

**Cumberland Township Board of Supervisors
Minutes of the November 22, 2011 Meeting**

The regular meeting was called to order at 7:00 p.m. by Vice-Chair Underwood. Present were Supervisors Shealer and Phiel; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Assistant Secretary Carol Merryman, Police Chief Don Boehs. Visitors present were: Jim Piet, Dale Molina, Al Ferranto, Carolyn Greaney, Don Sangirardi, Jim Paddock, Mike Jackman, Barry Stone, Steve Toddes, Speros Marinos, Stephanie Mendenhall, Mark Walters from The Gettysburg Times and Tim Prudente from The Evening Sun. Supervisors Golden and Waybright were absent. The meeting was tape recorded.

Vice-Chairman Underwood led the Pledge of Allegiance.

Mr. Shealer made a motion to approve the Minutes of the October 20th and November 3rd workshops and October 25, 2011 regular meeting, as written, seconded by Mr. Phiel and carried.

Mr. Phiel made motion to pay the bills, in the amount of \$89,323.08 from the General Fund seconded by Mr. Shealer and carried.

Engineer's Items:

Mr. Phiel made a motion to approve the request for extension for Cumberland Village, Phase II Preliminary Plan for one year until December 3, 2012 with the condition that the developer notify the Township 60 days prior to the expiration date of the extension seconded by Mr. Shealer and carried.

Mr. Phiel made a motion seconded by Mr. Shealer and carried to approve a bond reduction for Patriot's Choice, in the amount of \$266,214.80, retaining \$25,000.00 per the recommendation of the Township Engineer.

Mr. Phiel also made a motion to approve the Sewage Planning Exemption for the Marty E. Tipton Subdivision to be forwarded to PADEP for their review and approval seconded by Mr. Shealer and carried.

Mr. Shealer made a motion, as recommended by the Township Engineer, to approve a waiver to storm water management for the PA Department of Transportation Cunningham Road Bridge replacement project with the condition that PennDOT owns and maintains all of the facilities seconded by Mr. Phiel and carried.

Public Comment:

Mr. Barry Stone, 1745 Mummasburg Road, asked what the status is of the text change request that was presented to the Zoning Officer regarding concentrated animal use in the Agricultural/Residential District. Mr. Thomas stated that the Board of Supervisors requested that it be forwarded to the Zoning Review Committee and the committee looked at it last Thursday. The committee asked the staff to get some additional information and it will be discussed further at their next meeting on December 19, 2011 at 7:00 p.m.

Mr. Al Ferranto, 501 Knight Road, congratulated Randy Phiel on his election to the position of Adams County Commissioner. He also stated that he is not against the volunteer firemen but, he sees no need for a Fire Tax because it is already in the proposed budget and he is afraid that there will be unintended consequences and residents will stop donating to the Fire Department. He also stated that he would like to see an Appreciation Day for the fire departments.

Mr. Speros Marinos, 912 Baltimore Pike, stated that the Cumberland Township Historical Society will be meeting on December 5, 2011 and Dave and Bea Waybright will speak about the Mason-Dixon house which

they own and have restored. He also reported that he passed the barn preservation information that Mrs. Golden gave him onto Historic Gettysburg Adams County because their Society is only a repository for paper documents. Mr. Marinos thanked Mr. Phiel for his service and wished him luck in his new position.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of September including 564 complaints, 57 combined arrests, 73 traffic stops, 20 traffic accidents and 20,270 patrol miles for the past two months. He added that they assisted other agencies 11 times and they were assisted 4 times.

Active Business:

Vice-Chair Underwood affirmed that the Conditional Use Hearing will be held on December 14, 2011 at Barlow Fire Hall at 7:00 p.m. and arrangements have been made with Barlow to use the hall on the 15th in the event that the hearing does not get finished on the 14th. Solicitor Wisner confirmed that in the case of inclement weather and the hearing has to be canceled that it would have to be rescheduled and re-advertised.

