

**Cumberland Township Board of Supervisors
October 18, 2012 Workshop Minutes**

Chairperson Underwood called the workshop to order at 8:30 a.m. Present were all Supervisors; Township Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Assistant Secretary Carol Merryman, Zoning Officer Bill Naugle and Engineer Tim Knoebel. Others present were Dale Molina, Carolyn Greaney, Bob Sharrah, Jim Paddock and Amy Stansbury from the Evening Sun. The workshop was recorded.

Engineer:

Mr. Knoebel gave the Board an update on the M & L Properties/Confederate Woods Subdivision/Land Development Plan and referred the Board to his memo of October 10, 2012. The plan proposes the expansion of the existing veterinary hospital/office including a fifteen space parking area. The plan also proposes the Quiet Title conveyance of a portion of property to be added to M & L Properties and two areas of rights-of-way to be vacated by Cumberland Township and added to the M & L and McKee properties so they may each have their driveways connect to the public road. Mr. Knoebel reported that there are some easements that still need to be worked on for utility lines and drainage. He added that there is a waiver request for the submission of a Preliminary Plan and there will be some bonding involved. Mr. Knoebel suggested an extension for approval of the plan so that approval of the plan can run concurrent with the road vacation process and Mr. Sharrah has submitted a request for extension on behalf of M & L Properties. Solicitor Wiser explained the road vacation process including adoption of an ordinance, notification of adjoining property owners, holding a public hearing and the signing of an agreement by the McKee's and M & L Properties and the recording of the documents. Solicitor Wiser also stated that the applicant will pay all costs associated with the vacation process. Solicitor Wiser suggested that the Board approve him sending an agreement to Attorney Patrono to be executed by the McKee's and M & L Properties and to set a date for the public hearing. This will be on Tuesday night's agenda.

Mr. Knoebel reported that the improvements to Herr's Ridge Road are substantially complete. Mr. Shealer added that they are in the process of getting the double yellow lines painted on the road.

Mr. Knoebel reported that the Memorandum of Understanding (MOU) between the Adams County Conservation District and the Township is an understanding of the roles that each body takes in their relationship and every Township in the County did get one. He added that he has no problem with the Township approving the MOU and it can be beneficial to the Township. Mr. Knoebel and Mr. Thomas briefly explained what the MS4 (urbanized area) designation from PA Dept. of Environmental Protection means and it is something that the Township will eventually have to deal with.

Mr. Knoebel reported that he has no problem with the three extension requests that are on the agenda for Cumberland Village, Phase II Preliminary Plan, M & L Properties Final Land Development Plan and Judy Miller Final Plan.

Mr. Knoebel also reported that the Board approved the Stormwater Management Ordinance back in August and there is a Design Assistance Manual from the county that is not included in the ordinance and needs to be adopted. The Board authorized Solicitor Wiser to draft a resolution for adoption of the Design Assistance Manual.

Public Comment: None

Manager Items:

Mr. Thomas reported that the Township extended an invitation to our adjoining municipal neighbors regarding the possibility of a regional comprehensive planning project and the Township has heard back as follows: Straban Township – current plan is only seven years old, but would like to be kept appraised and invited to the Township's endeavor so they can have a better understanding of the value of a regional comprehensive plan

Highland Township – has a current plan, but would like to participate in at least a limited number of the initial organizational meetings to get a better sense of the underlying process, required resources and potential outcome

Butler Township – already participating in a regional comprehensive plan

Gettysburg Borough – referred the issue to their Planning Commission and Community Development Committee for consideration and recommendation

Freedom Township – not interested

Mt. Joy Township – no response

Mr. Thomas also presented a regional comprehensive plan from Franklin County for anyone who wants to take it home to read and he suggested that this issue be tabled for thirty days to give Gettysburg Borough's committee's time to discuss it.

