

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
Minutes of the November 22, 2016 Regular Meeting**

The regular meeting was called to order at 7:00 p.m. by Chair Underwood. Present were Supervisors: Underwood, Waybright, Toddes and Paddock; Manager Ben Thomas, Jr., Solicitor Sam Wisner, Police Chief Don Boehs and Secretary Carol Merryman.

Chair Underwood led the Pledge of Allegiance.

Mr. Shealer made a motion to approve the Minutes of the October 20, 2016 workshop, October 25, 2016 regular meeting and November 3, 2016 workshop, as presented, seconded by Mr. Toddes and carried.

Mr. Toddes made a motion seconded by Mr. Paddock and carried to approve the bills and transfers as follows: \$80,181.49 from General Fund and \$1,284.00 from the Escrow Fund, transfer of \$39,082.15 from General Fund to Health Insurance Account, \$564.57 from Traffic Impact Fee Fund to General Fund and \$11.57 from Fire Tax Fund to General Fund.

Public comment:

Mr. Zach Gulden, 25 Apple Ave., stated that he was not in favor of a proposed tax increase, recommended cutting the Supervisors' health and dental insurance benefits, employees contributing more for their health insurance benefits, larger co-pays and deductibles; and Manager Thomas work only for the Township and not for Cumberland Township Authority as their Manager.

Mr. Don Kauffman, 56 Bittern Drive, asked what the next step is for the Township's eleven points on the Future Land Use map proposed by the Adams County Planning Office in the Joint Comprehensive Plan. Mr. Thomas will discuss this later on the agenda.

Mr. Speros Marinos, 912 Baltimore Pike, stated that he was in favor of Adams County implementing a \$5.00 vehicle registration fee to be used to grant funds to municipalities for transportation projects because it is a user fee and he thanked the Board for their commitment to updating the zoning.

Mr. Al Ferranto, 501 Knight Road, gave the balances in all Township funds, as of October 31, 2016, which totaled \$2,547,464.42 and he stated that he feels that all of these amounts were not included in the budget presentations. Mr. Ferranto also reported how the funds and Township's total budgeted revenues have grown since 2014. Mr. Ferranto stated that the numbers do not add up for a tax increase, additional staff should be part-time (at least to start out), the taxpayers cannot afford to pay more taxes and he asked the Board to give the taxpayers a break.

Engineer/Plans:

Mr. Thomas reported that the Township received a request from Brandon and Waverly Keller (dated October 25, 2016) for release of their remaining financial security for their project at 1714 Mummasburg Road. He stated that Mr. Knoebel has reviewed the request and prepared a memo dated November 22, 2016 that recommends retaining \$24,355.00 resulting in a proposed reduction of \$20,031.90. **Mr. Shealer made a motion to retain \$24,355.00 and release \$20,031.90 for the Keller Land Development request for financial security reduction seconded by Mr. Toddes and carried.**

Mr. Thomas also reported that the Township received a request from Yingst Engineering, dated November 9, 2016, granting a 90-day extension of time for the Keystone Service Systems (KSS) review. Mr. Thomas read the letter from Yingst Engineering that indicates that the KSS plan had been conditionally approved at the Township's October 25, 2016 meeting. Solicitor Wiser clarified that there was no conditional approval given to the plan at the October meeting and Mr. Yingst concurred. Mr. Yingst also confirmed that they are agreeable to having a meeting with the Township Engineer and staff and also that they are hoping to have the plan ready for action at the December 15th meeting. **Mr. Shealer made a motion to approve a 90-day extension of time for the Keystone Service Systems review seconded by Mr. Paddock and carried.**

