

**Cumberland Township Board of Supervisors  
1370 Fairfield Road, Gettysburg, PA 17325  
November 27, 2018 Meeting Minutes**

The meeting was called to order at 7:00 p.m. by Chair Underwood. Present were Supervisors: Underwood, Paddock, Waybright and Toddes; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Township Engineer Tim Knoebel and Secretary Carol Merryman. Also present were: Mary Grace Keller from the Gettysburg Times, representatives from Woodhaven Building and Development, Erin Schutter from Gunn-Mowery Insurance and approximately fourteen residents.

Chair Underwood led the Pledge of Allegiance.

**Mr. Toddes made a motion seconded by Mr. Waybright and carried to approve the Minutes of the October 18, 2018 Workshop; October 23, 2018 Joint Workshop; and the October 23, 2018 Regular Meeting.**

**Mr. Waybright made a motion seconded by Mr. Toddes and carried to approve the bills in the amounts stated of: \$111,873.28 from the General Fund; \$4,295.50 from the Escrow Fund, \$3,800.00 from the Park and Rec Fund and \$1,449.95 from the State Fund. Mr. Toddes made a motion to approve the transfers of \$49,706.94 from the General Fund to the Health Insurance Account and \$10,440.59 from the General Fund to the Fire Tax Fund. The motion was seconded by Mr. Paddock and carried.**

**Public comment:**

Mr. Brian Fitzgerald, 914 Barlow Greenmount Road, presented some pictures and spoke to the Board regarding a stormwater issue that he is having on his property. Mr. Fitzgerald asked if it was acceptable for the Keystone project to pump muddy water onto other properties and he explained the damages that this muddy water is doing to his property: killing fish in his pond, killing his trees and making his property unusable.

Ms. Terri Matlock, 111 Bittern Drive, expressed her concern about the \$66,164.00 requested by the Gettysburg Area Recreational Authority and asked why the Township would commit to giving funds that the Township does not have in the Park and Rec Fund and would a shortfall come from the General Fund? She added the funds would be better used for things that the Township needs re: additional staff or equipment. Ms. Matlock also asked the Board to take their feedback into consideration.

Mr. Speros Marinos, 912 Baltimore Pike, mentioned a heinous murder that was committed in Adams County, a municipal shooting and the Police should have an area to bring people into that is secure and he hopes that will be part of the building renovation. He also asked why there was no representation from the Township at the last Joint Comprehensive Plan meeting and he asked that the Township keep this process moving forward.

Mr. Al Ferranto, 501 Knight Road, spoke to the Board about the questions from the Concerned Residents (CTCR) not being answered at the budget workshop that he felt was outrageous. He added that the CTCR have concerns about how tax money is being spent. Mr. Ferranto also talked about the contribution to GARA and how they were supposed to be self-sufficient in five years and he doesn't feel they should be given any more tax money and tax dollars should be used for Township expenses and/or paying off the Township's loan faster. Mr. Ferranto asked the Board to look at Mr. Thomas' work load so he would have time to work on the CTCR's questions.

**PRESENTATION** – Ms. Erin Schutter from Gunn-Mowery gave a brief presentation on the proposal for the 2019 Medical / RX Insurance. Ms. Schutter reported that it is a zero deductible plan; there are some

co-pay changes and some things that are a little different than the current coverage with Performance Health. She is proposing a Flexible Spending Account (FSA) to be funded by the Township to help with these changes. Ms. Schutter stated that the Township will save approximately \$175,000.00 with the new Capital Blue Cross Plan including funding the FSA and approximately \$275,000.00 from the renewal of the current plan. Ms. Schutter gave some additional information on the FSA, other resource that go along with the coverage and information about Gunn-Mowery. Ms. Schutter stated that she has municipal experience including being the broker for Gettysburg Borough. Ms. Schutter also reported that the Township has an opportunity to get money refunded if the claims are low and there are not additional charges at the end of the year if the claims are high so it is a safe way to possibly earn money back. Solicitor Wisner stated that the Township has two Bargaining Units, the Township has to maintain status-quo and he hopes that they can work cooperatively with the two units to amend the agreements. Lastly, Ms. Schutter explained what happens at the end of the plan year and stated that the plan is "trued up" after 120 days and even if a claim is submitted one year later it is paid as long as it is incurred in the plan year. **Mr. Waybright made a motion to approve the health insurance plan from Gunn-Mowery through Capital Blue Cross as presented by Ms. Erin Schutter seconded by Mr. Toddes and carried.**

### **Engineer/Plans:**

Mr. Knoebel reported that the Township received a request from St. Francis Xavier for a Release of Financial Security and he asked that this be tabled until the next meeting.