Mr. Thomas reported that the 2012 Preliminary General Fund Budget and ancillary budgets have been prepared with a Real Estate property tax rate of 1.5 mills with all other tax rates remaining the same as in 2011. These budgets will be presented on December 20, 2011 for final adoption. The proposed revenues include a small increase and the proposed expenditures are generally the same as they were in 2011. Mr. Thomas highlighted some items in the budget including employee raises, staffing, performance budgeting, funding depreciation, paying down debt and a restricted .10 mill Fire Tax. He added that the preliminary budgets are still works in progress and they are on the Township's website. The donation to the SPCA was discussed. **Mr. Phiel made a motion to approve the 2012 Preliminary Budgets, as presented, seconded by Mr. Shealer and carried.**

Mr. Thomas reported that a request for proposal was sent out for auditing services for 2012, 2013 and 2014 and we received proposals back from Sturgill Trostle and Smith Elliott Kearns and Company, LLC. The rates from Sturgill Trostle were as follows: 2012- \$7,700.00, 2013- \$7850.00 and 2014- \$8,000.00. The rates from Smith Elliott Kearns and Company, LLC were as follows: 2012- \$6,850.00, 2013- \$7050.00 and 2014- \$7,250.00 and there could be additional charges for unforeseen circumstances. Mr. Thomas stated that they are both reliable firms and he has since learned that Sturgill Trostle is under contract to perform the Cumberland Township Authority's audit for 2012 and 2013 and he would like to have the same firm auditing the Township since they are a component unit of the Township. **Mr. Phiel made a motion to approve the proposal from Sturgill Trostle for two years of auditing service at the rates mentioned above for 2012 and 2013 seconded by Mr. Shealer and carried.**

Mr. Thomas also reported that the Teamsters representative is working on the final edits of the Collective Bargaining Agreement.

Solicitor Wisner stated that Cumberland Township Authority needs an easement behind the maintenance building in conjunction with the Willoughby Run Pump Station and he has reviewed the documents and found them to be legally sufficient and ready for the Board's approval. **Mr. Phiel made a motion to approve the sewer easement for the Willoughby Run Pump Station seconded by Mr. Shealer and carried.**

Mr. Phiel made a motion to schedule the December workshop for December 8, 2011 at 8:30 a.m. and the regular meeting for December 20, 2011 at 7:00 p.m. seconded by Mr. Shealer and carried.

Mr. Phiel also made a motion seconded by Mr. Shealer and carried to approve a request from Eric Yost to rescind his resignation from the Cumberland Township Police Department and reinstate him as a part-time police officer.

Mr. Shealer made a motion seconded by Mr. Phiel and carried to approve a change in the Dental and

Vision Insurance carriers to Assurant Employee Benefits and the Life, Accidental Death and Dismemberment and Short Term Disability to The Standard Insurance Company.

Solicitor Wisner reported that the Authority approached the Township about the Township Manager, Mr. Thomas, assuming administrative managerial duties and a Management Agreement has been drawn up between the three entities and action by the Board should be predicated on Mr. Thomas agreeing to assume such duties. Mr. Thomas affirmed that he is willing to assume the duties, as requested. **Mr. Phiel made a motion to approve the Management Agreement between the Township, Township Authority and Mr. Thomas, Township Manager seconded by Mr. Shealer and carried.**

New Business:

Vice-Chair Underwood reported that Chairman Waybright has received an appointment to the Gettysburg National Military Park Advisory Committee.

Reports:

Mr. Thomas reported that he is serving on the Steering Committee assisting Barlow Fire Company and Greenmount Fire Company with their merger discussions and he is very impressed with the Joint Committee that has been appointed from both organizations as they are actively meeting, holding discussions and appointing sub-committees. He added that he will keep the Board up to date with their progress.

The Zoning Officer and Assistant Secretary's reports were reviewed.

Solicitor:

Solicitor Wisner reported that York Adams Tax Bureau has been appointed to collect the Township's Earned Income Tax through the Act 32 process and the Township also needs a collector for the Local Services Tax and a Tax Collection Service Agreement has been drawn up and is ready for the Board's approval. He added that the appointment is from year to year and the cost of the collection is a standard 2%. **Mr. Phiel made a motion to approve the Tax Collection Services Agreement with the York Adams Tax Bureau seconded by Mr. Shealer and carried.**

The meeting was adjourned at 7:57 p.m. for an Executive Session to discuss a personnel issue with no report to follow, by motion of Mr. Phiel seconded by Mr. Shealer and carried.

Carol A. Merryman, Asst. Secretary

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