

CUMBERLAND TOWNSHIP BOARD OF SUPERVISORS
1370 FAIRFIELD RD., GETTYSBURG, PA 17325
REGULAR MEETING
OCTOBER 24, 2023
7:00P.M.

Chairman Phiel called the regular meeting to order at 7:00 P.M. Present were all Supervisors: Phiel, Toddes, Ramsburg, Biggins and Brauning. Also present were Solicitor Sam Wisner, KPI Representative Brandon Guiher, Township Manager David Blocher, Police Chief Matthew Trostel, Superintendent of Roads Chris Walter, Treasurer Camie Stouck-Phiel, and Township Secretary Michele Long.

Chairman Phiel led the Pledge of Allegiance.

Agenda Approval

Mr. Phiel asked for a motion to approve the agenda with the addition of the Fiscal Management Policy #01 which will be discussed with Resolution 2023-15.

Mrs. Ramsburg made a motion to approve the agenda with the addition of the Fiscal Management Policy #01 to be reviewed, seconded by Mrs. Biggins and carried. 5-0

Public Comment:

Leon Reed, 205 Old Mill Road; Vice Chair-Gettysburg Democracy of America; Mr. Reed spoke of the need for affordable housing within the Township.

Consent Agenda Approval

Mrs. Biggins made a motion to approve the consent agenda, items 5a – 5i, as presented, seconded by Mr. Toddes, and carried. 5-0

5a. Action on Minutes – September 26, 2023, Regular Meeting

5b. Approval of Bills for the month of September \$572,969.96 General Fund; \$7,343.00 Escrow Fund; \$1,866.66 Fire Tax Fund; \$10,000.00 State Fund.

5c. Items from Finance Committee

1. Recommend approval of Treysta invoice in the amount of \$4,025.00 to migrate current Police Department domain and email to the .gov domain platform.

2. Approval of Treysta invoice in the amount of \$2,014.00 for dual monitors and arms for Treasurer and Manager.

3. Recommend approval to move forward with purchasing new power time scheduling software from Power DMS in the amount of \$1,924.31 for the remainder of 2023.

4. Review and approval of contracted snow plowing quote from Woerner Hauling.

5d. Items from Personnel Committee

1. Authorize Manager to proceed with the promotion process of future Assistant Road Superintendent.

5e. Extension Request #5 of 90-days for The Crossings preliminary land development plan originally submitted on May 5, 2022.

5f. Extension Request #3 of 90-days for The Residence of Willoughby Run preliminary land development plan originally submitted on January 3, 2023.

5g. Extension Request #2 of 60-days for the Thomas & Joanne Clowney final land development plan originally submitted on April 17, 2023.

5h. Extension Request #3 of 60-days for The Brian & Patrick Redding final land development plan originally submitted on March 21, 2023.

5i. Extension Request #1 of 90-days for the Hemler Brother Assets final land development plan originally submitted on July 6, 2023.

Engineer's Report:

Keystone Service Systems (KSS) Land Development Release of Financial Security - Update

Mr. Guiher with KPI Engineering gave an update on the Keystone Service Systems project located at 960 Barlow-Greenmount Road. Mr. Guiher reviewed the KPI comments from a site visit which was performed on October 11, 2023 to confirm the discharge pipe re-location and status of the screen plantings. The pipe has been relocated to where it is intended to be placed as per the approved plan but the pipe needs a minor adjustment at the end. There are still some outstanding items to be completed per this inspection and the October 16, 2023 KPI email letter sent to the developer and their engineer. Once these items are completed the Township will consider releasing the remaining financial security. No action was taken.

Public Comment:

Brian Fitzgerald, 914 Barlow-Greenmount Road; spoke of the water and septic system not being able to support 10 occupants. Mr. Fitzgerald was also concerned with water flowing onto his property from the stormwater management system.

Nita Gross, 938 Barlow-Greenmount Road; spoke of no recreation, public transportation, or no sidewalk for any children that may be moving into the group home. They have placed no trespassing signs on their property. Mrs. Gross also spoke of the water running onto Mr. Fitzgerald's property and the dead trees that needed to be replaced which they were replacing only one tree this evening.

BR Smith Sewage Planning Module – Holding Tank Agreement & Revised Planning Module

Mr. Guiher gave a brief background of the property. He stated that the sewage planning module was submitted and reviewed by the Department of Environmental Protection (DEP). DEP has since returned the module back to both the Township and the applicant with outstanding comments that need to be addressed. Some of these revised items were received by the Township on September 25th and KPI has been reviewing the documents along with having conversations and meetings between the Township, DEP and the applicant. Mr. Guiher reviewed the October 23, 2023 KPI comment letter and also stated that we received an updated financial security agreement today, Oct. 24th but there has not been a chance to review it in such a short period of time. Mr. Wisner added that this financial security agreement has since been updated to reflect the cost that came from KPI and has been agreed upon, adding that this financial security agreement only covers Phases 1 & 2 not Phase 3. Mr. Wisner also wanted to make note that the financial security agreement submitted recognizes that in the future upon approval of the planning module there will be additional agreements that need to be entered into which will need to be approved by DEP adding that this has been acknowledged by all parties.

