

## Minutes of the December 13, 2005 Meeting

The meeting was called to order at 7:30 p.m. by Chairman Waybright. Present were Supervisors: Tom Shealer, George Weikert, John Gregor and Barbara Underwood; Flo McLeish, Henry Heiser, Tim Knoebel, Carol Merryman, Chief Sease, Dave Unkovic, Thom Conley and Mike Galassi. The meeting was tape-recorded.

Chairman Waybright reported that there are two ordinances on the agenda for adoption. The first is an ordinance that imposes the Emergency and Municipal Services Tax and replaces and repeals the Occupational Privilege Tax. The amount of the tax is \$52.00 and is paid by those people who work in Cumberland Township. The second ordinance is an amendment to Chapter 15, Part 2, Section 202 Stop Intersection Established of the Codification of Ordinances establishing a three-way stop intersection at Meadow Lane and South Avenue.

**Mrs. Underwood made a motion to adopt Ordinance 05-114 for the Emergency and Municipal Services Tax and repealing the Occupational Privilege Tax effective 12/31/05. The motion was seconded by Mr. Gregor and carried.**

**Mr. Gregor made a motion, seconded by Mrs. Underwood and carried to amend Chapter 15, Part 2, Section 202 Stop Intersection Established of the Codification of Ordinances to establish a three-way stop intersection for Meadow Lane and South Avenue.** Mr. Shealer reported that the stop signs should be installed by late Friday or early Monday.

Mr. Heiser reported that the Stormwater Management Ordinance has been advertised for adoption at the Re-organizational Meeting being held on January 3, 2006.

**Mr. Shealer made a motion, seconded by Mr. Weikert and carried to approve the Minutes of the November 15, 2005 meeting.**

Chief Sease presented a written and oral report of police activities for the month of November including: 198 complaints, 71 citations and 32 incidents.

No visitors addressed the Board.

Mr. Heiser reported that the Resolution to increase the Real Estate Tax from .17 mills to 1 mill has been duly advertised three times as required by the Local Tax Enabling Act.

**Mr. Gregor made a motion to adopt the Resolution, as advertised, seconded by Mr. Weikert who requested a roll call vote. Mrs. Underwood voted aye, Mr. Weikert voted aye, Chairman Waybright voted aye, Mr. Shealer voted aye and Mr. Gregor voted aye. The motion carried unanimously.**

### 2006 TAX RESOLUTIONS

**BE IT RESOLVED THAT** the Per Capita Resolution of 1953 be re-enacted for 2006 without change. The tax rate is \$5.00. 2% at discount, 5% at par and 10% at penalty.

**BE IT RESOLVED THAT** the Admission Tax Ordinance of 1978, amended, continue without change in 2006. The rate is 10% (Township receives 5% and Gettysburg Area School District receives 5%).

**BE IT RESOLVED THAT** the Tax Millage for 2006 be set at 1 mill for Real Estate.

**BE IT RESOLVED THAT** the Earned Income Tax Resolution of 1978 be re-enacted for 2006 without change. The tax rate is 1.7% (Township receives .5% and Gettysburg Area School District receives 1.2%).

**BE IT RESOLVED THAT** the Realty Transfer Tax Resolution of 1995 be re-enacted for 2006 without change. The tax rate is 1% (Township receives .5% and Gettysburg Area School District receives .5%).

Chairman Waybright reported that the Board worked long and hard on the 2006 Budget and there were some difficulties and that is the reason for the tax increase. **Mr. Gregor made a motion to adopt the 2006 Budget as tentatively adopted on November 15, 2005, seconded by Mrs. Underwood. A roll call vote was taken as follows: Mrs. Underwood voted aye, Mr. Weikert voted aye, Chairman Waybright vote aye, Mr. Shealer voted aye and Mr. Gregor voted aye. The motion carried unanimously.**

Chairman Waybright also reported that the Board had some difficulties with the Waste Hauling Contract, but there was only one bidder that met all of the requirements of the bid, that being Waste Management of Greencastle. Mr. Gregor stated that having only one bid puts the township between a “rock and a hard place” and unfortunately there was a substantial increase from the previous contract. He added that he has seen in the paper that the other municipalities have also gotten the same kind of increase and the township’s residents can contract with another hauler if they so chose. **Mr. Gregor made a motion to accept the contract from Waste Management, good for three years with an optional one-year extension, seconded by Mr. Weikert and carried.**