Mr. Thomas reported that the next item is a Final Plan for the County of Adams on Old Harrisburg Road. Mr. Ron Garris of Beyond All Boundaries explained that the plan proposes a lot addition of a one (1) acre parcel (the garden area) from County of Adams property, consisting of approximately 38 acres, to a 13 acre parcel owned by the Conservation District. The remaining 37 acres are proposed for dedication to the Civil War Trust. No improvements are proposed at this time and there is a Planning Waiver and Non-Building Declaration that needs the Township's approval. Mr. Garris went over the four comments from KPI's memo dated November 21, 2016 that includes a waiver to the requirement to submit a Preliminary Plan. **Mr. Toddes made a motion seconded by Mr. Paddock and carried to approve the request for a waiver of the requirement to submit a Preliminary Plan. Mr. Paddock made a motion seconded by Mr. Shealer and carried to approve the Planning Waiver and Non-Building Declaration contingent upon receiving the Planning Waiver in the mail. Mr. Shealer made a motion to approve the Final Plan for the County of Adams contingent upon the comments of KPI's November 21, 2016 memo being addressed. The motion was seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the Gettysburg Outdoors, Inc. Minor Subdivision is located mainly in Highland Township and the majority of the land that is in Cumberland Township is in the floodplain. Mr. Sharrah reported that the Board will see this again when the campground proposes an expansion. **Mr. Toddes made a motion to acknowledge approval in accordance with Highland Township's approval and authorize execution of the plans for recording seconded by Mr. Paddock and carried.**

Mr. Thomas reported that the Board has a letter from Woodhaven Building and Development, Inc., granting a one (1) year extension for the Township's review of Cumberland Village, Phase II, until December 3, 2017. **Mr. Shealer made a motion to approve the extension until December 3, 2017 seconded by Mr. Paddock and carried.**

Mr. Thomas reported that KPI is in the process of preparing the waiver application for the MS-4 requirements and will have a draft copy to the Township the week of December 12th.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of October including: 453 complaints - Psych/suicide-2, Disturbances-8, Assault/Harassment-8, Domestic-6, Criminal Mischief-2, Suspicious Activity-16, Thefts-1, Alarms-9, Medical Emergency-11, 911 Hang Up-2, Sexual assault-2, Burglary-1, Fraud-3, Wanted Person-2, Reported Drug Activity-2, Welfare checks-2, Shots Fired -2; 156 traffic stops, 84 combined arrests, 13 traffic accidents, 15 targeted enforcements and 9,325 patrol miles. He added that they assisted other agencies seven times and they were assisted twice and the assists to Pa. State Police were in Straban and Freedom Townships. Police Chief Boehs reported that they have had over 800 Oak Lawn Cemetery complaints and 129 walk-in complaints.

Active Business:

Mr. Thomas acknowledged the receipt of a letter from U. S. Dept. of the Interior regarding the Battlefield

Land Acquisition Grant for the Gudmestad Tract along Baltimore Pike. He added that the Board did send a letter earlier this year regarding the ultimate sale of the property, loss of revenue and long term maintenance. The letter states that it is not possible to maintain the property as a commercial tract in perpetuity as it would contradict the aims of the grant program.

Mr. Thomas also acknowledged a “campaign for funds” for the creation of an Adams County Law Enforcement Range at the Adams County Emergency Training complex. Mr. Thomas will provide more information to anyone that is interested.

Mr. Thomas reported that the Finance Committee is recommending that the final transfer to the Capital Reserve Fund, in the amount of \$37,500.00, as budgeted, be made. Mr. Thomas also explained that the Capital Reserve Fund is used to make capital purchases such as police vehicles etc. **Mr. Toddes made a motion seconded by Mr. Shealer and carried to approve a transfer of \$37,500.00 from the General Fund to the Capital Reserve Fund.**

Mr. Thomas presented the 2017 Preliminary Budgets, tax rates and request for authorization for the Secretary to advertise accordingly. Mr. Thomas read his 2017 Draft General Fund Budget Talking Points, Forecasts, Trends and Overview. The report covered (in part) the status of the Township’s commercial buildings, residential housing growth, road maintenance and equipment, new stormwater regulations, staffing, Township building renovations, a Finance Committee recommendation for a tax increase of .25 mills, General Fund balance and other funds that are dedicated for road work, fire company reimbursement, capital purchases and parks and recreation. There were some comments from Board members. **Mr. Shealer made a motion to adopt the Preliminary 2017 Budgets to include a .25 mill tax increase for the General Fund Budget seconded by Mr. Toddes and carried. Mr. Paddock voted in opposition of the motion.**

