

**Cumberland Township Board of Supervisors
June 21, 2012 Workshop Minutes**

Chairperson Underwood called the regular workshop meeting to order at 8:30 a.m. Present were all Supervisors; Solicitor Sam Wisner, Manager Ben Thomas, Jr., Police Chief Don Boehs, Assistant Secretary Carol Merryman and Engineer Tim Knoebel. Visitors present were: Speros Marinos, Dale Molina, Carolyn Greaney and Jenna Stinson from The Gettysburg Times. The meeting was recorded.

Engineer:

Mr. Knoebel reported that the Lutheran Seminary Western Gateway Final Land Development is located primarily in Gettysburg Borough, but there is a stormwater management basin located in the Township and they took a very close look at the stormwater because the area does have water issues. He added that they are reviewing a Stormwater Operations and Maintenance Agreement that they will send to Mr. Thomas and Solicitor Wisner. He added that they have a bonding estimate, in the amount of approximately \$250,000.00, for the improvements in the Township. He reported that they need an approved Erosion and Sedimentation Control Plan and NPDES Permit and that they have submitted a waiver request for the requirement to submit a Preliminary Plan. Mr. Knoebel also expressed a concern about people possibly driving into the stormwater basin because it is low and the Board agreed that they would like to see some kind of a minimum barrier to prevent this from happening.

Mr. Knoebel reported that the Gettysburg Regional Airport has requested a 180-day extension for approval of their South Apron, Phase I, Land Development Plan and he supports that request and reported that they have a number of comments to address.

Public Comment:

Mr. Speros Marinos, 912 Baltimore Pike, thanked the Board for their stance on the collection of the Admission Tax pursuing all of the Special Events that are occurring. He added that the Admission Tax hurts his business and they are currently having a pest control issue that needs constant maintenance and they are not generating very much money. He also asked the Board to re-visit the zoning update soon.

Manager:

Mr. Thomas reported that the first item on the agenda that will carry over to the regular meeting is a response to the citizen's proposed text changes. He added that a public hearing on the proposed changes was held on May 15, 2012. Mr. Thomas summarized the text changes as follows:

1. Section 27-1903 be amended to require posting of the affected tract 30 days prior to the hearing and certified mail notice be sent to all properties within 1,000 feet of the affected tract at least 30 days prior to the date of the hearing. Mr. Thomas stated that the current requirement is for the affected tract to be posted one week prior to the public hearing and certified mail notices are mailed to all properties within 1,000 feet in Residential zoned areas and 500 feet in other zoning districts.
2. To prohibit Concentrated Animal Operations in Agricultural/Residential (A/R) districts.
3. Section 27-401.7.B be amended by increasing the minimum acres for housing of animals from 25 acres to 100 acres and increasing the minimum setback distance from 200 feet to 500 feet.

Solicitor Wisner stated that there is no requirement that the Board act within a certain period of time, but there is a requirement in the Municipalities Planning Code, that if the Board does chose to act, it must be done within 90 days from the date of the public hearing or hold another public hearing. He added that the Board can chose to take no action, the Board can take action and adopt the amendments as they were presented or the Board can decide to make some changes to the amendments and this would require re-advertisement and re-submission to the County. Solicitor Wisner added that if the Board did decide to adopt any or all of the amendments, they would have to determine a date that they will be taking action on the amendments and this would be advertised.

Mr. Thomas stated (in regards to amendment No. 1) that the Board has a copy of a proposed Resolution written by staff that strengthens the Public Notice requirements. Staff does feel that the current language needs to be clarified and could be considered along with the Township's proposed text amendments. Mr. Thomas added that the Resolution could instead be adopted as an Ordinance, but it will be costly to make changes to it in the future.

Mr. Thomas reported that the decision for Bream Hill Road is also on the meeting agenda for the Board's action. The Board has received two petitions; one to close the road and one to keep the road open.

Mr. Thomas reported that the Board received a request from the PA Interfaith Community Programs, to utilize Park and Rec fees paid to the Township for their two projects; Misty Ridge and Anthony's Place, to purchase property adjacent to the two projects for recreational use. Mr. Thomas added that the Board has a spreadsheet recording the receipt of the funds and the expenditure of the funds and it does show that the funds paid for these two projects have not been spent yet. The Board asked for a recommendation from Mr. Thomas.

Mr. Thomas reported that the Township has opened the window of opportunity for citizens with the appropriate acreage to submit an application for Agricultural Security Area designation. He added that a public notice will be placed in the newspaper and it will also be placed on the Township's website. Mrs. Merryman will check to see if there is a seven-year review due for any of the enrolled properties.