Solicitor Wisner reported that the Township was notified by way of a letter dated September 27, 2012, from Susan L. Bucknum, Office of the Attorney General, that a resident has requested her office to review the Township's adoption of Ordinance No. 2012 – 143 which removes concentrated animal operations as a permitted conditional use from the Agricultural/Residential District. Solicitor Wisner added that they have a 120-day review period.

Mr. Thomas reported that the Township received a letter, dated October 11, 2012, from Adams County Commissioner Chairman, Randy Phiel, requesting a cooperative effort to repair and re-open the historic John Eisenhower Metal Bridge to pedestrian and bicycle traffic. Commissioner Phiel also reports in the letter that he has a commitment for donated funding for the materials and is asking the Township to consider supplying labor. Mr. Shealer reported that the bridge is in dire need of repairs and the decking needs to be replaced. He added that the National Park Service may be interested in giving technical assistance for the project. Mr. Shealer recommended that the Township look favorably upon this request. Mr. Ferranto asked for an estimate on the labor costs.

Mr. Thomas reported that the Township has received a letter from John B. Horner, dated September 26, 2012, withdrawing his plan for the subdivision of a five-acre plot along Mason Dixon Road.

Mr. Thomas reported that the Pension Review Board has the following recommendations: the Board to authorize requests for proposal for retirement plan investment and administrative services as required by Act 44 of 2009 and authorization to advertise an ordinance changing pension eligibility entry dates recommended by the Township's actuary. Solicitor Wisner reported that he has reviewed the proposed ordinance and it does comply with ERISA and Act 205. Mr. Thomas also reported that meetings have been scheduled for the Township staff to meet with Leonard J. Ferrara staff to review the plans and ask any questions they may have on November 14, 2012 at 10:00 a.m. and 4:30 p.m. Mr. Thomas also invited Board members to attend.

Mr. Thomas also reported that the Finance Committee has two recommendations for the Board's consideration: to make an additional principal payment of \$20,000.00 on the Township mortgage loan with the next quarterly payment due on November 15, 2012, consider an additional \$20,000.00 principal payment in December if the fund balance is favorable and the possible transfer of funds (approximately \$60,000.00) to the newly created Capital Reserve Fund later in the year. Replacement of the four garage doors on the municipal building; three manually operated doors and one electronically operated door, at a cost of just under \$7,500.00. Mr. Thomas added that of the three bids, the lowest bid was from Interstate Garage Door and this expense was budgeted under account 409.370.

Mr. Thomas reported that there is a request on the meeting agenda for the Board to authorize the re-signing of the Jayjyoti Plan that was first approved by the Board on April 17, 2012.

Mr. Thomas reported that the Board will be acknowledging the receipt of the 2012 Commonwealth allocation supporting the Barlow Volunteer Firefighters Relief Association in the amount of \$49,794.80.

Mr. Thomas also reported that there will be an agenda item for the Board to authorize letters to be sent to delinquent Admission Tax vendors.

Mr. Thomas reported that the Township has received a request from the Gettysburg Foundation to modify the traffic signal permit (#81-25) for the signal at Baltimore Pike and the Visitor's Center driveway. He added that the property on the opposite side of Baltimore Pike is now owned by the federal government so there is no need for a four-way intersection. The Township holds the permit for the traffic signal and is responsible for applying for the modification. The Gettysburg Foundation will be responsible for any associated costs.

Mr. Thomas reported that the Township has received a letter, dated October 15, 2012, from Marshall L. Miller on behalf of himself and Tom Livelsberger, requesting that five properties be re-zoned from Residential to Mixed Use. The properties are 910, 914, 920, 930 and 941 Fairfield Road. The letter indicates that Messrs. Miller and Livelsberger will pay the costs associated with the process. Solicitor Wisner suggested that if more properties were to be included, the less chance there is that it would be considered spot zoning.

Mr. Thomas requested an Executive Session at the conclusion of the meeting.

Mr. Thomas reported that he has been involved with a lot of internal and external meetings; an EMA training program for Elected Officials to gather information, a meeting with the National Park Service and a seminar - Communication in the 21st Century dealing with websites and social media.

