

Minutes of the December 16, 2008 Meeting

The regular meeting was called to order at 7:00 p.m. by Chairman Gregor. Present were Supervisors Waybright, Underwood and Golden; Flo Ford, Chief Boehs, Tim Knoebel, Erin James from The Evening Sun and Scot Pitzer from the Gettysburg Times. The meeting was tape recorded. Mr. Shealer and Mrs. Merryman were absent due to the inclement weather.

Chairman Gregor reported that the first order of business was action on Ordinance 08-126 Open Records Policy and he asked Attorney Campbell to speak to this. Mr. Campbell stated that the ordinance is required by Pennsylvania's Right-to-Know Law that was adopted earlier in 2008 and required that municipalities bring their Open Records Policy into compliance with the law by the end of the year. The ordinance appoints the Township Manager as the Open Records Officer and the Manager may designate other employees to process the requests for public records, sets forth the procedures for processing the request, provides for the payment by the person requesting the documents and has guidelines for denying a request. Mr. Campbell reiterated that it is required by the state law and recommended that the Board adopt the ordinance. **Mrs. Underwood made a motion to adopt Ordinance 08-126 Open Records Policy seconded by Mrs. Golden. A roll call vote was taken as follows: Mrs. Underwood voted in favor, Mrs. Golden voted in favor, Mr. Gregor voted in favor and Mr. Waybright voted in favor. The motion carried.**

AN ORDINANCE SUPPLEMENTING THE CODE OF ORDINANCES OF CUMBERLAND TOWNSHIP BY ADDING PART 4, OPEN RECORDS POLICY, TO CHAPTER 1, ADMINISTRATION AND GOVERNMENT, TO ESTABLISH AN OPEN RECORDS POLICY IN ACCORDANCE WITH PENNSYLVANIA'S RIGHT-TO-KNOW LAW

Mrs. Underwood made a motion to approve the Minutes of the November 25, 2008 meeting, as written, seconded by Mrs. Golden and carried.

Mr. Waybright made a motion to approve the bills list in the amount of \$114,829.51 from the General Fund seconded by Mrs. Golden and carried.

Chief Boehs presented a written and oral report of police activities for the month of November including: 373 complaints, 50 combined arrests, 16 incidents and 8,449 miles patrolled. He added that they assisted other departments 27 times and they were assisted 12 times.

There was no old business and no visitors addressed the Board.

Chairman Gregor reported that the first item under New Business was adoption of the 2009 Budget. He reported that the budget has been tentatively adopted and has been available for public inspection and now comes before the Board for final adoption. He reiterated that the 2009 budget is virtually the 2008 budget frozen with only minor changes to the expenditures including a small cost of living increase for the employees and increased insurance costs that can not be avoided. He added that all services will continue as normal and there are no tax increases. **Mrs. Underwood made a motion to adopt the 2009 Budget, as presented, in the amount of \$2,544,634.00, seconded by Mr. Waybright and carried.**

Chairman Gregor reported that the Tax Resolutions for 2009 require action as follows:

Mr. Waybright made a motion that the Per Capita Resolution of 1953 be re-enacted for 2009 without change. The tax rate is \$5.00, 2% at discount, 5% at par and 10% at penalty, seconded by Mrs. Underwood and carried.

Mrs. Golden made a motion that the Admission Tax Ordinance of 1978, amended, continue without change in 2009. The rate is 10% (Township receives 5% and Gettysburg Area School District receives 5%) seconded by Mrs. Underwood and carried.

Mr. Waybright made a motion that the Tax Millage for 2009 be set at 3.5 mills for Real Estate seconded by Mrs. Golden and carried.

Mrs. Underwood made a motion that the Earned Income Tax Resolution of 1978 be re-enacted for 2009 without change. The tax rate is 1.7% (Township receives .5% and Gettysburg Area School District receives 1.2%) seconded by Mrs. Golden and carried.

Mrs. Golden made a motion that the Realty Transfer Tax Ordinance of 2008 be re-enacted for 2009 without change. The tax rate is 1% (Township receives .5% and Gettysburg Area School District receives .5%) seconded by Mrs. Underwood and carried.

