

**Cumberland Township Board of Supervisors
Minutes of the August 27, 2013 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairperson Underwood. Present were Supervisors Toddes, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Jason Kelso, Police Chief Don Boehs and Assistant Secretary Carol Merryman. Others present were: Barry and Jean Stone, Carolyn Greaney, Speros Marinos, Jim Paddock, Jim Henderson, Elizabeth Magner, Steve Tallman, Don Sangirardi and Beth Kanagy from The Gettysburg Times. Mr. Shealer was absent. The meeting was recorded.

A moment of silence was observed for the three Township officials from Ross Township, Monroe County, who lost their lives on August 5, 2013 when a gunman opened fire at a township meeting.

Chairperson Underwood led the Pledge of Allegiance.

Mr. Ferranto made a motion to approve the Minutes of the July 18, 2013 workshop meeting and the July, 23, 2013 regular meeting seconded by Mr. Toddes and carried.

Mr. Waybright made a motion to pay the bills, in the amount of \$122,803.22 from the General Fund, \$2,386.00 from the Escrow Fund, \$8,329.53 from the Park and Rec Fund and \$2,605.09 from the State Fund seconded by Mr. Ferranto and carried.

Engineer/Plans:

Mr. Thomas reported that a request has been received from Cumberland Village, Phase 1C for a bond reduction. He stated that Mr. Knoebel has produced a report dated August 21, 2013 that recommends that the request be denied because the figures on the request are incorrect. He added that the developer had been asked to adjust their figures because they are from 2006 and need to be adjusted for inflation. **Mr. Waybright made a motion, based on KPI's August 21, 2013 report, that the request for bond reduction be denied, seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the next item is a Final Land Development Plan for Harrisburg Area Community College for a parking lot expansion of 283 spaces at their facility located on Old Harrisburg Road. Mr. Thomas reported that there are three waiver requests from the Subdivision Ordinance and the Planning Commission has recommended that the waivers be approved. **Mr. Waybright made a motion to grant a waiver to the requirement to submit a Preliminary Plan (303) seconded by Mr. Ferranto and carried. Mr. Waybright made a motion, seconded by Mr. Ferranto and carried to grant a waiver to the requirement to complete a total tract boundary survey (304.2.A.10). Mr. Waybright made a motion to approve the waiver to the requirement to show contour lines for the entire property (304.2.A.13) seconded by Mr. Toddes and carried. Mr. Waybright made a motion to approve the Preliminary/Final Land Development Plan for the 283 new parking spaces subject to satisfying the comments of KPI's August 14, 2013 letter and receiving the developer's agreement, bonding and Stormwater Management Operations and Maintenance Agreement to the satisfaction of the Township's Solicitor. The motion was seconded by Mr. Ferranto and carried.**

Mr. Thomas reported that the Township is waiting for the executed developer's agreement for Cannon Ridge, Phase III. He added that the agreement is time sensitive for the completion of the paving for phases I and II.

Public Comment:

Mr. Don Sangirardi, 51 Hunter's Trail, asked the Board to see what can be cut and reduced in the 2014 budget. He stated that he has done federal budget reviews and he is in favor of zero based budgeting which means that each division must come in and justify why they should exist and to what amount. He added that the federal and

state governments are cutting back and feels that we cannot absorb these cuts by putting new taxes on the Township residents.

Mrs. Jean Stone, 1745 Mummasburg Road, read and submitted written comments to the Board regarding the addition of the Keller property to the Agricultural Security Area. Mrs. Stone asked if the conditions imposed by the township as a result of the Keller Conditional Use Hearing are overridden by the ASA designation and are the rights guaranteed by the PA Right to Farm Act related to nuisance actions during the first year of operation overridden by the ASA designation. She adds that she asked these questions in 2012 and has not been provided with answers. She also asked if an ASA is considered a farmland preservation program and if so, does §27-402 “for enrolled farms, accessory uses as permitted by a local, state or federal governmental farmland preservation program” permit accessory uses on properties in an ASA. She added that if it does then she feels that no additional ASA approvals should be granted within the Agricultural/Residential (A/R) district.

Mr. Speros Marinos, 912 Baltimore Pike, on behalf of the Historical Society, reported that the Township will celebrate its’ 265th Anniversary in October of 2014 and the Township was established prior to the Borough of Gettysburg and Adams County and we should be very proud of that. He mentioned again that the Township boundaries should be marked and they are working on that. Mr. Marinos asked for more funding for training for the Police Department because they are getting more and more demands as people move into the Township, requested commercial zoning for his property and feels that funding should go to emergency services rather than mass transit.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of July including; 417 complaints, 101 traffic stops, 72 combined arrests, 13 traffic accidents, 14 targeted enforcements and 14,951 patrol miles. He added that they assisted other agencies 5 times.

Active Business:

Mr. Thomas reported that the Township has been notified by their insurance carrier that they will not be renewing our Worker’s Compensation Insurance for volunteer firefighters because of the “material increase in exposure due to Class 994, Pa. Act 46 Firefighters Cancer Presumption Law.” He added that our insurance agent is getting quotes from Amerihealth and the State Worker’s Insurance Fund (SWIF) so there will be coverage and the Board will have quotes to review in October. He added that the State Worker’s Insurance Fund must take over if no one else will. He also reported that we have very few claims from our volunteers.

