

**Cumberland Township Board of Supervisors
Minutes of the February 28, 2012 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairperson Underwood. Present were all Supervisors; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Assistant Secretary Carol Merryman, Police Chief Don Boehs and Zoning Officer Bill Naugle. Visitors present were: Matt Sentz, Barry and Jean Stone, Martin Hill, Elizabeth Magner, Dale Molina, Peggy Keating-Butler, Sandra Dixon, Tom Clowney, Steve Tallman, Speros Marinos, Keith and Leroy Klinefelter, Don Sangirardi, approximately eight other residents and Mark Walters from The Gettysburg Times and Tim Prudente from The Evening Sun.

Chairperson Underwood led the Pledge of Allegiance.

Mr. Shealer made a motion to approve the Minutes of the January 19, 2012 workshop and January 24, 2012 meeting, as presented, seconded by Mr. Toddes and carried.

Mr. Shealer made motion to pay the bills, in the amount of \$89,193.84 from the General Fund, \$6,000.00 from the State Fund, \$6,000.00 from the Park and Rec Fund and \$541.00 from the Escrow Fund seconded by Mr. Ferranto and carried.

Engineer:

Mr. Thomas reported that the Township has received a request from Misty Ridge, Phase I for release of their letter of credit associated with their Highway Occupancy Permit for the drainage and sidewalk work for the access to the development and there are a few items that need to be completed. Mr. Knoebel has prepared a memo dated February 22, 2012 and he is recommending that the Township retain \$15,000.00 and release \$16,231.75. **Mr. Waybright made a motion to release \$16,231.75, as recommended by the Township's Engineer seconded by Mr. Ferranto and carried.**

Mr. Thomas also reported that Adams County has adopted an Act 167 Stormwater Management Plan and the Township has until July 25, 2012 to bring its Stormwater Management Ordinance into compliance with the county's plan and the Stormwater Management Act. **Mr. Waybright made a motion to authorize the Township engineer, staff and solicitor to review the Township's Stormwater Management Ordinance for consistency with the county's plan and to prepare the necessary amendments for presentation at the April meeting seconded by Mr. Ferranto and carried.**

Public Comment:

Mr. Speros Marinos, on behalf of the Cumberland Township Historical Society, submitted a written request to use the Township's insignia on quilts that are being sold by the Society as a fund raiser. Mr. Marinos also reminded everyone that Dr. Glatfelter will be speaking on the history of Cumberland Township at the Historical Society's meeting on March 5, 2012 at 7:00 p.m.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of January including: 428 complaints, 90 combined arrests, 89 traffic stops, 5 traffic accidents and 11,589 patrol miles. He added that they assisted other agencies 9 times and they were assisted 4 times. Chief Boehs also commended Officer Ryan Eiker for obtaining a \$6,000.00 grant from Wal-Mart for Police equipment.

Active Business:

Mr. Thomas reported that, in accordance with Article 36 of the Police Collective Bargaining Agreement, a Pension Review Committee must be established and he recommended that the committee be made up of two

Supervisors, a representative from the Police Department – Officer Matt Trostel, and the Road Department – Chris Walter, Carol Merryman and himself. He added that the committee will be meeting with the Township’s actuary and financial consultant within the next three weeks and will report back to the Board. **Mr. Waybright made a motion to appoint Al Ferranto, Steve Toddes, Ben Thomas, Jr., Carol Merryman, Officer Matt Trostel and Chris Walter to the Pension Review Committee seconded by Mr. Shealer and carried.**

Mr. Thomas reported that a public hearing date must be scheduled for the citizens’ zoning text amendments received by the Zoning Officer. He also explained that once a hearing date is set, the text amendments will go to the County and Township Planning Commissions for their review and recommendations and after a public hearing is held, action will be taken by the Board of Supervisors. He added that the Board tentatively scheduled the hearing at their workshop for April 10th and/or 11th. Mr. Naugle contacted the Ag Center and they do not have a room available. Mr. Naugle also contacted Barlow Fire Company and their facility is available both nights. **Mr. Waybright made a motion to schedule the public hearing for the citizens’ zoning text amendments for April 10, 2012 at 7:00 p.m. at the Barlow Fire Company seconded by Mr. Toddes and carried.** The Fire Company will be available on April 11th if the hearing has to be continued.