Mrs. Ford reported that the next item on the agenda is the resolution for the Peer to Peer Feasibility Study for multiple municipalities dealing with Municipal Parks and Community Recreation. She added that, to date, she has received signed resolutions from Gettysburg Borough and Freedom Township and Franklin and Straban Townships are also placing it on their agendas. Mt. Joy Township is also interested. She stated that Cumberland's resolution is a little different from the other municipalities, including provisions for reimbursement and that Mrs. Ford will be preparing the applications, because Cumberland is the lead municipality. Mrs. Golden clarified that Cumberland will be providing the 10% local match, not to exceed \$1,000.00, from their Park and Recreation Fund. **Mr. Waybright made a motion to adopt Resolution No. 08-17 for Peer-to-Peer, as follows, seconded by Mrs. Underwood and carried.**

**A RESOLUTION OF CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA,
ENTERING INTO A JOINT AGREEMENT AS A PARTICIPATING MUNICIPALITY TO
APPLY FOR A GRANT FROM THE PA DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES (PA DCNR) AND, IF THE GRANT IS APPROVED, CONDUCT A
PEER-TO-PEER FEASIBILITY STUDY ON COOPERATING FOR MUNICIPAL PARKS AND
COMMUNITY RECREATION PROGRAMS, AND TO CREATE A JOINT STUDY
COMMITTEE FOR THAT STUDY**

Mrs. Ford reported that the PennDOT Agreement and Resolution for Electronic Access is needed so that the township can submit their PennDOT Liquid Fuels reports on-line. **Mrs. Underwood made a motion to execute the Agreement to Authorize Electronic Access to PennDOT Systems and adopt Resolution 08-18 seconded by Mrs. Golden and carried.**

Chairman Gregor reported that there are two requests for extension on the agenda.

Mr. Waybright made a motion seconded by Mrs. Golden and carried to grant a 90-day extension for Pickett's Choice. Approval will now be needed by April 26, 2009.

Mrs. Underwood made a motion seconded by Mr. Waybright and carried to grant a 90-day extension for St. Francis Xavier. Approval is now needed by April 3, 2009.

Chairman Gregor asked Mr. Knoebel to address the SALDO waiver request from Michael Robinson. Mr. Knoebel reported that the Robinson's purchased a lot off of a subdivision that was done in 1991 and the subdivision required that a road be built to township specifications. There are some lots within the subdivision that will not be built on because they were purchased by the Park Service so they are requesting relief from the SALDO requirement. Mr. Knoebel reported that he prepared a report on this matter dated December 10, 2008 and at this point, he is recommending that this be tabled for further discussion at a workshop. **Mr. Waybright made a motion to table the Michael Robinson request for waiver seconded by Mrs. Golden and carried.**

Chairman Gregor reported that he spoke to Mark Purdy earlier today and he submitted his resignation from the Authority effective January 1, 2009 but, he is willing to stay on the Authority until January 13, 2009, the first meeting date. **Mrs. Underwood made a motion to accept, with regret, Mark Purdy's resignation from the Authority effective January 13, 2009 seconded by Mr. Waybright and carried.**

Mr. Waybright made a motion to appoint Steve Toddles to the Park and Rec Board seconded by Mrs. Golden and carried.

Mrs. Golden made a motion seconded by Mrs. Underwood and carried to set the date of the Reorganization Meeting for January 5, 2009 at 7:00 p.m. and to advertise as required.

Mrs. Underwood reported that tomorrow morning at 8:30 a.m., weather permitting, there will be an informational meeting on the possibility of forming and implementing an Adams County COG. She added that all Supervisors, Chief Boehs and representatives from the Police Association have been invited.

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

At 7:32 p.m., Chairman Gregor adjourned the meeting for an Executive Session to discuss a personnel matter.

At 7:45 p.m., Chairman Gregor reconvened the meeting.

Being no further business, the meeting was adjourned at 7:46 p.m. by motion of Mrs. Underwood, seconded by Mrs. Golden and carried.

Carol A. Merryman, Asst. Secretary

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_____) Supervisors
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