

Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
December 22, 2022
Regular Meeting 7:00 P.M.

Chairman Toddes called the regular meeting to order at 7:05 P.M. Present were all Supervisors: Toddes, Phiel, Ramsburg, Biggins and Brauning. Also present were Solicitor Sam Wiser, Township Manager Ben Thomas, Jr., KPI Representative Tim Knoebel, Police Chief Matthew Trostel, Superintendent of Roads Chris Walter, Treasurer Camie Stouck-Phiel, Secretary Michele Long. Also present were Barb Underwood, Randy Phiel, Bob Sharrah Jim Hale from the Gettysburg Times.

Chairman Toddes led the Pledge of Allegiance.

Mr. Toddes announced executive sessions were held on November 29th, December 13th and December 22nd, 2022 to discuss personnel matters.

Retirement Recognition:

The Board recognized Manager Ben Thomas for his 12 years of devoted service with the Township as he will be retiring at the end of 2022. Mr. Phiel read some highlights of Ben's years at the Township and all that he accomplished. The Board honored him with a very nice memento. Engraved on the front it said, A time to look back with admiration, a time to look forward with anticipation, best wishes and Congratulations on your Retirement from Cumberland Township. Mr. Phiel also gave Ben a certificate from PSATS.

Mr. Randy Phiel, Adams County Commissioner, also recognized Ben for his hard work and dedication to the Township with a proclamation signed by all three Adams County Commissioners. Mr. Randy Phiel reminisced on the time he spent at the Township working with Ben on Commissions, Boards and Committees. Mr. Phiel stated that this day, December 22, 2022 has been made Ben Thomas Day in Adams County, Pennsylvania.

Mrs. Ramsburg made a motion to approve the agenda, seconded by Mr. Brauning and carried.

Mr. Phiel made a motion seconded by Mrs. Biggins and carried to approve the Minutes for the November 22, 2022, Regular Meeting.

There was an explanation of the L&H Mechanical final invoice for the fuel tank installation with the Board from Mr. Phiel and Mr. Walter. Mr. Walter explained that due to inflation and retrofitting parts from the old system to the new system made an increase of \$14,000.00 on the fuel tank project since the end of year 2021 when the project began. Mr. Walter reiterated that the material costs skyrocketed, which was not anticipated. Mr. Thomas added that L&H Mechanical has always treated the Township great with donations of time and reduced labor costs for all projects. Mr. Thomas explained this does exceed the Township Code, that is why it is being discussed. Mr. Thomas recommended this being approved due to unforeseen costs incurred. Mr. Wiser added at the time the quotes were obtained they came in under the bid threshold. **Mr. Phiel made a motion seconded by Mrs. Biggins and carried to approve the bills in the amounts stated by the Chairman: \$362,022.73 from the General Fund (includes \$7,500.00 transfer to fund the FSA Account), \$8,331.83 from the Escrow Fund, \$26,327.35 from the ARPA Fund, \$94,128.20 from the Fire Tax Fund, \$35,800.92 from the Capital Reserve Fund**

Public Comment:

Martha Turner, 140 Park Avenue. Mrs. Turner thanked Mr. Walter and the Maintenance Department for cleaning out the road gutter by her house. Mrs. Turner also congratulated Mr. Thomas on his retirement. Mrs. Turner asked if a mirror could be placed at the end of Park Avenue and Route 116 for safety of pulling out into traffic coming up over the hill.

Bob Bunce 120 Twin Lakes Drive also stated the traffic coming up Route 116 is dangerous when pulling out at Park Avenue. Mr. Walter stated that unfortunately mirrors being placed on a state highway are not PennDOT approved. Mr. Thomas also asked if Chief Trostel could place white lines for traffic controls. Mr. Trostel stated the white lines wouldn't work with the hill as the stops could be appealed. A major criterion for PennDOT to make any improvements is the crash data and there aren't a lot of crashes in that intersection even though it is very dangerous. Mr. Thomas recommended that they could contact their state legislators asking for radar to control the speeds.

Engineer:

Cambridge Crossings Phases 2 & 3 Land Development plan.

Tim Knoebel with KPI Engineering reviewed the land development plan for Cambridge Crossing Phases 2 & 3. Mr. Knoebel gave an explanation of the plan and reviewed the KPI comments dated December 22, 2022. Mr. Knoebel stated he would not recommend approval of the plan due to outstanding items still needing to be addressed as per the Ordinances. The NPDES permit has been secured for the project which gives the property some earth moving rights to move ground. The developer's engineer has requested to bring fill dirt into the property and set up perimeter controls. Mr. Knoebel stated we don't have conditional approval as of yet, but Mr. Wisner has come up with a erosion and sediment control indemnification agreement which protects the Township. Mr. Wisner stated that the agreement allows the developer to get into the property and start moving ground, but they are working at their own risk.