Mr. Thomas reported that the Shentel Site Lease Agreement is for a monopole structure to be mounted outside of the Police Department. He explained the lease agreement as follows: the lease will be for a five-year period and will automatically renew seven times. There will be a monthly rent of \$800.00 that will increase annually by 3%. There will also be an up-front payment to the Township of \$2,500.00. If they get additional tenants on the tower, a subsequent user fee of \$250.00 will come to the Township monthly. Shentel will relocate the Township’s communications system from the existing structure to the new tower at their expense and all taxes (including realty transfer tax, if applicable) will be reimbursed to the Township as the property will become taxable. They will maintain a \$1 million general liability policy on the tower and will be in charge of and responsible for any and all repairs and maintenance of the tower. Mr. Thomas also reported that this tower will help with some “dead zones” in the Township and the height will be in accordance with the Township’s ordinance. He also stated that a Conditional Use hearing will be required for the construction of the tower. **Mr. Ferranto made a motion to move ahead with the Conditional Use for the tower seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the Pension Review Board is now prepared to bring a recommendation to the Board to move the Police and Non-Uniformed Pension Plans to PFM Asset Management, LLC of Harrisburg, PA. He

added that PFM currently has \$12.5 billion in assets under advisement; employ approximately 200 employees in Pennsylvania and have three offices located here. He also reported that they receive no commissions, no propriety investments recommended to clients, no financial arrangements with investment managers, no custody of assets, no directed brokerage and there are no soft dollars. Solicitor Kelso explained some legal requirements that must be complied with prior to executing any agreements with the new company. **Mr. Ferranto made a motion that the Township change their pension investment firm from Ferrara/Kampstra to PFM Asset Management, LLC of Harrisburg, PA seconded by Mr. Toddes and carried.**

Mr. Thomas presented a Power Point presentation on the Citizens' Notification Resolution that was adopted by the Board at last month's meeting. The presentation included a hypothetical submission and how the Township staff would have to complete each posting/advertisement/ mailing requirement within a given number of days to be in compliance with our resolution. The presentation also included the notification requirements of 10 or 12 other municipalities. Mr. Thomas concluded by stating that he believes that the Township's notification requirement is the strongest and most transparent notification of any municipality that was researched in the county, is done with a very busy small office staff and believes that the 15 day notification was the right decision. He added that the staff will do their best to get the notification out there as soon as they can.

Chair Underwood reported that the Township has received one application for inclusion in the Township's Agricultural Security Area (ASA) and a date for a public hearing must be set. **This was discussed at the workshop and the ASA hearing will be held on October 22, 2013 at 6:30 p.m. prior to the regular meeting.**

Mr. Thomas reported that the Board did approve the health insurance renewal with Highmark Health Insurance at the workshop last Thursday morning. He explained that the Board approved a plan with a \$2,000.00 deductible, rather than a \$1,000.00 deductible and this took a 24% renewal increase down to a 12.8% renewal increase. Chair Underwood stated that we are still at a lower premium rate than we were four years ago.

Mr. Thomas reported that resident Mr. Greg Lewis has requested a speed limit reduction study from the Gettysburg Borough line to a distance of one mile in the area of Park Avenue. He added that the posted speed limit is 40 MPH in this area where there are many businesses, streets, private driveways and tourism traffic. **Mr. Toddes made a motion to authorize Mr. Thomas to write a letter to PennDOT requesting a speed limit reduction study as requested by Mr. Lewis seconded by Mr. Waybright and carried.**

Mr. Thomas reported that the Cumberland Township Authority is finishing up a project on Old Mill Road and the contract for the project calls for the contractor to make repairs to the road. He added that the road really needs to be reclaimed to get a good sub-base under it rather than just having patchy repairs made to it and they are negotiating with the contractor to share in the cost of redoing the road. He added that this is something that the Township would have to do in a few years anyway. He stated that he is not making a recommendation yet that this is just for general knowledge. If approved, Liquid Fuels funds would be used for the project.

Chair Underwood reminded the Board that there will be a workshop held on September 5, 2013 at 7:00 p.m. with the representatives from our volunteer fire departments. Chair Underwood also reported that both she and the Township have been in contact with WellSpan regarding being included in discussions with them regarding ambulance services.

Solicitor: Nothing to report.

Committee Reports and comments from Board Members:

Public Safety: Chair Underwood acknowledged receipt of the police study in conjunction with Gettysburg Borough and reported that the study is posted on the Township's website.

Finance: Mr. Thomas reported that our current copier lease is up and we paid \$131.46 monthly for that lease. He recommended entering into a new lease with Eicholtz Co., for a new copier and the price has been reduced to \$90.00 per month. He added that the current copier is being retained, at no cost, and is being moved to the Police Department to replace their old copier and thanked Eicholtz Co. for their generosity with that copier. **Mr. Waybright made a motion to approve the new copier lease with Eicholtz Co., at a price of \$90.00 per month, seconded by Mr. Ferranto and carried.**

Chair Underwood reported that she and Mr. Thomas met with Congressman Scott Perry. She added that she also spoke to Governor Corbett regarding tourism and thanked him for the additional funding that the Township is receiving.

Staff Reports:

The Zoning Officer and Assistant Secretary's reports were reviewed.

There being no further business, the meeting was adjourned at 8:22 p.m.

Carol A. Merryman, Asst. Secretary

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