

**Cumberland Township Board of Supervisors  
1370 Fairfield Road, Gettysburg, PA 17325  
December 21, 2017 Meeting Minutes**

The regular meeting was called to order at 7:00 p.m. by Chair Underwood. Supervisors present were: Paddock, Toddes, Underwood and Waybright. Also present were: Solicitor Sam Wiser, Police Chief Don Boehs and Secretary Carol Merryman. There were approximately 50 residents present; Mary Grace Keller and Harry Hartman from The Gettysburg Times.

Chair Underwood led the Pledge of Allegiance.

**Mr. Toddes made a motion to approve the Minutes of the November 16, 2017 budget workshop and November 28, 2017 regular meeting seconded by Mr. Waybright and carried.**

**Mr. Waybright made a motion seconded by Mr. Toddes and carried to approve the bills in the amounts of: \$63,972.34 from the General Fund, \$4,258.00 from the Escrow Fund and \$38,309.33 from the Fire Tax Fund. Mr. Waybright also made a motion to approve the transfers seconded by Mr. Paddock and carried in the amounts of: \$45,254.16 from the General Fund to the Health Insurance Account, \$1,007.50 from the Escrow Fund to the General Fund, \$48,500.77 from the General Fund to the Fire Tax Fund and \$3,935.52 from the Fire Tax Fund to the General Fund.**

**Public Comment:**

Mr. Michael Galassi, 121 Twin Lakes Drive, spoke regarding the impending tax increase and the costs that the Township has providing services to the residents. He stated that the Township tax is the smallest tax that the residents pay, it is the only tax that you can look out your window and see your money at work and he feels that the Supervisors are doing a good job and they should be supported.

Mrs. Jean Stone, 1745 Mummasburg Road, spoke against the impending tax increase. Mrs. Stone stated that she does not feel that there is any need for a tax increase when the Township has a projected balance at the end of the year of \$1,246,115.00 in the General Fund. She added that there is an additional \$203,498.00 in a CD, \$531,615.00 in a Money Market account and \$500,000.00 set aside for the renovations to the Township Building that can never happen next year given that there is no real plan for it yet that the residents have been able to see.

Mr. Zach Gulden, 25 Apple Avenue, spoke against the tax increase because of a projected \$268,000.00 deficit. Mr. Gulden stated that he is not against the building renovation but feels that the money could have been set aside over a two year period instead of all at once, the health and dental insurance costs of three Supervisors and their spouses should be eliminated, approve a LERTA for the former Boyd's Bears and Schindler buildings for added tax revenue, form a Stormwater Authority to fund future MS4 projects and not take money from the General Fund to donate to Gettysburg Area Recreation Authority (only use money from Park and Recreation) and do not donate to the Rescue Mission to make up the deficit.

Mr. Ron Rock, 839 Boyd's School Road, a retiree, stated that one of the reasons he moved here was because of the reasonable tax rates and is outraged by the amount of money being spent on the Supervisors health benefits and the fact that they don't even pay for their own deductibles and the benefits should not be paid by the residents and feels that this is unfair. He stated that he feels that there is no need for a tax increase.

Mr. Steve Tallman, 29 Bittern Drive, also feels that the Supervisors should not receive health benefits and is concerned about the sizable amount of money set aside for the renovations to the Township Building when plans have never been presented to the public and that should be looked at.

Mr. William Coe, 105 Twin Lakes Drive, retired law enforcement, is proud to live here and takes exception to the Supervisors' health benefits. He stated that he pays for his benefits out of his pension.

Mr. Al Ferranto, 501 Knight Road, added that there have been letters and emails sent to the Township from people that are against the tax increase. Chair Underwood stated that the Board has been provided with copies of all letters and emails. He added that he has always been against the Supervisors' health benefits and feels that if Police regionalization is the factor moving the building renovations forward; that is wrong. He added that the building renovation needs to be publicly vetted and he asked the Board not to increase taxes.

### **Engineer/Plans:**

Mr. Knoebel provided a written report on the following items:

Request for Extension for Supervisor's action on the Desimon Estate Final Plan until March 31, 2018. Mr. Knoebel recommended approval. **Mr. Toddes made a motion seconded by Mr. Paddock and carried to approve the request for extension for action on the Desimone Final Plan until March 31, 2018.**

Mr. Knoebel also recommended approval of the Request for Extension for action on the Musket Ridge Final Plan until March 31, 2018. **Mr. Waybright made a motion seconded by Mr. Toddes and carried to approve the request for extension for action on the Musket Ridge Final Plan until March 31, 2018.**

Request for Extension for action on the James Paddock Plan until March 31, 2018. Mr. Knoebel recommended approval. **Mrs. Underwood made a motion seconded by Mr. Waybright and carried to approve the request for extension for action on the James Paddock Plan until March 31, 2018. Mr. Paddock abstained from the vote.**

Lastly, Mr. Knoebel's report indicates that representatives from KPI met with representatives from The Preserves Homeowner's Association (HOA) on December 8, 2017 to review the items of concern as presented by the HOA and will be reviewing the results of this meeting with the Township in January. Following the meeting with Township staff they will meet with the Developer's representative and anticipate having direction regarding reduction/release of the Developer's Maintenance Security for review and possible action by the Board at their regular meeting in January, 2018.

