

**Cumberland Township Board of Supervisors**  
**1370 Fairfield Road, Gettysburg, PA 17325**  
**June 22, 2021 – 6:00 P.M.**  
**HYBRID - VIRTUAL HEARINGS**

**CONDITIONAL USE HEARINGS FOR JAMES AND JOYCE KNEFLEY – 6:00 P.M. and**  
**ARTILLERY RIDGE CAMPGROUND – 6:30 P.M.**

The Conditional Use Hearing for James and Joyce Knefley for a self-service storage facility located on Solomon Road was called to order by Vice-Chairman Toddes at 6:00 P.M. Present were Supervisors Toddes, Phiel, Ramsburg and Brauning; Solicitor Zachary Rice, Finance Director/Treasurer Camie Stouck-Phiel, Secretary Carol Merryman and Transcriptionist Karen Brown. Also present were James Knefley, Attorney John Murphy and several residents who had interest in the proposed project. Vice-Chairman Toddes turned the hearing over to Solicitor Zachary Rice who conducted the proceedings. After testimony and questions; **Mr. Brauning made a motion to approve the conditional use application for the self-service storage facilities since it meets all of the requirements. The motion was seconded by Mr. Phiel and carried.** Solicitor Rice stated that a written decision will be provided within 45 days, parties with standing will be provided with a copy and appeals may be made within thirty days after receipt of the written decision. The hearing adjourned at 6:56 P.M. Please see the transcript for the full record of the hearing.

The Conditional Use Hearing for Artillery Ridge Campground for an expansion within the existing campground was called to order at 7:05 P.M. by Vice-Chairman Toddes. Present were Supervisors Toddes, Phiel, Ramsburg and Brauning; Solicitor Zachary Rice, Finance Director/Treasurer Camie Stouck-Phiel, Secretary Carol Merryman and Transcriptionist Karen Brown. Also present were Gary Ott, owner of the campground and Blaine Markel, project designer. There were also several residents present who had interest in the proposed project. Vice-Chairman Toddes turned the hearing over to Solicitor Zachary Rice who conducted the proceedings. After testimony and questions; **Mr. Phiel made a motion to approve the conditional use application for the expansion of the Artillery Ridge Campground with the condition, a variance is needed for pavilion height, seconded by Mrs. Ramsburg and carried.** Solicitor Rice stated that a written decision will be provided within 45 days, parties with standing will be provided with a copy and appeals may be made within thirty days after receipt of the written decision. The hearing adjourned at 8:20 P.M. Please see the transcript for the full record of the hearing.

**REGULAR MEETING – 8:27 P.M.**

The regular meeting was called to order at 8:27 P.M. by Vice-Chairman Toddes. Present were Supervisors: Toddes, Phiel, Ramsburg and Brauning. Also present were Solicitor Zachary Rice, Police Chief Don Boehs, Engineer Tim Knoebel, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. There were several Township residents present, Jim Hale from The Gettysburg Times and several residents participated via Zoom.

Vice-Chairman Toddes led the Pledge of Allegiance.

Mr. Charles Friedlander, President and Chief Actuary of Municipal Finance Partners, Inc., presented a Power Point regarding the Police and Non-Uniformed Pension Plans' Minimum Municipal Obligation (MMO) and possible assumption changes that the Board could make. Mr. Friedlander reported that both pension plans are doing well and have experienced gains. The first change that could be made would be to update the mortality tables that Mr. Friedlander uses and the second change could be to lower the interest rate from 7% to 6.5% to make it a little more conservative. Mr. Friedlander stated that if the assumptions are changed the Township would have to fund a little more from the General Fund for the Non-Uniformed Pension Plan's MMO and the State Aid would fund the Police Pension Plan's MMO. Mr. Friedlander stated that this decision has to be made before September when the MMOs are approved by the Board. No action was taken.