Mr. Thomas reported that a fee has not been established for a zoning text amendment submitted by citizens and he is recommending a fee of \$650.00 plus any additional expenses incurred for any future zoning text amendment requests submitted by citizens. **Mr. Shealer made a motion to establish a fee of \$650.00 for future zoning text amendments submitted by citizens, plus billing for any additional expenses incurred, in accordance with §27-2001.8 of the Code of Ordinances, seconded by Mr. Waybright and carried.**

Mr. Thomas also reported that a public hearing date is needed for Zoning Ordinance and Subdivision and Land Development Ordinance text amendments being proposed by the Township. **Mr. Waybright made a motion to set a public hearing date for the Township proposed Zoning Ordinance and Subdivision and Land Development Ordinance text amendments for May 8, 2012 at 7:00 p.m. at the Township Building seconded by Mr. Shealer and carried.**

Mr. Thomas reported that there is one more public hearing to be scheduled for the zoning map change request submitted by Mr. Martin Hill for the former Gettysburg Country Club property to be changed from Residential to Mixed-Use. **Mr. Waybright made a motion to schedule the public hearing for the zoning map change request for Martin Hill for March 27, 2012 at 6:30 p.m. prior to the regular meeting seconded by Mr. Toddes and carried.**

Mr. Thomas reported that he is proposing a joint project with Cumberland Township Authority for the repaving of Media Drive. The Authority would be spending \$38,000.00 to restore the road after they run a new main line down the center of the road and the Township could spend an additional \$13,000.00 and have a newly paved road rather than a patched road. **Mr. Shealer made a motion to enter into an agreement with Cumberland Township Authority for the rehabilitation of Media Drive, at a cost not to exceed \$13,000.00 unless approved by the Board and to be paid from the Liquid Fuels Fund seconded by Mr. Ferranto and carried.**

The Board tabled the removal of the footnotes from the Annual Audit for more information regarding the amount of savings annually and the possibility of it affecting the Township’s credit rating.

Mr. Thomas reported that the Township currently has a 457 Plan (similar to a 401K Plan) and employees may make voluntarily contributions on a pre-tax basis and the 457 Plan is being amended to also include a Roth 457 Plan and employees may contribute to that on a post-tax basis. **Mr. Toddes made a motion to approve the Roth 457 Amendment and Certificate of Resolution seconded by Mr. Waybright and carried.**

Mr. Thomas reported that the Supervisors need to appoint a new trustee for the 457 Plans and Pension plans to replace Mr. Phiel. **Mr. Ferranto made a motion to appoint Mr. Shealer Trustee for the 457 Plan and Pension plans seconded by Mr. Waybright and carried.**

Mr. Waybright made a motion seconded by Mr. Shealer and carried to adopt Resolution 2012-07 and to mail it to our legislators.

RESOLUTION 2012-07

A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, COUNTY OF ADAMS, COMMONWEALTH OF PENNSYLVANIA, URGING THE PENNSYLVANIA GENERAL ASSEMBLY TO ELIMINATE OR AMEND THE STATE PREVAILING WAGE ACT (ACT 442 OF 1961)

New Business:

Mr. Shealer made a motion seconded by Mr. Ferranto and carried to send a letter of endorsement for House Bill 1588. House Bill 1588 was introduced by Representatives Dan Moul and Will Tallman and proposes the increase of the Hotel Tax from 3% to 5%. A percentage of the additional revenue would go to municipalities who have Police Departments employing at least two full-time officers. The tax would be paid by visitors to the area.

Reports:

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

Solicitor:

Solicitor Wisner requested an Executive Session to discuss possible litigation.

At 7:55 p.m., Chairperson Underwood adjourned the regular meeting for an Executive Session with no report to follow.

Carol A. Merryman, Asst. Secretary

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