Ms. McLeish reported that the consultants have prepared the draft Land Use Assumptions Report and presented it to the Traffic Advisory Committee for review. A few revisions have been made to the report and it is ready to go to the adjoining municipalities for their review. She added that holding a public hearing is a requirement of the township’s Act 209 and the Traffic Advisory Committee will present their findings to the Board at that hearing. She also reported that the township’s Planning Commission will be invited to the hearing. **Mr. Shealer made a motion to advertise the public hearing for January 18, 2006 at 7:00 p.m., seconded by Mr. Gregor and carried.**

Ms. McLeish reported that the Adams County Earned Income Tax Collection Agency is merging with the York Collection Agency to become the York Adams Tax Bureau and there are five documents that need to be executed in this regard. The first is a Joint Agreement to be part of and participate in the York Adams Tax Bureau. The agreement also designates the agency to collect the taxes authorized by the Local Tax Enabling Act (Earned Income Tax and Emergency and Municipal Services Tax) effective January 1, 2006. **Mr. Shealer made a motion, seconded by Mr. Weikert and carried to approve the Joint Agreement to participate with the York Adams Tax Bureau.**

**Mr. Gregor made a motion, seconded by Mr. Weikert and carried to approve the Electronic Tax Enrollment Form for the York Adams Tax Bureau.** This will enable the Bureau to electronically disperse funds into the township’s General Fund.

A representative to the Board of Directors of the York Adams Tax Bureau was not appointed at this time, but will be appointed at the Re-organization Meeting on January 3, 2006.

**Mr. Gregor made a motion, seconded by Mr. Weikert and carried to approve a Joint Agreement and Resolution 05-35 authorizing the York Adams Tax Bureau to collect the Emergency and Municipal Services Tax.**

**Mr. Weikert made a motion, seconded by Mrs. Underwood and carried to adopt Resolution 05-36 authorizing and empowering the York Adams Tax Bureau to impose and retain those costs and fees associated with the collection of delinquent taxes in accordance with Act 192 of 2004.**

**Mr. Gregor made a motion, seconded by Mrs. Underwood and carried to appoint Carol Sieck as Auditor for a six-year term expiring 12/31/2011.**

**Mr. Shealer made a motion, seconded by Mr. Gregor and carried to approve a Planning Exemption for Cumberland Village, Phase I. Cumberland Township Authority has approved the exemption and supplied the township with the required letter.**

**Mr. Gregor made a motion, seconded by Mr. Weikert and carried to approve a Certificate of Appropriateness for Doug and Marsha Williams on Pin Oak Lane for an addition.** The township HARB has also approved the application.

Chairman Waybright reported that there were several requests for extension on the agenda. Mr. Gregor added that each plan has previously been granted two or three extensions and he suggested that this be the final extension given on the plans.

**Mr. Gregor made a motion to grant a final 90-day extension for the Joseph Tripi Subdivision Plan, seconded by Mr. Shealer and carried.**

**Mr. Gregor made a motion to grant a final 90-day extension for the Preserves at Plum Run Subdivision Plan, seconded by Mrs. Underwood and carried.**

**Mr. Gregor made a motion to grant a final 90-day extension for the Cumberland Village Preliminary Plan, seconded by Mr. Shealer and carried.**

Ms. McLeish reported that she met with PaDEP regarding the approval of the Greenmount Act 537 Study. She also reported that the approval was in prior to the Chesapeake Bay Initiative. She also reported that the bond issue for the Authority will be closing on December 20, 2005 and the savings is about \$286,000.00, up from the \$240,000.00 that was expected. She reported that she hopes to get the RFP to start the design work out in January and chose an engineer in February. She is also looking into different funding to help those residents who simply can not afford to hook up to the new sewer line. Lastly, she reported that she will notify the Board when she receives the proposal for the Police Management Study and that should be by the end of the week.

The Zoning Officer's Report was reviewed.

Mrs. Merryman reported that she put a copy of the Project Completion Report for this year's paving projects in the Board's notebooks. She also reported that she placed a list of appointments that will need to be made at the Re-organization meeting.

**Mr. Gregor made a motion to pay the bills; seconded by Mr. Shealer and carried.** Expenditures for the meeting totaled \$81,941.60 from the General Fund and \$438.88 from the Park and Rec Fund.

**Being no further business, the meeting was adjourned at 8:53 p.m. by motion of Mr. Shealer, seconded by Mr. Gregor and carried.**

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Carol A. Merryman, Asst. Secretary

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