**Mr. Brauning made a motion seconded by Mrs. Ramsburg and carried to approve the Minutes of the May 25, 2021 Regular Meeting.**

**Mr. Brauning made a motion seconded by Mr. Phiel and carried to approve the bills in the amounts as stated by the Vice-Chairman: \$88,196.63 from the General Fund, \$35,285.00 from the Capital Reserve Fund, \$7,761.62 from the Escrow Fund and \$25,000.00 from the Fire Tax Fund.**

**Public comment:**

Ms. Pat Schindel, business owner, stated that she was present tonight regarding an incident that happened in 2018 and was more recently printed in the Gettysburg Times regarding a black man that was jogging and asked directions from a man who then went to the Cumberland Township Police Department. Chief Boehs told Ms. Schindel that if the department gets a call, they have to respond to it.

Ms. Bertha Turner, 140 Park Avenue, stated that a couple of years ago she was walking her dog on Tiffany Lane, feels that she got strange looks from people in the neighborhood and it made her feel very uncomfortable. She stated that she does not want to feel like there are certain places that she cannot go because of her skin color, she wants to be part of the neighborhood and be treated with respect. She also reported that cars are speeding on Park Avenue.

Ms. Karey Burkholder, 127 Battalion Lane, stated that she submitted a letter (as well as several others neighbors) regarding the development on Old Mill Road and they would like to see the Township start enforcing some of their laws regarding speeding and construction activities starting earlier and continuing later than is permitted. She added that the R Cluster zoning is “out of control”, it was changed in 2017 and does not do what it is supposed to do. Police Chief Boehs instructed Ms. Burkholder to call 911 when the contractors are starting early or working late and they will have an officer go over to the development. Vice-Chairman Toddes stated that the Township’s ordinance limits the construction activity to between the hours and 7:00 A.M. and 9:00 P.M. and that he has stopped by the development and talked to them about the hours that they are allowed to work.

Ms. Pamela Haze also stated that she submitted a letter to the Board and she highlighted some of the items in the letter including concerns about the R Cluster zoning; safety concerns with speeding and large trucks, RVs’, farm equipment and heavier traffic on the roads. She added that they have observed safety issues with the developer like taking trees down along the road with no traffic control measures, trucks taking short-cuts through their development and no police patrols like there used to be. Lastly, she requested to have an avenue of communication with the developer.

**Engineer:**

Mr. Knoebel reported that the Township has received a Request for Extension from the American Battlefield Trust for a 90-day extension for approval of their Minor Subdivision Plan. Mr. Knoebel stated that the only items left for them to do are legal agreements and he has referred them to the Solicitor’s office to get those items taken care of. Solicitor Rice recommended that the Board direct him to write to the applicant. **Mr. Brauning made a motion to approve the 90-day Request for Extension for the American Battlefield Trust and directed Solicitor Rice to write to them in an effort to get the legal issues resolved and if they do not, the plan will be denied. The motion was seconded by Mrs. Ramsburg and carried. Mr. Toddes voted nay.**

**Police Report:** Police Chief Don Boehs presented a written and oral report of police activities for the month of May 2021 including: 284 complaints, 25 traffic stops, eight traffic accidents, 23 targeted enforcements, 20 combined arrests, 6,386 patrol miles and 28 walk-in complaints. He added that they assisted other agencies five times and they were assisted nine times. The SRO had seven calls for service. There were four assists to Pa. State Police.

