

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
January 25, 2022 –7:00 P.M.**

The regular meeting was called to order at 7:00 P.M. by Chairman Toddes. Present were all Supervisors: Toddes, Phiel, Ramsburg, Brauning and Biggins. Also present were Solicitor Sam Wiser, Township Manager Ben Thomas, Jr., Police Chief Don Boehs, Township Engineer Tim Knoebel, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. There were approximately 12 Township residents present and Jim Hale from The Gettysburg Times. Approximately eight residents participated via Zoom.

Chairman Toddes led the Pledge of Allegiance.

Mr. Brauning made a motion to approve the agenda. The motion was seconded by Mr. Phiel and carried.

Mrs. Ramsburg made a motion seconded by Mr. Brauning and carried to approve the Minutes of the December 16, 2021 Regular Meeting and January 3, 2022 Reorganization Meeting.

Mr. Phiel made a motion seconded by Mrs. Biggins and carried to approve the bills in the amounts stated by the Chairman: \$274,705.47 from the General Fund, \$5,853.42 from the Escrow Fund, \$1,112.67 from the Fire Tax Fund and a transfer of \$7,500.00 from the General Fund to the Health Insurance Account.

Chairman Toddes read a statement regarding a letter received from the Gettysburg Area School District's Attorney indicating that the School District is going to terminate the School Resource Officer Agreement with the Township.

Public comment:

The following people commented:

Janet Davis, 1350 Old Mill Road, commented on the budget process, related people and possible conflicts of interest. Chairman Toddes stated that the Board will get a written response back to Mrs. Davis. Mrs. Davis, on behalf of Mr. Davis, presented "some money" to Police Chief Boehs for the use of his Police Department at his discretion. Police Chief Boehs did not turn the donation over to the Treasurer or Assistant Treasurer but, rather, put the money in his pocket.

William Coe, 105 Twin Lakes Drive, commented on police staffing and the School Resource Officer.

Michelle Smyers, 515 Old Mill Road, commented on Supervisor Phiel's vehicle being parked on Skyline Court across from her home.

Steve Smyers, 515 Old Mill Road, commented on police staffing and on the professionalism that Officer Barbagello displayed during a recent visit that he made to his home "for an official notification."

Rick Mealer, Friendship Drive, commented on the professionalism of the Police Department and Maintenance Department, public safety, police staffing and the School Resource Officer.

Supervisor Phiel made a statement about the insinuation that was directed towards him earlier: that is not who he is or what he stands for.

Engineer: Mr. Knoebel reported that the Township has received a request for release of financial security for Cumberland Village, Phase 2A2 and he has prepared a report dated today that recommends a reduction of \$1,380,287.88 resulting in a retainage of \$1,037,931.22. **Mr. Brauning made a motion to approve the request, as recommended by Mr. Knoebel, releasing \$1,380,287.88. The motion was seconded by Mr. Phiel and carried.**

Mr. Knoebel also reported that the Township has a request for release of financial security for the James Gettys Elementary School – Parking Reconfiguration Plan and has prepared a letter dated January 24, 2022 recommending that all financial security may be released. He added that his report also advises the owner of their obligation under the Stormwater Management Operations and Maintenance Agreement to annually provide the Township with documentation that the stormwater Best Management Practices (BMP's) have been inspected and properly maintained and this is part of the Township's MS4 audit. **Mrs. Ramsburg made a motion seconded by Mr. Phiel and carried to approve full release of financial security, in the amount of \$215,072.00.**

Mr. Thomas and Mr. Knoebel updated the Board on the Township's MS4 projects. Mr. Thomas reported that the Township, with assistance from the Adams County Conservation District, has been awarded a Countywide Action Plan (CAP) Grant, from Pa. Dept. of Environmental Protection, in the amount of \$123,200.00 and this money will be used for stormwater basin retro-fits owned by Homeowner's Associations, two projects at the Township Building, two stream bank restoration projects and the grant money must be spent in 2022. Mr. Knoebel prepared updated costs estimates for all of the projects totaling \$659,692.00, and the grant money will help pay for those projects. Mr. Knoebel also updated the Board on the status of the engineering for the projects. Solicitor Wisner reported that the Township will need a License Agreement with the Homeowner's Associations to enter onto their properties to do the work. Mr. Thomas added that there is an agreement with the Adams County Conservation District, facilitators of the grant funds, that needs to be approved. **Mrs. Ramsburg made a motion seconded by Mrs. Biggins and carried to approve the agreement with the Adams County Conservation District for professional services.**

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of December 2021 including: 297 complaints, 15 traffic stops, 14 traffic accidents, 10 targeted enforcements, 14 combined arrests, 9,807 patrol miles and 28 walk-in complaints. He added that they assisted other agencies six times and they were assisted five times. There was one assist to Pa. State Police. Police Chief Boehs reported that the School Resource Officer had 5 calls for service.

Maintenance Department Report: Mr. Chris Walter, Superintendent of Roads, gave a report for the month of January that included snow removal, repairs to traffic signs and guard rail, chipping 75 – 80 Christmas trees, preventative maintenance, removal of the underground fuel storage tanks, proposed replacement with an above-ground fuel storage tank, property maintenance and determining and bidding of the 2022 road projects.