### **Police Report:**

Police Chief Don Boehs presented a written and oral report of police activities for the month of November, 2017 including: 386 complaints - Psych/suicide-2, Disturbances-9, Assault/Harassment-4, Domestic-11, Criminal Mischief-2, Suspicious Activity-12, Thefts-1, Alarms-15 Medical Emergency-13, 911 Hang Up-3, Sexual assault-1, Burglary-0, Fraud-3, Wanted Person-1, Reported Drug Activity-1, Welfare checks-13, Shots Fired-1, Follow-up Investigation-47; 131 traffic stops, 90 combined arrests, 19 traffic accidents, 34 targeted enforcements and 6,377 patrol miles. He added that they assisted other agencies eight times, they were assisted twice and the assists to Pa. State Police were in Mt. Joy Township. Police Chief Boehs reported that they had 68 walk-in complaints.

## **Active Business:**

The first item under “Active Business” was the review / adoption of the 2018 Final Budgets and 2018 Tax Resolutions. Chair Underwood introduced Officer Rich Keefer, the School Resource Officer for Gettysburg Area School District and member of the Cumberland Township Police Department and Officer Keefer handed out a copy of the General Fund Budget Talking Points to everyone for their information. Supervisor Toddes stated that it was good to see so many people present at the meeting tonight but wished that more people would attend the budget workshops so they understood the process better. Supervisor Paddock stated that his recommendation is to not raise taxes this year and to take a better look at the building renovation and why it is needed. Supervisor Waybright stated that the Board is planning ahead so there does not have to be a huge tax increase later down the road. He also explained the \$500,000.00 set aside for the building renovation is just a portion of the money that is in the Township’s reserve funds now, is not a new tax, this is the first tax increase in eight years and is going to raise his taxes too. Chair Underwood asked those present if they had ever attended a School Board meeting because that is where most of the taxes go and the Township only gets \$.11 of a resident’s tax dollar. Chair Underwood added that a portion of their tax dollar goes to Adams County and she urged everyone to go to these other meetings. Chair Underwood also reported that the Board’s interest in LERTA was made known to the Adams County Economic Development Corporation several years ago and she explained the importance of hiring an employee for the Administration Department because of the demands being made on a small staff of three people. Several residents asked for the opportunity to make rebuttals to the Supervisors’ comments.

Mr. Ferranto stated that the reason that there was no tax increase in the past was because of the concerned citizens coming to the meetings and that the Supervisors should give up their benefits and not ask the residents to pay more taxes so they can have these benefits.

Mr. Coe also stated that he pays for his benefits and the Supervisors should not get benefits for a part-time job and ask the residents to pay for them.

**Mr. Paddock made a motion to not increase the taxes this year to allow time for the Township to further look at the building issues because, in his opinion, the \$500,000.00 was a significant aspect of the Township needing to raise the taxes and to hold off to look at regionalization and doing the building in phases to possibly not have to spend \$500,000.00 or even a \$1,000,000.00. The motion died for lack of a second.**

## **2018 Tax Resolutions**

**Mr. Waybright made a motion to approve the 2018 Final Budgets and set the 2018 Real Estate millage rate for General Fund purposes at 1.9 mills. The motion was seconded by Mr. Toddes and carried. Mr. Paddock voted against the motion.**

**Mr. Toddes made a motion seconded by Mr. Waybright and carried to adopt the Tax Resolution for the additional .25 mills for restricted Fire Department funding purposes (Fire Tax).**

**Mr. Waybright made a motion seconded by Mr. Toddes and carried to re-enact the Per Capita Resolution of 1953 for 2018 without change. The tax rate is \$5.00; two percent (2%) discount; and ten percent (10%) penalty.**

**Mr. Toddes made a motion seconded by Mr. Waybright and carried to re-enact the Earned Income and Profits Tax Ordinance of 2011 for 2018 without change.**

**Mr. Waybright made a motion seconded by Mr. Toddes and carried to re-enact the Local Services Tax Ordinance of 2007 for 2018 without change.**

**Mr. Toddes made a motion seconded by Mr. Paddock and carried to re-enact the Amusement Tax Ordinance of 2014 without change in 2018. The rate of 10% (3.1% which is payable to the Gettysburg Area School District in accordance with its Resolution and the Local Tax Enabling Act) 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.**

**Mr. Toddes made a motion seconded by Mr. Paddock and carried to re-enact the Realty Transfer Tax Ordinance of 2008 for 2018 without change. The tax rate is one (1) percent with Cumberland Township receiving .5% and Gettysburg Area School District receiving .5%.**

Chair Underwood announced that the Re-organization Meeting will be held on Tuesday, January 2, 2018 at 4:00 p.m. at the Township Building.

