

**Cumberland Township Board of Supervisors  
1370 Fairfield Road, Gettysburg, PA 17325  
December 19, 2019 Meeting Minutes – 7:00 P.M.**

The regular meeting was called to order at 7:00 P.M. by Chair Underwood. Present were Supervisors: Underwood, Phiel, Paddock and Toddes; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Engineer Tim Knoebel and Secretary Carol Merryman. There were also ten residents present.

Chair Underwood led the Pledge of Allegiance.

**Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the Minutes of the November 7 and November 21, 2019 Workshops and the October 22 and November 26, 2019 Regular Meetings.**

**Mr. Phiel made a motion seconded by Mr. Toddes and carried to approve the bills as stated by the Chair: Bills - \$53,803.99 from the General Fund and \$443.00 from the Escrow Fund. Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the transfers of \$1,000.00 from the Fire Tax Fund to the General Fund and \$70,000.00 from the General Fund to the Capital Reserve Fund.**

**Public comment:**

Mrs. Jean Stone, 1745 Mummasburg Road, presented written and oral comments on the MS4 Presentation from the November meeting. Mrs. Stone stated that she felt everyone should be paying for the MS4 and she gave an example of how the Township could charge each adult \$29.00 (or less if the Township got grant funding) and not have to go into debt to complete the MS4 projects. Solicitor Wiser explained that there are three ways that the Township could set up paying for the MS4 and unfortunately charging each adult is not one of those ways.

Ms. Susan Sadowski addressed the Board regarding Gettysburg Area Recreation Authority's (GARA) ice rink, not increasing the contribution to GARA in 2020 and reimbursing the General Fund for all contributions made to GARA from the General Fund. Ms. Sadowski also spoke about removal of the underground storage tanks as soon as possible and how she feels that the signs to the Police Department are not placed properly for people to be able to see them.

Mr. Speros Marinos, 912 Baltimore Pike, asked the Board to get the zoning updated as soon as possible and to right the injustice of him losing money for his property due to how it is currently zoned.

**Engineer/Plans:**

Mr. Knoebel presented a Lot Addition Subdivision Plan for Ronald W. Asper. The plan proposes to subdivide a 1.16-acre parcel from a 3+ acre parcel located on Biglerville Road. No improvements are proposed for the new 1.16-acre lot and there is a Non-Building Waiver that will need approval to be forwarded to Pa. DEP. **Mr. Paddock made a motion to approve the Sewage Planning Facilities Non-Building Waiver to be forwarded to Pa. DEP seconded by Mr. Toddes and carried. Mr. Toddes made a motion to approve the Ronald W. Asper Final Plan subject to the comments of Mr. Knoebel's December 18, 2019 memo being addressed. The motion was seconded by Mr. Paddock and carried.**

Mr. Knoebel also reported that the Township has had a Deed of Dedication from S & A Homes for the dedication of streets and portions of streets in Cannon Ridge, Phases 1 and 2. He added that he did receive

the as-built plans today and the Township has to make sure that they have the original maintenance bond. **Mr. Paddock made a motion seconded by Mr. Toddes and carried to adopt Resolution 2019-09 contingent upon the Township locating the original maintenance bond for the streets as follows:**

### **RESOLUTION 2019-09**

#### **A RESOLUTION OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA LAYING OUT AND OPENING ROADS IN THE PLANNED RESIDENTIAL COMMUNITY KNOWN AS CANNON RIDGE IN CUMBERLAND TOWNSHIP**

The dedication applies to certain roads known as Sabre Circle, Cannon Ridge Way, a portion of Battalion Lane, a portion of Regiment Drive, a portion of Old Mill Road, a portion of Herr's Ridge Road, Brigadier Court and a portion of Musket Drive for ingress, egress, and regress in accordance with the approved plan. The roads now become part of the public road system of the Township. The dedication of the streets shall not alter the requirement for the adjoining property owners to maintain, repair, or reconstruct curbs and sidewalks in accordance with the Township Code, as amended from time to time.

Mr. Knoebel reported that the Township has received a request for time extension for the Musket Ridge Final Plan until June 30, 2020. Mr. Knoebel reported that this is a larger residential development that sits behind Lincoln Estates on SR 0030. **Mr. Toddes made a motion to approve the request for time extension for approval of the Musket Ridge Final Plan until June 30, 2020 seconded by Mr. Phiel and carried.**

Mr. Knoebel also reported that the Township has received a similar request for time extension until June 30, 2020 for the Wayne and Susan Hill Subdivision Plan located on Knight Road. Mr. Knoebel stated that he has not gotten an update on this plan and it has been going on for a very long time. Mr. Thomas stated that the Township did ask for an update, never got one and suggested that another extension not be granted after this one. **Mr. Paddock made a motion seconded by Mr. Phiel and carried to approve the request for time extension until June 30, 2020 with the developer being notified in writing that another extension will not be granted due to the length of time this plan has been on the table.**

Mr. Knoebel reported that we are in the public comment period for the MS4 Pollutant Reduction Plan. Mr. Toddes and Mr. Paddock stated that they agree with Mrs. Stone that everyone should be paying for the MS4. Mr. Knoebel also reported that a Small Water Grant application has been filed and it may be summer before we know an outcome of that. Mr. Thomas stated that this funding for MS4 will be so important and there will have to be a dedicated meeting for that.