Mrs. Biggins made a motion to authorize the Erosion and Sediment control indemnification agreement seconded by Mrs. Ramsburg for Cambridge Crossing Phases 2 & 3 plan until such time the plan is conditionally approved. Motion Carried.

Bruce VanDyke Subdivision Plan

Tim Knoebel reviewed the Bruce VanDyke subdivision plan giving an explanation of the plan and reviewing the KPI comments. Mr. Knoebel explained that this property works hand in hand with the Cambridge Crossing Phases 2 & 3 plan. Mr. Knoebel stated no action would be asked for tonight as this plan needs to be approved at the same time the Cambridge Crossing Phases 2 & 3.

Musket Ridge Extension Request

Mr. Knoebel reviewed the extension request for Musket Ridge.

Mr. Sharrah representing the applicant explained that the new owners are working through the project and an updated plan will be submitted very shortly.

Mrs. Ramsburg made a motion seconded by Mr. Phiel to extend the Musket Ridge plan until March 31, 2023. Motion carried.

Interchange Storage Final Land Development Plan Extension Request

Mr. Knoebel reviewed the extension request for the Interchange Storage Final Land Development plan. The plan is moving forward very rapidly and will be ready for approval shortly.

Mr. Phiel made a motion seconded by Mrs. Biggins to extend the Interchange Storage Final Land Development plan until March 31, 2023. Motion carried.

Benuel and Martha King Final Land Development Plan Extension

Mr. Knoebel reviewed the extension request for the Benuel and Martha King Final Land Development plan. Mr. Knoebel explained the plan and added they are working through the comments from the Conservation District.

Mrs. Biggins made a motion seconded by Mrs. Ramsburg to extend the Benuel & Martha King Final Land Development plan until April 11, 2023. Motion carried.

Gettysburg Ridge Development Release of Financial Security

Mr. Knoebel reviewed the request for release of financial security for the Gettysburg Ridge Development. Mr. Knoebel stated this is the development off of Detrick Drive. Mr. Knoebel explained that there are a couple of items that are not finally completed which have been previously asked of them. With that there is a recommendation of \$29,083.00 being retained resulting in a release of \$39,523.00.

Mr. Brauning made a motion seconded by Mrs. Biggins to retain \$29,083.00 and release \$39,523.00. Motion Carried.

Old Mill Overlook Land Development Plan Reduction of Financial Security

Mr. Knoebel reviewed the reduction request for the Old Mill Overlook Development. Mr. Knoebel stated the final paving still needs be completed. Mr. Knoebel recommended a reduction in bonding of \$852,718.35 and retain \$840,150.85.

Mr. Phiel made a motion seconded by Mr. Brauning to reduce the bond in the amount of \$852,718.35 and retaining \$840,150.85 as per the KPI comment letter dated December 22, 2022. Motion Carried.

Susquehanna Regional Airport South Apron Release of Financial Security

Mr. Knoebel reviewed the request for release of financial security for the Susquehanna Regional Airport Authority (SARRA) South Apron Phase IV (Phase 1 Construction) plan. Mr. Knoebel explained the plan and what has been completed. Mr. Knoebel stated that all of the work has been finished but an as-built plan is still required to be submitted. With that \$25,000.00 should be retained until the as-built drawing is submitted and approved.

Mrs. Ramsburg made a motion seconded by Mrs. Biggins to release \$1,119,060.00 and retain \$25,000.00 for the SARRA South Apron Plan Phase IV plan. Motion carried.

Blouch Hangar Release of Financial Security

Mr. Knoebel reviewed the request for release of financial security for the Blouch Hanger plan located at the Gettysburg Airport. Mr. Knoebel stated that inspections were completed, and all work was satisfactory.

Mr. Brauning made a motion seconded by Mrs. Biggins to release the \$7,500.00 which is the total amount being held by the Township for financial security. Motion carried.

MS4 Update

Mr. Knoebel stated that with the stream restoration projects, all of the bonds and insurance documents have been received and verified by both KPI and Salzmann Hughes Office. The Board had previously voted to award the contract and authorize execution of the documents including the agreement. Mr. Knoebel stated he had the agreement this evening and would like to get signature by the Chair. Once this agreement is signed KPI can issue the notice to proceed to get these projects moving forward to stay on schedule.