Solicitor: Solicitor Wiser reported that a request has been received from Attorney Gary Hartman, on behalf of Martin Hill of Woodhaven Building and Development, to amend various sections of Chapter 27 the Cumberland Township Zoning Ordinance to add “Planned Unit Developments – Single-Family Detached” in the residential district and establish related standards. Solicitor Wiser added that the request is for Mr. Hill’s Cumberland Village, Phase II, development, but would apply to other future developments in the residential district. Solicitor Wiser stated that a public hearing must be held on or before December 30, 2016. **Mr. Shealer made a motion to schedule the public hearing on the request from Martin Hill for December 15, 2016 at 6:30 p.m. seconded by Mr. Toddes and carried.**

Solicitor Wiser also reported that the Township’s Pension Counsel, Randy Rhoads, provided the Township with two ordinances that had to be adopted to keep the Township’s Police and Non-Uniformed Pension Plans compliant with IRS requirements regarding interest rates. Solicitor Wiser added that the ordinances have been duly advertised and are ready for action as follows:

ORDINANCE 2016-166

AN ORDINANCE OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, AMENDING CERTAIN PROVISIONS OF THE PENSION, ANNUITY, INSURANCE AND, BENEFIT FUND PLAN CONCERNING A CHANGE TO THE INTERNAL REVENUE PROVISIONS APPLICABLE TO THE NON-UNIFORMED EMPLOYEES OF CUMBERLAND TOWNSHIP

ORDINANCE 2016-167

AN ORDINANCE OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, AMENDING CERTAIN PROVISIONS OF THE PENSION, ANNUITY, INSURANCE AND, BENEFIT FUND PLAN CONCERNING A CHANGE TO THE INTERNAL REVENUE PROVISIONS APPLICABLE TO THE POLICE EMPLOYEES OF CUMBERLAND TOWNSHIP

Mr. Shealer made a motion seconded by Mr. Toddes and carried to adopt Ordinances 166 and 167 of 2016.

Committee Reports and comments from Board Members:

Building and Grounds – Mr. Shealer reported that he will be setting up a meeting with Mr. Paddock regarding the contemplated building renovations in the near future.

Parks and Recreation – Mr. Toddes reported that things are going well at the park and they are converting the old firemen’s kitchen into a youth recreation center.

COG – Chair Underwood reported the following slate of officers; President – Coleen Reamer from Hamiltonban Township, Vice-President – Ferd Prehn from Arendtsville Borough, Secretary – Gus Frivenalds and Treasurer – Patricia Smith.

Finance, Public Safety, Highway, Personnel, Planning and Zoning, CTA, Economic Development and CT 411 – no reports

Staff Reports:

Manager – Mr. Thomas asked the Board to review a Municipal Survey for Service and Training from the Adams County Office of Planning and Development and it will be on the December meeting agenda.

Mr. Thomas also reported that the Township received an application for a Conditional Use for a proposed change of use for a property along Route 15. He added that there is a buyer interested in converting what is currently sales / repairs of travel trailers to lawn and garden facilities and this will be an agenda item on December 15th to set the hearing date by January 15th .

The Zoning Officer and Secretary’s reports were reviewed.

Sergeant Biggins reported that Officer Eiker graduated from Drug Recognition Expert School; this is a great accomplishment and will be an asset to the department and community.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:35 p.m. for an Executive Session.

The Board of Supervisors re-convened the regular meeting at 9:44 p.m. **A Shealer – Toddes motion authorized Solicitor Wisner to respond to a letter received on November 21, 2016 from Teamsters Local Union No. 776 advising the Union is ready to file a petition under the Public Employees Relations Act for a unit consisting of all full-time and regular part-time employees of the road maintenance department and for the Solicitor to clarify with the Teamsters information on the composition of the unit proposed.**

The Supervisors had further discussion regarding the Building and Grounds Committee and future funding of possible renovations with no action taken.

The meeting was adjourned at 9:55 p.m.

Carol A. Merryman, Secretary

_____)
_____)
_____) Supervisors
_____)
_____)