Mr. Thomas reported that the Township has received an Adams County Municipal Box Card Alarm Card Review Form from Gettysburg Fire Department for their review and approval. Mr. Thomas explained that the changes are to Ambulance Response and are necessary due to declining volunteer EMS personnel. The Board requested that Chief Baldwin attend the Township meeting and Mr. Thomas will ask if he can do so.

Mr. Thomas reported that the Police Command Trailer is on loan to Biglerville Borough and they are using it as an office while their office is being repaired after being damaged by fire. Mr. Thomas added that Biglerville's insurance will pay for the rent of the trailer and he recommended \$15.00 per day.

Mr. Thomas reported that Mr. Ray Culver, owner of 2523 Emmitsburg Road, has requested the use of a holding tank for a proposed small business at this location. Mr. Thomas reported that the Township does have a Holding Tank Ordinance but, the ordinance does speak to Holding Tank Rules, Regulations, and Agreement and this Resolution needs approval from the Board and then it will be forwarded on to the Sewage Enforcement Officer and he forwards it to PA Department of Environmental Protection for their approval as well.

Mr. Thomas recommended that Police Chief Boehs and Lieutenant Guise be appointed Right-To-Know Officers for requests for Police documents.

Mr. Thomas reported that an Executive Session is needed for discussion on the Woodhaven Agreement.

Mr. Thomas reported that Resolution No. 2012-10 CLOSING OUT COMMUNITY CONSERVATION PARTNERSHIPS GRANT PROJECT (BRC-TAG-14-377) will be on Tuesday night's meeting agenda for the final grant obligation funding from the Department of Conservation and Natural Resources for the Gettysburg Area Peer to Peer Recreation Study. He added that the study has been completed and this paperwork will be submitted and the Township will receive the final check for \$1,000.00.

Mr. Thomas reported that there is a York Adams Tax Bureau meeting next Thursday evening and he and Mr. Ferranto will be attending and there will be discussion regarding possibly moving their Adams County location. Mr. Thomas reported that the Pension Review Board has met three times and have been reviewing the investments. The most recent meeting was yesterday with Leonard J. Ferrara's office and they are making a couple of proposals; that we change the major broker and the committee will be looking at a proposed Investment Policy Statement. He added that it is likely that we will have to put out a Request for Proposals, as required by Act 44, to see what is available. The committee will also be meeting with all of the employees.

Mr. Thomas reported that the contractor for the Belmont Road Bridge project has officially moved in.

Solicitor:

Solicitor Wisner reported that he has drafted documents, in accordance with the Local Government Unit Debt Act, for the small borrowing for the new police vehicle. Mr. Thomas added that it is his goal to have this on Tuesday night's agenda, but there are a couple of the documents that will require a good deal of work before they are ready for the Board's action.

Solicitor Wisner also reported that he has reviewed the Stormwater Ordinance and he will forward his comments to Mr. Thomas and Mr. Knoebel and it will be ready for action at the July meeting, as planned.

Committee Reports:

Planning/Zoning – No report.

Public Safety – Chairperson Underwood reported that she has asked Chief Boehs to prepare a Certificate of Appreciation for Outstanding Citizens, Jim and Pat Brown, from Barlow Fire Department.

Finance Committee – Mr. Thomas reported that the committee will be meeting early next week, have multiple goals, including the amount to borrow for the new police vehicle, can we transfer some money to the Capital Reserve Fund and can we make an additional principal payment on the maintenance building mortgage?

Park and Rec – Mr. Toddes reported that he is a member of Gettysburg's study group for the Rec Park's Master Plan and he feels that they do need a Park Director. The committee is meeting on Wednesday to discuss the Master Plan and PA Interfaith's request to use Park and Rec funds that they paid to the Township for their two projects.

Personnel – No report.

CTA – Mr. Shealer reported that they are getting ready for their pumping stations and collection system project to get started.

COG – Chairperson Underwood reported that 29 municipalities are on board with the Fire Funding Study, the contract has been signed, we will be billed and it will be less than \$150.00. Mr. Ferranto reported that the Legislative Committee met and they are going to be more pro-active and they have a lot of things that they are discussing. He added that there has been positive movement on the Pillow Tax.

ACTPO – The meeting is next week.

150th Commemoration – No report.

Economic Development – No report.

CT411 – Mr. Ferranto presented a memo that he received from the GMA meeting regarding expanding the Board to include a representative from Cumberland Township. Chairperson Underwood reported that she will be representing the COG and Township on a County Task Force for broadband and she will be attending a Journey through Hallowed Ground meeting next week in Virginia. Mrs. Merryman reported that she attended the Township Officials' Secretary's Roundtable Luncheon and it was very nice and very productive.

The meeting was adjourned at 9:48 a.m. for an Executive Session with no report to follow.

Carol A. Merryman, Asst. Secretary

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