**Police Report:** Police Chief Don Boehs presented a written and oral report of police activities for the month of November, 2019 including: 295 complaints - Psych/suicide-8, Disturbances-4, Assault/Harassment-7, Domestic-11, Criminal Mischief-0, Suspicious Activity-14, Thefts-1, Alarms -13, Medical Emergency-11, 911 Hang Up-3, Wanted Person -0, Reported Drug Activity -1, Welfare Checks -8, Shots Fired -1, Fraud -3, Burglary -1, Sexual assault -0, Follow-up Investigation -39, SRO Calls -28 with 5 arrests; 48 traffic stops, 30 combined arrests, 22 traffic accidents, 18 targeted enforcements, 6,871 patrol miles and 38 walk-in complaints. He added that they assisted other agencies 12 times and they were assisted once. There were two assists to Pa. State Police one in Highland Township and one in Mt. Joy Township. Police Chief Boehs added that the 2019 call volume is down a little from 2018, but they have noticed that the calls are becoming more violent in nature.

#### **Active Business:**

Mr. Thomas reported that the 2020 Budgets have been fully vetted and the proper notice was placed in The Gettysburg Times. He added that the budgets were posted on the Township's website and there is no

tax increase proposed. The General Fund budget is just under \$3.9 million and the revenue side is balanced using a portion of reserve funds. He added that the biggest reasons for the shortfall are wages and health care costs for 2020. **Mr. Toddes made a motion seconded by Mr. Phiel and carried to adopt the 2020 Budgets and 2020 Tax Resolution as follows:**

**2020 CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA TAX RESOLUTION**

**BE IT RESOLVED THAT** the Tax Millage for 2020 is set at 1.9 mills Real Estate for General Fund purposes and an additional .25 mills for restricted Fire Department funding purposes (Fire Tax).

**BE IT RESOLVED THAT** the Per Capita Resolution of 1953 is re-enacted for 2020 without change. The tax rate is \$5.00; two percent (2%) discount; and ten percent (10%) penalty.

**BE IT RESOLVED THAT** the Earned Income and Profits Tax Ordinance of 2011 is re-enacted for 2020 without change.

**BE IT RESOLVED THAT** the Local Services Tax Ordinance of 2007 is re-enacted for 2020 without change.

**BE IT RESOLVED THAT** the Amusement Tax Ordinance of 2014 continues without change in 2020. The rate of 5% (plus Gettysburg Area School District's prevailing rate) of the admission price to each and every amusement within the Township of Cumberland for which the individual price of admission is \$1.00 or more; or the rate of 2% (1% which is payable to the Gettysburg Area School District in accordance with its Resolution and the Local Tax Enabling Act) of the participation price to each and every amusement within the Township of Cumberland for which the individual price of participation is \$1.00 or more.

**BE IT RESOLVED THAT** the Realty Transfer Tax Ordinance of 2008 is re-enacted for 2020 without change. The tax rate is one percent with Cumberland Township receiving .5% and Gettysburg Area School District receiving .5%.

**ENACTED AND ORDAINED** this 19<sup>th</sup> day of December, 2019.

**CUMBERLAND TOWNSHIP BOARD OF SUPERVISORS**

Mr. Thomas also requested action on the 2020 Health Care Plan from Highmark Blue Shield Premier Balance PPO that does satisfy the Collective Bargaining Agreements. He added that the rates are age-banded, there will be no concerns for cost over runs and there is about a 39% increase from 2019 rates. **Mr. Phiel made a motion to approve the Highmark Blue Shield Premier Balance PPO Health Care Plan seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the next action requested is the appointment of a facilitator for the 2020 Comprehensive Zoning review. He added that the Township received a proposal from HRG Engineering, and they have been interviewed by the Board. He stated that Township staff has been meeting with HRG and the Adams County Office of Planning and Development (ACOPD) who will be doing a portion of the review and there will be an agreement coming from the County. He added that HRG's quote has been reduced to \$25,411.00. Mr. Thomas also highlighted the responsibilities of each entity. **Mr. Toddes made a motion to appoint HRG Engineering as Facilitator for the Comprehensive Zoning Review seconded by Mr. Paddock and carried.**

**Mr. Phiel made a motion seconded by Mr. Toddes and carried to authorize the Personnel Committee to move ahead with hiring a Treasurer / Finance Director in early spring, 2020.**