Mr. Knoebel discussed the MS4 Basin Retro-fit projects that were completed in Twin Lakes West and on Longview Blvd.. There will be maintenance security in place for the next two years to protect against anything that would possibly need to be remedied. A payment request has been received for work to date in the amount of \$18,900.00. With the project being greater than 50% complete Mr. Knoebel recommended asking for \$16,616.00 to be retained along with the \$2,000.00 which the contractor hasn't

asked for yet. Mr. Knoebel stated as per their KPI letter dated December 20th, 2022 they recommend payment of \$18,900.00.

Mrs. Biggins made a motion to recommend payment to CE Williams in the amount of \$18,9000.00 as per the KPI letter dated December 20, 2022 KPI requisition number 2, second by Mrs, Ramsburg motion carried.

Police Report:

Police Chief Trostel presented an oral and written report of police activities for the month of December 2022 including: 286 calls for service, 74 traffic stops, 9 criminal incidents and 7,546 patrol miles. Some highlights of the report were:

- The cabling kit for the future MVR installation in the Durangos has been received.
- Officer's Keefer, Rosenenberger and Barbagello were invited by members of the Gettysburg Fire Department to assist with the 'Stuff the Truck' event on December 9 & 10, 2022.
- Officer's Yost and Marshall assisted with traffic/security for the live nativity at the Gettysburg Church of the Brethren on December 18, 2022
- Mr. Trostel gave a more detailed explanation of the outside and in-house trainings that Officers have attended.
- Officer Keefer is scheduled to attend Penn State POSIT (Police Supervisory Inservice Training) in early January 2023

Maintenance Department Report:

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

- Mr. Walter reviewed the projects completed in 2022, which included paving projects, surface treatments, pipe replacements, signage upgrades, tree trimming, mowing and line painting on numerous roads.
- The staff completed a few small projects at the administration building this month.
- All of the trucks and equipment have been serviced, washed and waxed along with the plows and spreaders being mounted for the upcoming winter season.
- They have been working in cooperation with CE Williams on the 2-retention pond MS-4 retrofits in Twin Lakes West and on Longview Blvd.
- Repairs to a section of the guiderail on Boyds School Road will be completed over the next few weeks.
- Tree and brush trimming will be completed, as weather permits, in various locations of the Township.
- Christmas Trees will be collected starting the day after Christmas through the month of January, 2023.
- Mr. Walter reviewed the equipment replacement requests for 2023. Mr. Walter explained in 2022 the Township budgeted to replace the 1995 single axle dump truck which still hasn't been received as of yet, this is to be built 2/14/2023. We are hoping for an early summer delivery for that new dump truck. Mr. Walter also requested the replacement of the John Deere wheeled excavator. Mr. Walter was asking tonight for a letter of intent to purchase the replacement of that wheeled excavator to Cleveland Brothers for a new Caterpillar mini-excavator. This letter would at the very minimum get the piece of equipment ordered. Mrs. Biggins stated this is part of the 2023 budget that will be approved tonight. Mr. Phiel confirmed this will get the piece of equipment ordered and discussion regarding payment will be had at the January finance committee meeting.

Active Business:

Mr. Thomas reviewed correspondence from Steve Laurello of Cambridge Crossing Phase 1 plan who is requesting a waiver for an intersection overhead light. Mr. Thomas asked Mr. Laurello for a response from the Homeowners' Association, which he did not receive. Mr. Thomas took it upon himself to ask

Debra Jefferies, President of the Homeowners' Association, for their opinion on the request which was not favorable to remove the overhead lighting at the intersection.

Mr. Phiel made a motion to reject the requested waiver and Mr. Laurello be contacted that the overhead lighting needs to be installed as per the plan. Second by Mrs. Biggins, motion carried.

Mr. Thomas also reviewed a waiver request from Mr. Laurello for the same development, Cambridge Crossing Phase 1, which is asking for the current vinyl privacy fence that has been installed by the neighbor at 260 Table Rock Road be used instead of Mr. Laurello having to install the 6' wooden fence as required by the plan. Mr. Knoebel stated he was not sure how the fences would be married together. Mr. Thomas stated he isn't sure how a neighbor's fence could be used as part of the Cambridge Crossing Phase 1 land development plan. Mrs. Biggins asked if a vegetative buffer could be used in place of the fence. Mr. Knoebel stated Mr. Laurello hasn't asked for relief of the fence with a vegetative buffer. Mr. Knoebel also asked how it works if the fence ever falls down and it is the neighbor's fence on the neighbor's property, who is responsible for replacement. Mr. Wisner stated Mr. Laurello is required to install the fence as per the recorded land development plan.