Mr. Knoebel also reported that the Township received a Request for Reduction of Financial Security from Cumberland Crossing and he has prepared a memo dated November 27, 2018 that recommends retaining \$677,694.00 and releasing \$351,413.00. **Mr. Paddock made a motion to accept Mr. Knoebel's recommendation and release \$351,413.00 seconded by Mr. Toddes and carried.**

Mr. Knoebel reported that the next item is a Minor Land Development Plan for Gettysburg Landscape Supply for a proposed landscape supply business located along Emmitsburg Road. Mr. Knoebel went over the comments from his memo that still need to be addressed and there is one waiver needed for the requirement to submit a Preliminary Plan. Concern was expressed regarding comment #3 that states that the septic system will be abandoned and that a portable toilet will be provided and it needs to be clarified if water is proposed to remain in which case a septic system meeting approval of the Township S.E.O. is required. Mr. Caudill, owner, explained that the existing house is going to be razed, but he would like to replace it with something else down the road. He also explained that he needs water there due to the nature of his business. **Mr. Paddock made a motion to grant a waiver to the requirement of a Preliminary Plan seconded by Mr. Toddes and carried.** The Board agreed to require some sort of financial security for the project and Solicitor Wisner suggested that \$3,500.00 being held in escrow may be the easiest way to handle this. **Mr. Paddock made a motion to approve the Gettysburg Landscape Supply Plan subject to addressing the comments in Mr. Knoebel's November 27, 2018 memo and a cross-access agreement, in recordable form, as approved by the Solicitor and provided by the applicant.**

**Mr. Waybright made a motion seconded by Mr. Toddes and carried to grant a Request for Extension for the Gettysburg Battlefield Resort until March 1, 2019.**

**Mr. Toddes made a motion seconded by Mr. Paddock and carried to grant a Request for Extension for Cumberland Village, Phase II Preliminary Plan until June 3, 2019.** Mr. Hill requested a certified copy of the October 23, 2018 Minutes that includes the waivers that were granted for this plan.

Mr. Knoebel reported that the developer has requested dedication of Friendship Lane and Thrush Court in Cumberland Village, Phase 1C. Mr. Knoebel went over his August 28, 2018 memo that outlined the items that still needed to be completed prior to the dedication of the streets and all of the items have been addressed except for the walking path and foot bridge (financial security is being held for this) and a

Street Maintenance Reimbursement Agreement that Mr. Hill is in agreement with providing and paying for. Solicitor Wisner read the Resolution that he prepared to accept the Deed of Dedication for the two roads being offered by Martin Farm, LLC. He also reported that the Deed of Dedication was provided to the Township some time ago as well as the Title Insurance Policy. **Mr. Todd made a motion seconded by Mr. Waybright and carried to adopt Resolution 2018-08 as follows:**

**A Resolution of the Township of Cumberland, Adams County, Pennsylvania, accepting a Deed of Dedication for streets known as Friendship Lane and Thrush Court located in the Residential Development known as Cumberland Village.**

Mr. Knoebel reported that the developer at the Keystone Services Group Home project on Barlow Greenmount Road is in the process of doing the grading proposed under the revised plan approved several months ago and they are keeping the basin de-watered so that they can work in it. He added that the project is currently in a status of "under construction" and anything related to "muddy water" and erosion control is referred to the Conservation District. He added that Rusty Ryan has visited the site, the complaints will continue to be forwarded to him and he will be asked to do inspections. Mr. Knoebel added that pumping out the stormwater basin is not a long-term solution to the problem and they will need an amended Operation and Maintenance Agreement. There was a lengthy discussion regarding the stormwater pond.

**Police Report:** Police Chief Don Boehs presented a written and oral report of police activities for the month of October, 2018 including: 397 complaints - Psych/suicide-2, Disturbances-5, Assault/Harassment-4, Domestic-9, Criminal Mischief-0, Suspicious Activity-11, Thefts-0, Alarms-8, Medical Emergency-8, 911 Hang Up-3, Cruelty to Animals - 0, Wanted Person - 1, Reported Drug Activity - 2, Welfare Checks - 12, Shots Fired - 2, Fraud - 1, Burglary - 0, Sexual assault-2, Follow-up Investigation-35, SRO Calls - 8 with 2 arrests; 112 traffic stops, 91 combined arrests, 20 traffic accidents, 42 targeted enforcements and 9,491 patrol miles. He added that they assisted other agencies 6 times and they were assisted once. Assists to Pa. State Police were in Highland - 1, Straban - 1 and Mt. Joy - 1. Police Chief Boehs reported that they had 56 walk-in complaints.