Solicitor:

Solicitor Wisner reported that he had presented documents to the Board regarding the Taxpayers Bill of Rights. He explained that political subdivisions levying certain local taxes must provide a due process and appeals process for taxpayers aggrieved by the imposition of the tax. He added that this resolution codifies the procedure for such an appeal and provide forms.

Solicitor Wisner also reported that he was contacted by Mr. Yannetti, as a representative for Mr. LeVan, and he is requesting that the escrow funds from Mason Dixon Resorts, as required by the Developer's Agreement, be returned. He added that the return of the escrow funds will terminate the Developer's Agreement and he has received acknowledgement of such from Mr. Yannetti. Solicitor Wisner asked that this be placed on the meeting agenda.

Committee Reports:

Planning/Zoning – No report.

Public Safety – Chairperson Underwood reported that Police Chief Boehs has been working on budgetary requests and the new part-time officer, Josh Rosenberger, is well into his training.

Finance Committee – No report.

Park and Rec – Mr. Toddes reported that they met with representatives from Gettysburg Borough and had a good meeting and they will be continuing their conversations with them regarding the Rec Park.

Personnel – No report.

CTA – Mr. Shealer reported that the sewer project has started.

COG – Chairperson Underwood reported that a portion of the last meeting was regarding the new radio system and there will be more to follow on joint purchasing. Mr. Ferranto reported that he met with Mr. Thomas and Mr. Gordon from Hamiltonban Township, and the Legislative Committee will be meeting on November 21, 2012 regarding incentives and helping volunteer fire companies.

ACTPO – Chair Underwood reported that an urban area designation, part of which is in Cumberland Township, was discussed.

Economic Development – No report.

150th Commemoration – Mr. Ferranto reported that they met on Monday and they will meet again in December and they discussed infrastructure and they will be working on that.

CT411 – Mr. Ferranto reported that he attended the GMA meeting and they have met with Gettysburg Borough

officials and things look positive for the extra representation on the Board. He added that the Civil War Trust has approached them about buying some property behind the Tour Center and they are interested in selling the property that is on a hill. He added that they are still looking into the SRBC application to bring water from York and they are going to have some preliminary discussions with Chambersburg regarding water and they have to reach out to other places as part of the SRBC application.

Mr. Thomas presented his Budget Analysis Action Plan and 2013 Budget writing time-line with preliminary adoption of the budget scheduled for November 17, 2012 and final adoption on December 18, 2012.

Police Chief Boehs presented budgetary needs of the Police Department including: capital purchases of vehicles and upgrades to the building footprint; staffing/manpower needs full-time vs. part-time, equipment needs - first aid equipment, less lethal equipment and computers; and training.

Road Superintendent Shealer presented budgetary needs for the Road Department including a report on the aging of their equipment and replacement costs, total infrastructure costs of approximately \$20 million and the funding source of approximately \$176,000.00 per year from State Liquid Fuels and we are not keeping up with the life cycle rotation of the Township roads. Mr. Shealer asked the Board to consider allocating more funds for road maintenance and for the purchase of used equipment from PennDOT through auction.

Mr. Thomas presented his 2013 Budget Discussion Paper which included 29 items for the Board to consider. Some highlights were: traffic study for turning at Bream Hill Road and Fairfield Road intersection, review underground fuel tank costs/ above ground replacement, Compressed Natural Gas vehicles, new emergency radios, Comprehensive Plan and Zoning review, fee review including an EMS fee, remodeling plan for administrative building, real estate tax collector fee, roadway improvement plan utilizing a low interest loan, consolidated, regional Police service review, volunteer Fire/EMS funding and economic development using LURTA. Mr. Thomas reported that he will have a Power Point presentation of the budget including the numbers at the November 8, 2012 workshop meeting at 7:00 p.m.

There being no further business, the meeting was adjourned at 10:30 a.m. for an Executive Session with no report to follow.

Carol A. Merryman, Asst. Secretary

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