Active Business:

Mr. Thomas reported that the Township received one Citizen's Interest Form for the Planning Commission vacancy. He stated that the form is from Theresa Finkenbinder who lives on Creekside Court. **Mrs. Biggins made a motion seconded by Mr. Phiel and carried to appoint Theresa Finkenbinder to the Planning Commission for a four-year term ending 12/31/2025.**

Mr. Thomas announced the Supervisor's participation in the Cumberland Township's Group Health Plan as allowed by Section 606.C.1 of the PA Township Code as follows:

Steve Toddes: requests participation in the Dental, Life, Flexible Spending Account (FSA) and Opt-Out payments and denies Health Care coverage

Shaun Phiel – denies all health care coverages

Tiffany Ramsburg – requests Health Insurance, Dental and FSA

Jeffrey Brauning – denies all health care coverages

Christine Biggins – requests Opt-Out only

Mr. Thomas reported that PennDOT requires the adoption of a Resolution and the signing of an agreement that will be in place for traffic control signal systems that must be changed in the future. He added that any new traffic signal will require just a PennDOT HOP. Mr. Thomas also reported that this is a requirement for the Green Light Go Grant application. **Mrs. Ramsburg made a motion seconded by Mrs. Biggins and carried to adopt the Resolution and approve the Traffic Signal Maintenance Agreement with PENNDOT.**

Mrs. Biggins made a motion seconded by Mr. Phiel and carried to approve the Resolution with Cumberland Township Authority (CTA) for Ben Thomas, Jr. to provide Administrative Manager services to CTA for 2022. Mr. Thomas added that there was no change in the amount charged to CTA and has not changed for approximately eight years.

Mr. Thomas also reported that the Waste Hauling Bid process is continuing and a post-bid meeting will be held on February 24th.

FINANCE COMMITTEE: Mr. Phiel reported that the committee is recommending the purchase of a single axle dump truck and deem a 27 year old truck as surplus for sale, when appropriate, along with review of financing options. Mr. Walter gave detailed information on both the old and new truck along with problems that he is facing getting this truck in a timely manner. Mr. Thomas reported that the total price of the truck is \$196,334.00 and the down-payment will be made from Capital Reserve and Liquid Fuels Funds and the balance will be financed. **Mrs. Ramsburg made a motion seconded by Mrs. Biggins and carried to deem the 1995 International Dump Truck as surplus and approve the purchase of a 2023 Western Star Dump Truck.** Mr. Thomas also asked the Board to think about financing the truck purchase “in-house” with reserve funds and the current bank interest rate is 3.11%. Mr. Walter reported that the old fuel tanks have been removed and he has been researching the purchase of a new above-ground fuel tank from Highland Tank and this has been budgeted in 2022 at the cost of \$90,000.00. **Mrs. Biggins made a motion to authorize bidding and advertising for one above ground fuel tank (1,000 diesel; 2,000 gasoline capacity), pumps, and appurtenances. The motion was seconded by Mr. Phiel and carried.**

Mrs. Ramsburg made a motion seconded by Mrs. Biggins and carried to approve the 2022 rate structure from Salzmann Hughes, P.C. that has not been increased since 2009 and it is a small increase.

Mrs. Biggins made a motion seconded by Mr. Phiel and carried to deem Police Car #159 as surplus, approve the sale of the vehicle on MUNICIBID (as is) and authorize the Township Secretary to legally advertise for sale. The car is a Chevrolet Caprice and it has engine issues.

Mr. Thomas reported that PennDot Green Light Go grant application has been submitted and the match of \$26,380.00 will be paid from the Liquid Fuels (State) Fund “if awarded.”

Mr. Phiel reported that an ARPA funding criteria update has come out.

Mrs. Biggins reported that the committee has recently been made aware of the need to replace the Police file server and although the purchase was approved in December, the file server was not ordered and now the price has increased by \$5,183.00. **Mr. Phiel made a motion seconded by Mr. Brauning and carried to approve the additional \$5,183.00 cost of the Police file server.**

Lastly, Mrs. Biggins acknowledged the hard work and long hours that Camie Stouck-Phiel has put into the accounting software change-over from Freedom Systems to QuickBooks.

SOLICITOR: Solicitor Wiser reported that he is still working with the County on finalizing the language for the Stream Restoration Easement for the project at the Human Services Building. Solicitor Wiser also reported that the Township is required to provide the broadest possible Worker’s Compensation coverage for the volunteer firefighters and the Board has a proposed Resolution that authorizes operational support activities for the Barlow Volunteer Company. **Mrs. Biggins made a motion seconded by Mrs.**

Ramsburg and carried to adopt the following Resolution:

AUTHORIZATION FOR APPROVING OPERATIONAL SUPPORT ACTIVITIES FOR PARTICIPATING MEMBERS OF THE BARLOW FIRE COMPANY LOCATED IN CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

Lastly, Solicitor Wisser reported that the Township has a de minimis item that requires action. He stated that due to the recent election, the bank’s signature cards need to be updated, removing Supervisor Waybright and adding Supervisor Biggins. **Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to approve ACNB Bank’s Corporate Resolution as stated by Solicitor Wisser.**

Committee Reports and comments from Board Members:

Public Safety – Mrs. Biggins reported that they have made a commitment to try and meet bi-weekly and they have been meeting and working on the file server replacement and car 159.

Park and Recreation – Mr. Toddes reported that there were quite a lot of people in the park even with the snow on the ground, they are working on equipment maintenance getting ready for mowing season.

CTA – Mr. Toddes reported that a hydraulic efficiency review is being done for the South Plant, the Boyd’s School Road extension is getting underway and they are looking into storage for the biosolids that are hauled to Dave Waybright’s farm.

COG – Mr. Phiel reported that the COG still needs a President and Vice-President

Highway, Personnel, Planning and Zoning, Economic Development, CT 411 – No reports

The Zoning Officer and Treasurer’s reports were reviewed.

Manager: Mr. Thomas thanked Mrs. Stouck-Phiel and Mrs. Merryman for their team-work and dedication during this extremely busy time with the audit and change of the accounting software.

Chairman Toddes opened the floor to take questions from residents. The only question came from a non-resident that would not identify herself.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:38 P.M. for an Executive Session to discuss real estate, personnel and possible litigation issues with no action to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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