Mr. Toddes made a motion to approve the revised sewage planning module and the holding tank agreement based upon the October 23, 2023 KPI comment letter. Seconded by Mrs. Biggins and carried. 5-0

Interchange Storage Final Land Development Plan Request

Mr. Brandon Guiher with KPI explained that we received a request from the applicant to allow them to proceed with erosion and sediment control earthmoving activities at his proposed self-storage facility site, which was conditionally approved at the January 23, 2023 Board meeting based upon the KPI comments with same date. Mr. Wisner stated that this is a little different plan than Cambridge Crossings Phases 2 & 3 where all items were on the right track to be approved in a short period of time, this plan seems to be a little different where there is no time frame for completion.

Mr. Mike Knefley owner/applicant of the property explained the reason he is asking for this is because the self-storage market has changed since the project began three years ago. They would like to continue with the dirt moving process while they reassess the market needs and building sizes. Mr. Knefley stated that he anticipates the dirt work for the project to be completed by this fall and the financial security should be here in a couple weeks. Mr. Wisner stated that financial security is a big part of what is needed to ensure if the work isn't completed the Township has the ability to complete the work.

Mr. Toddes made a motion to approve the indemnification agreement to be reviewed and approved by our Solicitor for Interchange Storage Facility plan based on receiving items 8, 9, and 10 from the KPI October 23 comment letter seconded by Mrs. Biggins and carried. 5-0.

POLICE REPORT:

Police Chief Trostel presented an oral and written report of police activities for the month of October 2023 including: 276 calls for service, 64 traffic stops, 12 criminal incidents and 5,356 patrol miles. Some highlights of the report were:

- Officers Myers and Mayer are actively working on department field training objectives, obtaining certifications, learning the area, and meeting our residents.
- The speed trailer has been in continuous use in various locations in the Township. Traffic detail assignments are being made as a result of the data being collected from the trailer.
- Fall qualifications are scheduled to conclude this week for the last 2 officers. So far 7 officers have been awarded as expert marksmen.
- Officer's Barbagello & Mayer were praised by the Adams County Historical Society for their role in the return of the stolen script artifact.
- Officer Mayer will be assisting with the Carroll Valley Police drug takeback/drop off site on Oct. 28th, 2023 from 10a.m. until 2p.m.
- Sergeant promotion testing was completed on Wednesday, October 18th, 2023, we can expect to know the scores approximately 10 business days after received by the Association.
- Officer Eiker was complimented by Township Residents regarding his handling of a fraudulent email they received.
- Officer Hartley completed Field Training Officer certification.
- Sgt. Rosenberger and Officer Barbagello are scheduled to attend the Adams County Domestic Violence Sexual Assault training in November.

MAINTENANCE DEPARTMENT REPORT:

Mr. Walter gave the report for October and some highlights were:

- Mr. Walter stated that they were able to grade Sentz Road this month, the Township's only dirt/stone road.
- The boom mower was rented in cooperation with Mt. Pleasant and Straban Townships to mow back the intersections to improve site distances and remove brush from encroaching onto highways.
- Jordan and Levi attended a winter maintenance class conducted by LTAP.
- The Department completed some in-house crack sealing in various developments to help prevent water from passing through cracks in the pavement and compromising the road base.
- Mr. Walter stated that he attended the Roadway Management Conference in western PA last week.
- Levi Roberts is scheduled to take his CDL on the road test next week at HACC.
- Wilson Paving was onsite today to regrind the milling pile for use on our next phase of Twin Lakes I/Lakeview Drive rebuild project.
- In the next couple weeks, the Department will be placing snow stakes in the developments and will be outfitting the fleet with plows and spreaders for the upcoming winter season.

ACTIVE BUSINESS:

Approval for Adams County to apply for Countywide Action Plan grant.

Mr. Blocher explained that if the County can apply for this grant this would enable the Township to complete the Longview Estates MS4 project that was previously planned, but however did not occur with lack of funding. Mr. Blocher added that with this the Township will still be responsible for years 2 & 3 of any vegetation issues as per an Easement Agreement that was executed in June of 2022. The County does have all the information to move forward with the grant application and the HOA has been contacted and are in agreement. Mr. Blocher felt this would be in the best interest of the Township for our MS4 projects.