Chair Underwood reported that the Finance Committee has reviewed requests for fire tax funding from Barlow and Gettysburg Volunteer Fire Departments and recommend that Barlow receive \$16,149.00 and Gettysburg receive \$22,160.33. **Mr. Toddes made a motion to approve the fire tax funding, as recommended by the Finance Committee and reported by the Chair, seconded by Mr. Waybright and carried.**

Chair Underwood also reported that the Finance Committee recommends that the maintenance building shop heater be repaired at the cost of \$1,752.00. **Mr. Paddock made a motion to approve the \$1,752.00 repair to the shop heater, seconded by Mr. Waybright and carried.**

Chair Underwood reported that the Township has received a letter of resignation from Shaun Phiel from his position on the Board of Auditors. Mr. Phiel was recently elected as Supervisor and can no longer serve as Auditor. **Mr. Toddes made a motion to accept Mr. Phiel's resignation from his position of Auditor seconded by Mr. Paddock and carried.** Chair Underwood also explained the duties of an Auditor that consists of attending one meeting per year. At the meeting, the Auditors set a working pay rate for Supervisors. Chair Underwood asked anyone interested in the position to submit a Letter of Interest which can be found on the Township's website.

**Solicitor:** Solicitor Wiser stated that the Township received a letter, dated December 18, 2017, from the Attorney representing Country Meadows of Gettysburg, LP formally withdrawing their Conditional Use application for their proposed Assisted Living Facility. Solicitor Wiser read the entire letter. He also thanked the Board and Staff for the time and effort that went into the fifteen hours of hearings. He added that these conditional use applications come with a significant cost to the Township and this will be discussed further in 2018.

Solicitor Wiser also reported that negotiations have concluded with the Cumberland Township Police Association for a successor Collective Bargaining Agreement (CBA). He added that the current CBA expires at the end of this year and the Township is waiting for the CBA to be signed by the Police Association. **Mr. Waybright made a motion to authorize the execution of the Collective Bargaining Agreement with the Cumberland Township Police Association upon receipt of the executed agreement from the Association seconded by Mr. Toddes and carried.** Solicitor Wiser gave a broad overview of the agreement. He stated that it is a four-year agreement that runs through 2021; contains a 3% wage increase for each year of the agreement and there are increases in the employee contributions to

health care that goes up some each year up to 5%.

Chair Underwood stated that this was to be Mr. Shealer’s last meeting, but he was unable to attend tonight. She added that the Board had wanted to recognize Mr. Shealer for his service to the Township and that he has been a Supervisor since 1990, an employee since 1992 and has vast knowledge regarding the Township. Chair Underwood stated that Mr. Shealer has agreed to be available to answer questions when they arise, that he will be missed and the Board wishes to thank him for all that he has done.

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

**Planning and Zoning** – Chair Underwood reported that the final draft of the Comprehensive Plan should be coming from Adams County Planning.

**Parks and Recreation** – Mr. Toddes reported that things are going well at the Rec Park and things are quiet due to the holidays.

**CTA** – Mr. Toddes reported that the sewer replacement project in front of the building went well, they were very pleased with the contractor and they are still working with PennDOT on the bridge replacement and also manhole replacement on Route 30.

**COG** – Chair Underwood reported that the COG met this morning and they talked about Community Media funded in part by Comcast.

**Economic Development** – Chair Underwood stated that the Township has no economic development and remains a bedroom community. Chair Underwood added that the Township would like to have commercial development and have been willing to work with LERTA for the Schindler building and are trying to get public / private partners to work on the Greenmount sewer project for an assist with the Boyds Bears property.

**CT 411** – Chair Underwood thanked the staff for all of their work over the past four months with the lengthy hearing and work on the budget. Supervisor Toddes thanked all of the residents who stayed for the balance of the meeting after the budget was adopted.

**Highway, Public Safety, Finance, Building and Grounds and Personnel – no reports**

**Staff Reports:**

The Zoning Officer and Secretary’s reports were reviewed.

Unless otherwise noted, all votes were unanimous. The meeting was adjourned at 8:05 p.m.

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Carol A. Merryman, Secretary

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