7:00 p.m. to discuss future road projects and funding and the Admission Tax Ordinance.

The Zoning Officer and Secretary's reports were reviewed.

The meeting was adjourned at 8:20 p.m. for an Executive Session to discuss real estate and personnel matters.

Chair Underwood reconvened the regular session at 8:55 p.m.

Mr. Ferranto made a motion seconded by Mr. Toddes to acknowledge and consent to the offer to purchase tax parcel 09E16-0075-000 to Heywood Becker in the amount of \$150,101.01. The motion carried 5-0.

Mr. Waybright made a motion to abandon the stormwater swale maintenance project for the private swale located along Table Rock Road for the following reasons:

- 1. The cost to date for legal and survey / engineering has been greater than anticipated for private property improvements; and**
- 2. Funding is needed for road maintenance projects given recent Winter road deterioration realized; and**
- 3. The concern over Township heavy equipment accessing and damaging private property; and**
- 4. Pending work at the intersection of Table Rock Road and Boyd’s School Road by St. Francis Xavier School. The Township desires to observe improvements to stormwater management when this project is completed.**
- 5. No response has been received from Columbia Gas of Pennsylvania.**

The motion was seconded by Mr. Toddes and carried 5-0.

There being no further business, the meeting was adjourned at 8:59 p.m.

Carol A. Merryman, Secretary

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