**Active Business:**

Mr. Thomas reported that Waste Connections has requested a price adjustment beginning on January 1, 2019 of .60 per quarter (\$2.40 per year total); to the rate paid for trash service because their recycling costs have increased. He added that at the last meeting the Board asked Solicitor Wisner to look at the contract to see if this is permitted and they also asked what other municipalities are doing. Mr. Thomas reported that he contacted Bicky Redman from Adams County Environmental Services and she feels that the adjustment is justified and that a number of municipalities have already approved the rate adjustment. Solicitor Wisner confirmed that a price adjustment is allowed by the contract and there is no ability to decrease the rate should the recycling costs go the other way. Solicitor Wisner suggested that the price adjustment could be for one year only. **Mr. Paddock made a motion to approve the rate adjustment of .60 per quarter for Waste Connections seconded by Mr. Waybright and carried for 2019 only.**

Mr. Thomas reminded everyone that there is an E-cycling event being held this Saturday at East Berlin Borough Park from 8:00 a.m. until 10:00 a.m. and to take identification and a copy of your Waste Connections bill.

Mr. Thomas reported that he chairs a Pa. State Association of Township Supervisors' statewide committee for populations between 5,000 and 10,000 that meets twice a year and the committee has recommended two resolutions. The first resolution is regarding MS4 and requests that Pa. Department of Environmental Protection (Pa. DEP) waives all fees to municipalities since this is an unfunded mandate. He added that the second resolution that is proposed is to allow municipalities with Police Departments to invoice municipalities that do not have Police Departments when they go out to assist the Pa. State Police.

Mr. Thomas reported that the Township has an optional employee funded 457 Plan (deferred compensation retirement plan) with Security Benefit and the Board needs to appoint two Trustees. **Mrs. Underwood made a motion to appoint Shaun Phiel as Trustee for the 457 Plan seconded by Mr. Toddes and carried. Mr. Waybright made a motion to also appoint Mrs. Underwood as Trustee seconded by Mr. Toddes and carried.**

**Mr. Toddes made a motion seconded by Mr. Waybright and carried to acknowledge the merger of Ferrara Kampstra with Stonebridge Financial Group and approve the broker / dealer change from Geneos Wealth Management to Triad Advisors, LLC.**

**Finance Committee:** Mr. Thomas reported that there is a request from Barlow Fire Company for reimbursement of expenses from the Fire Tax Fund for the 3<sup>rd</sup> quarter of 2018, in the amount on \$32,802.53. He added that the request includes their purchase of a John Deere Gator and trailer in the amount of \$23,700.00. Mr. Thomas reported that the John Deere Gator is used for rough terrain rescue and for brush fires in remote areas. **Mr. Waybright made a motion to grant the funding request from Barlow Fire Company, in the amount of \$32,802.53 seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the second request is for a Maintenance Department purchase of a broom attachment for the skid loader this year, in the amount of 7,187.70. He added that there is a surplus in the Highway Supplies budget line item that can be used for the purchase. He also reported that the broom will be purchased under the State contract (\$1,000.00 savings) and will help with the Township MS4 goals. **Mr. Toddes made a motion to approve the purchase of the broom attachment seconded by Mr. Paddock and carried.**

**Solicitor:** No report.

#### **Committee Reports and comments from Board Members:**

**Parks and Recreation** – Mr. Toddes stated that the donations made to GARA over the past five years did not come from the General Fund, the contributions were paid from the Park and Rec Fund and all of that money was paid by the developers that built in the Township. He added that the only taxpayers' money that was given to GARA was \$15,000.00 and he feels that is a pretty good deal. Mr. Toddes also noted that GARA is a part of Cumberland Township and the money is being used for the Township's residents. Mr. Waybright added that before GARA was formed, the Township always donated tax dollars to the Rec Park to support recreation for the Township's residents from the General Fund.

**Building and Grounds** – Chair Underwood reported that she can not recommend moving forward with the entire building renovation as proposed and will meet later to determine how to proceed. Solicitor Wisner thanked Mr. Marinos for mentioning the Zoning Officer that was shot today in up-state Pa. and the safety of the Township staff and residents is a real concern.

**CTA** – Mr. Toddes reported that they are relocating the sewer line for the Rt. 116 bridge replacement, they discussed the Greenmount Sewer Study and Cumberland Village dedication of sewer lines.

**Economic Development** – Chair Underwood reported that a new business has moved into the old Garretson Tile building on Chambersburg Road and Destination Gettysburg is now on Media Drive in the old radio station building and it is good to have them as neighbors.

**Planning and Zoning** – Chair Underwood reported that they are working on the final draft of the Joint Comprehensive Plan.

**Public Safety, Personnel, Highway, COG** – No reports.

Mr. Thomas reported that LOBAR is the general contractor for the the work that is going on in front of the Township Building and there is also a Columbia Gas contractor working there now probably through the end of the month. He added that the Township is not the spokesperson for the project.

The Zoning Officer and Secretary/Treasurer's reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 9:10 P.M.

\_\_\_\_\_  
Carol A. Merryman, Secretary

\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_) Supervisors  
\_\_\_\_\_)  
\_\_\_\_\_)