Mr. Thomas reported that Carroll Valley Borough will have a staffing change on 1/1/2020 and will no longer be able to honor the Intergovernmental Cooperation Agreement to provide building inspection services to the Township. Mr. Thomas recommended that the Township authorize approval of an agreement with Pennsylvania Municipal Code Alliance (PMCA) who will have two inspectors that are very familiar with the Township: Bill Naugle and Dave Baker. **Mr. Paddock made a motion seconded by Mr. Phiel and carried to terminate the agreement with Middle Department Inspection Agency and authorize an agreement with Pennsylvania Municipal Code Alliance and adopt Resolution 2019-10 naming PMCA as the Third-Party Inspection Agency.**

#### **RESOLUTION 2019-10**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, APPOINTING PENNSYLVANIA MUNICIPAL CODE ALLIANCE, INC. AS THE THIRD-PARTY INSPECTION AGENCY SELECTED TO ADMINISTER THE UNIFORM CONSTRUCTION CODE.**

**Mr. Paddock made a motion seconded by Mr. Phiel and carried to follow the lead of Adams County and Gettysburg Area School District and waive Clean and Green Rollback Taxes, in the amount of \$195.48, for the American Battlefield Trust for the Alms House Cemetery property.**

**Mr. Phiel made a motion seconded by Mr. Toddes and carried to schedule the Reorganization Meeting for January 6, 2020 at 7:00 P.M.**

Mr. Thomas read from an email regarding updating the Township's floodplain ordinances that is being triggered as a result of a revision to the Flood Insurance Study (FIS) and/or Flood Insurance Rate Map (FIRM) in the Township. Failure to adopt and submit by the deadline will result in suspension from the National Flood Insurance Program and will have consequences to the Township and its' residents.

**Mr. Paddock made a motion seconded by Mr. Phiel and carried to authorize Solicitor Wisner to work with the Township engineer and staff to update the Township's Floodplain Ordinances as required.**

Mr. Thomas reported that Cumberland Township Authority adopted their 2020 budgets with sewer rates remaining the same.

**Finance Committee: Mr. Toddes made a motion seconded by Mr. Phiel and carried to deem the 2012 Dodge Charger police vehicle #15-3 surplus instead of the 2014 Chevrolet Caprice police vehicle #15-6 that will now stay in the fleet and to authorize the 2012 Dodge Charger police vehicle for sale on Municibid.**

**Mr. Paddock made a motion seconded by Mr. Phiel and carried to approve a Fire Tax Distribution Funding request from Gettysburg Fire Department for expenses totaling \$48,530.21.**

**Mr. Toddes made a motion seconded by Mr. Phiel and carried to authorize the annual contribution to the YWCA from the General Fund for \$3,800.00**

**Mr. Phiel made a motion seconded by Mr. Toddes and carried to authorize the \$70,000.00 transfer from the General Fund to the Capital Reserve Fund as budgeted.**

**Mr. Paddock made a motion seconded by Mr. Toddes and carried to pay-off the 2016 CASE backhoe by January 10, 2020; \$48,525.00 from the Capital Reserve Fund and \$10,000.00 from the State Liquid Fuels Fund (subject to approval by PennDOT.)**

**Mr. Toddes made a motion seconded by Mr. Phiel and carried to pay-off the 2018 Mack Dump Truck by March 1, 2020; \$36,520.00 from the Capital Reserve Fund and \$10,000.00 from the State Liquid Fuels Fund.**

**Mr. Paddock made a motion seconded by Mr. Toddes and carried to approve \$50,000.00 be applied to the principal loan for the maintenance building.**

**Estimated year-end fund balance: \$1,350,000.00**

**Solicitor:** Solicitor Wisner reported that the Township adopted a Resolution proposing a curative amendment to the Zoning Ordinance regarding Solar and a timeline has to be established. Solicitor Wisner suggested that the initial draft ordinance be produced by mid-January, presented to the Planning Commission in February and advertised for the Supervisors March meeting. The Board agreed with the timeline. Solicitor Wisner also reported that he needs to have an Executive Session for a contractual matter.

**Committee Reports and comments from Board Members:**

**PARKS AND RECREATION** – Mr. Toddes reported that GARA is not financially responsible for the skating rink and it has not performed like they had wanted it to. People are already booking park use for the summer and he feels that the park is a good investment.

**CTA** – Mr. Toddes reported that CTA passed their budget, they are working on the new Adams Electric house and they applied for a grant for a sewer extension on Boyd’s School Road.

**COG-** Chair Underwood reported that the COG met this morning and appointed their officers.

**Public Safety, Personnel, Highways, Planning and Zoning, Building and Grounds, Economic Development and CT411** – No reports.

Mr. Thomas reported that the Township’s underground storage tanks are double-walled and are the same kind of tanks that they have at the Sunoco station right up the street. He added that above-ground tanks are susceptible to vandalism.

The Zoning Officer and Secretary/Treasurer’s reports were reviewed.

Throughout the meeting Chair Underwood and Mr. Paddock were thanked by many for their service to the Township and new Supervisors Tiffany J. S. Ramsburg and Jeff Brauning were welcomed to the Board.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:30 P. M. for an Executive Session.

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Carol A. Merryman, Secretary

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