**Active Business:**

Vice-Chairman Toddes reported that the Board has a request for the Manager to carry over 174 hours of vacation leave in accordance with § 4.b. of the Employment Agreement due to the Covid Emergency and his work-load. **Mr. Phiel made a motion to grant the request seconded by Mrs. Ramsburg and carried. Mr. Brauning voted nay.**

Vice-Chairman Toddes also reported that the Manager has produced a Computer Policy, Including Internet Usage and Email. **Mr. Phiel made a motion to implement the Computer Policy seconded by Mrs. Ramsburg and carried.**

Vice-Chairman reported that there are MS4 items that need action as follows:

- **Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to confirm two stream restoration projects as recommended by Clauser Environmental, LLC, the first at the Township Building and the second at the Adams County Human Services Building.** Mr. Knoebel reported that these two projects will require permits and they need to get the applications in to Pa Dept. of Environmental Protection (PaDEP).
- **Mrs. Ramsburg made a motion seconded by Mr. Brauning and carried to authorize KPI Technology to prepare preliminary engineering costs to follow with engineering the projects providing project/s cost estimates; submitting to PaDEP for permitting; and preparing bids.**
- The next action item was to appoint a committee and the Board agreed to wait until the Manager is present to act on this item.

**FINANCE COMMITTEE:** Mr. Phiel reported on the monthly Finance Committee recommendations.

- **Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to open a separate checking account for the American Rescue Plan funds for auditing purposes, as recommended by the Pa. State Association of Township Supervisors and the Pa. Dept. of Community and Economic Development.**
- **Mr. Brauning made a motion seconded by Mrs. Ramsburg and carried to make the annual contribution to Gettysburg Area Recreation Authority (GARA), in the amount of \$66,164.00, from the Park and Rec Fund that has a healthy balance.**
- **Mrs. Ramsburg made a motion seconded by Mr. Phiel and carried to approve the purchase of additional malware protection for all of the Township's computers at a one-time cost of \$913.00 plus \$130.00 per month.**
- **Mr. Brauning made a motion seconded by Mrs. Ramsburg and carried to approve Fire Tax funding to Gettysburg Fire Department, in the amount of \$100,000.00.** Mr. Phiel reported that the department was not able to hold their carnival for the past two years and their total request was for \$224,427.25. He added that there will still be a healthy balance in the Fire Tax Fund after this is paid.

**SOLICITOR:** Solicitor Rice reported that the Planning Commission and Solicitor Wisner have been working on an amendment to the Open Space requirements in the Zoning Ordinance and the Board needs to decide if they are ready to authorize the advertisement for adoption that also includes giving Adams County Planning 30 days to review, the Township Planning Commission re-reviewing and holding a

public hearing. **Mr. Phiel made a motion to advertise the draft Open Space Ordinance for possible adoption at the next regular meeting on July 27, 2021 seconded by Mrs. Ramsburg and carried.** Solicitor Rice also spoke to the Board about amending the ordinance that allows temporary housing (motorhomes / campers) following damage to a main dwelling because there are a couple of problem cases in the Township and the Zoning Officer needs to have some direction on the enforcement and if there should be any exceptions made. Mr. Phiel asked for some options for the Board to review and the Board indicated that they are in favor of doing something. Solicitor Rice also reported that amendments to the Sign Ordinance are still under review.

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

**Highways** – A Maintenance Department report for June was supplied by Road Superintendent Chris Walter and the Board recognized them for the great job that they did getting the roads cleaned up and open after Monday’s storm.

**Park and Recreation** – Mr. Toddes reported on the Rec Park activities, fireworks will be held on July 4<sup>th</sup>, there will be food trucks and a band.

**Planning and Zoning** – Mr. Toddes reported that the committee is still meeting and getting close to the end.

**CTA** – Mr. Toddes reported that the Board has the minutes from their meeting.

**COG** – Mr. Phiel reported that they are stopping the vaccinations at the Emergency Services Bldg. and then the COG can start meeting in person again.

**Public Safety, Personnel, Economic Development, CT411 – No reports**

The Zoning Officer and Treasurer’s reports were reviewed. Mrs. Stouck-Phiel reported that she got the SAM registration completed today and there will be yearly reports required for how the American Rescue Plan funds are spent, the reporting will be very time consuming so it needs to be kept streamlined and simple.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 9:49 P.M. for an Executive Session to discuss a personnel item with no action to follow.

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Carol A. Merryman, Secretary

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