Mrs Biggins made a motion to deny the fence request seconded by Mr. Phiel. Motion carried.

Mr. Thomas reviewed the 2023 final budgets, noting that there is no tax increase planned for 2023. Mr. Thomas stated there have been no changes since the preliminary budgets were approved. The current mileage rate will stay at 1.9%.

Mrs. Ramsburg made a motion to approve the 2023 final budgets adding that a letter of intent be added for the purchase of the Caterpillar Mini-Excavator, seconded by Mr. Phiel. Motion carried.

Mr. Thomas reviewed the 2023 Cumberland Township Tax Resolution with no tax increases.

Mr. Phiel made a motion to approve the 2023 Cumberland Township Tax Resolution. Seconded by Mrs. Biggins. Motion carried.

Mr. Thomas acknowledged the Gettysburg Church of the Brethren receipt of 2023 grant for an MS4 stormwater project. Mr. Knoebel stated that the Church received around \$85,000.00 from the grant. The Church will be planting trees, installing a pollinator garden, have community gardens and installing bio retention and rain gardens to help with runoff as part of the grant. This is a big potential for MS4 credits in the next cycle which can provide transfer of credits to the Township. Mrs. Biggins asked when the Township is reassessed for MS4 will we benefit from these? Mr. Knoebel stated the Township would be able to count on this as credits for this.

FINANCE COMMITTEE – Mr. Phiel reported on the GMS Funding Consulting Services Agreement for the RACP Grant asking for authorization to move forward to sign the agreement which will allow GMS to be used as a resource for the RACP grant.

Mrs. Biggins made a motion to authorize the GMS Consulting Services Agreement for the RACP grant, seconded by Mrs. Ramsburg and carried.

Mrs. Biggins recommended from the Finance Committee to release the third quarter fire tax reimbursement to Gettysburg Fire Department in the amount of \$44,128.20 which meets the budgeted amount. Also noting that Barlow's budgeted request was met at the last Board meeting.

Mrs. Ramsburg seconded by Mr. Phiel made a motion to release the third quarter fire tax reimbursement to Gettysburg Fire Department in the amount of \$44,128.20. Motion Carried.

Mrs. Biggins stated that with fire tax fund money still available the Township would be able to give \$50,000.00 to the Gettysburg Fire Department for the new Pierce Fire Engine as requested. This leaves a balance of \$40,870.54 in the fire tax fund for 2023. Both Barlow and Gettysburg have been fulfilled with the amounts budgeted for 2022.

Mr. Phiel made a motion to pay \$50,000.00 from the fire tax fund to Gettysburg Fire Department for the new Pierce Fire Engine as requested. Seconded by Mr. Brauning and carried.

PERSONNEL COMMITTEE – Mrs. Ramsburg stated that they have received a notice from Tom Shealer that he will no longer be serving on the Historical Architectural Review Board as this is the end of his term on 12/31/2022. Mrs. Ramsburg also stated that a notice had been received from Steve Tallman that he would like to be replaced on the Planning Commission as his term also ends 12/31/2022. Mr. Tallman has stated he would be willing to stay on the Commission for one more year but would like to have a replacement ready at that time. Mr. Wisner explained that the Municipalities Planning Code allows a member on the Planning Commission can continue to serve until they are replaced so he doesn't have to resign. If Mr. Tallman has indicated that he is still willing to serve no action is needed by the Board until such time he is replaced or he is no longer will be serving. Mrs. Ramsburg stated we do have a few citizens interest forms to be reviewed.

SOLICITOR: No items, Mr. Wisner congratulated Mr. Thomas on his retirement, and he thanked the Board for allowing him to serve with them.

**Committee Reports and comments from Board Members:
COG, Park and Recreation, Planning & Zoning, Public Safety, Highway, CTA, Economic
Development – No reports**

Mr. Brauning stated that Barlow Fire Department is having their calendar raffles if anyone is interested, please see the department.

The Zoning Officer and Treasurer's reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:35 P.M. for an Executive Session to discuss legal, personnel and real estate.

Michele Long, Township Secretary

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_____) Supervisors
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