Mrs. Ramsburg made a motion to approve Adams County to apply for the Countywide Action Plan grant which will allow the Township to proceed with a MS4 project in Lakeview Estates. Seconded by Mr. Toddes and carried. 5-0

Ratification to Employee Email Compromise Agreement

Mr. Blocher explained that last month the Board approved this agreement to work with the fraud company in regards to an email that was compromised within the Township but when the agreement was approved it was not apparent that a \$10,000.00 deductible would apply from the Township fraud insurance.

Mrs. Biggins made a motion to ratify the email compromise agreement to include the \$10,000.00 deductible from our cyber security insurance plan. Seconded by Mrs. Ramsburg and carried. 5-0

Resolution 2023-15 providing supplemental appropriations for the 2023 budget and an operating reserve account policy/fiscal management policy #01.

Mr. Blocher explained that this is an alignment of funds that will now have an operating reserve account. Mr. Blocher added that regulatory states the Township should have 25% of the annual operating budget set in a reserve. This allows the Township to ensure it is financially equipped to operate in the first quarter of every year without having to borrow monies based on when funds come in. The policy states that this money is not to be used for any wish list, it is strictly for any emergency or if needed the first quarter of the year. The amount to be transferred from the general fund to the operating reserve account will be \$1,125,000.00. The other account transfers will be \$60,000.00 from the general fund to the ag preservation account to help with ag preservation requests. \$75,000.00 from the general fund to the benefit reserve account which will be used for monies needed for retirees. \$517,554.24 from the general fund to the building fund account for building needs and \$188,500.00 from the general fund to the capital reserve account

Mrs Biggins made a motion to approve resolution 2023-15 for providing supplemental appropriations for the 2023 budget as well as the fiscal management policy #01. Seconded by Mrs. Ramsburg and carried. 5-0

Solicitor:

No Items

Committee Reports and comments from Board Members:

COG, Park and Recreation, Planning & Zoning, Public Safety, Highway, CTA.

Economic Development Committee:

No Items

Parks and Recreation:

Mr. Toddes stated that the park is doing well. The building is being rented for different classes. Baseball and the farmer's market are still going on.

CTA:

Mr. Toddes stated on Pin Oak Lane there is a sewer line needing to have the lining replaced, which the work is now being completed along with the sewer line extension on Table Rock Road.

COG:

Mr. Blocher stated that Chairman Phiel, the Township Secretary, and himself attended the September meeting. General Code gave a presentation on codification and interactive mapping. We will look to budget updates to both areas in 2024. The Broad Band Task Force continues to meet and move forward with an anticipated presentation at the next meeting to be held October 26, 2023. Also, the County is supportive of increasing the current fee of \$1.60 on monthly cell phone fees to \$2.00. One hundred percent of this fee will go towards financial support of our emergency services center.

STAFF REPORTS**Manager:**

Mr. Blocher reported the following:

- EPA – Clean Water Act Notice
The Township received correspondence from the United States Environmental Protection Agency (EPA). EPA had conducted an off-site compliance review of the MS4 program. The purpose of this inspection was to review the Townships compliance with the PA DEP NPDES General Permit No. PAG133748 effective July 1, 2018. Most information requested was from 2021 with some supplemental information following it. As a result of receipt, a meeting with KPI was held on October 5, 2023. At this point it appears that everything needed will be provided to EPA within the next two weeks and the Township will update any items needed.
- Insurance review – The Township reviewed its coverage with PMHIC and will be seeing a 9.2% increase in 2024. This was a result of the last 30 months of claims through 6/30/2023. 2023 YTD claims are 73.8% expected and 2022 claims were 91% of expected, however 2021 claims were 154.4%. The last two years our claim ratio has been good however prior it was not. This was reflected in the increase. The average was 8.1% and the maximum increase was 19%.
- Budget workshop is scheduled for November 14th starting at 3:30pm. Outline of Budget for presentation in the workshop is almost complete. This resulted in numerous meetings to not only create a 2024 budget but in addition to draft a long-term Capital, Technology, and Internal Property plans.
- Continued work on the RACP funding is happening with a workshop to be announced before the end of 2023.
- Mr. Blocher attended the 2023 Regional PSATS Forum on Oct. 24th in Gettysburg.
- The Township dot gov domain continues with the Police Department migration to start October 30th. We are still waiting on the County of Adams for the final step in migration of the new website www.cumberlandtwppa.gov.
- Trick or treat will be October 31st starting at 6p.m..

Treasurer:

Mrs. Camie Stouck-Phiel stated that she attended the PSATS Southcentral Regional Forum and helped co-teach a class with Scott Coburn. She added that the 2023 Department of Auditor General Act 205 forms for both uniform and non-uniformed pension plans have been approved along with the actuarial valuation reports. Mrs. Stouck-Phiel stated that she submitted all required 3rd quarter 2023 reports and continues to help with weekly zoning reviews.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:10 P.M. to executive session to discuss personnel with no action.

Michele Long, Township Secretary

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_____) Supervisors
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