

**Cumberland Township Board of Supervisors
1370 Fairfield Road, Gettysburg, PA 17325
September 28, 2021 – 7:00 P.M.**

At 7:06 P.M. the regular meeting was called to order by Chairman Waybright. Present were Supervisors: Waybright, Toddes, Phiel, Ramsburg and Brauning. Also present were Solicitor Sam Wiser, Township Manager Ben Thomas, Jr., Police Chief Don Boehs, Engineer Tim Knoebel, Treasurer/Finance Director Camie Stouck-Phiel and Secretary Carol Merryman. There were approximately 40 Township residents present and Jim Hale from The Gettysburg Times. Several residents participated via Zoom.

Chairman Waybright led the Pledge of Allegiance.

Chairman Waybright reported that the Supervisors held an Executive Session immediately prior to the meeting to discuss personnel issues.

Mr. Phiel made a motion seconded by Mrs. Ramsburg and carried to approve the agenda.

Mr. Toddes made a motion seconded by Mr. Phiel and carried to approve the Minutes of the August 24, 2021 Regular Meeting.

Mrs. Ramsburg made a motion seconded by Mr. Toddes and carried to approve the bills in the amounts as stated by the Chairman: \$476,044.16 from the General Fund, \$3,778.25 from the Escrow Fund and \$105,128.46 from the State Fund.

Solicitor Wiser reported that Cumberland Township Authority recently did some financing/refinancing and received a very low interest rate from ACNB Bank. He added that the Board asked him to reach out to ACNB Bank, they will offer the Township the same rate and the Board is considering refinancing the Township's existing debt currently with Orrstown Bank at a rate of 2.25%. He reported that the proposed new financing rate is 1.28% fixed for 10 years and a floating rate thereafter of 79% of prime with a cap of 4% from ACNB Bank. The overall debt reduction will save the Township tens of thousands of dollars and the term of the loan will not be increased. Solicitor Wiser added that in order for the Township to borrow money they must comply with the Local Government Unit Debt Act and the Township must adopt an ordinance and the ordinance has been duly advertised.

ORDINANCE 2021-187

AN ORDINANCE AUTHORIZING THE INDEBTEDNESS OF CUMBERLAND TOWNSHIP TO PROVIDE FUNDS FOR (1) THE REFINANCING OF IT'S GENERAL OBLIGATION BOND, SERIES OF 2011, AND (2) TO PAY COST OF ISSUANCE OF THE NOTE

Mr. Toddes made a motion to adopt Ordinance 2021-187 seconded by Mr. Brauning and carried.

Mrs. Ramsburg read the following statement:

The Personnel Committee offers the following report regarding recommendations for the Police Department Staffing:

As reported at prior Board meetings, the personnel committee has, since the spring of this year, been evaluating the potential recommendations for the Police Department staffing. This review has included requests for input from the Police Chief, recommendations from the Public Safety and Finance Committees, and input from the police officers. The Board of Supervisors has requested, on multiple

occasions, department operation options from the Chief of Police as part of the Board's due diligence in ensuring that the services the residents desire are delivered in the most efficient manner (with limited response). Also factored into the evaluation is the status of the School Resource Officer position, the continuation of which remains uncertain until the Township and School District negotiate a successor agreement.

The Township is currently down one officer. An officer retired from the Sergeant position earlier this year and the Board acted to appoint the Detective as acting Sergeant. As of October 3rd, Lt. Guise will be retiring from the Department. Like any professional organization, the departure of senior leadership calls for a review of operational considerations to ensure the health and continuity of the organization. Rather than assume that the status quo is in the best interest of the residents of the Township, members of the Board desired to understand the needs of the community and department and make recommendations consistent with those needs.

To concentrate efforts on keeping boots on the ground, the Personnel Committee makes the following recommendations:

1. The Board of Supervisors should authorize the Personnel Committee to begin the process of recruiting one Full-time Officer.
2. The Board of Supervisors are looking into the idea of part-time police officers.
3. The Board of Supervisors should direct the Public Safety and Finance Committee to continue discussion with the School District to determine whether the SRO position will remain in the Department.

The Personnel Committee will continue to evaluate options regarding the Department and make further recommendations to the Board as appropriate.

Public comment: The following people commented on police staffing:

Roger Somplak, 440 Old Mill Road

William Coe, 105 Twin Lakes Drive

Mary Coe, 105 Twin Lakes Drive

Walter Kurycz, Jr., 95 Kinsey Drive

Alex Zawadski, Emmitsburg Road

Michelle Smyers, 515 Old Mill Road

Kirby D. Scott, 18 Kestrel Drive

Sgt. Danny Sanchez, 1200 Fairfield Road (Army National Guard)

Michael Dickerson, 15 Redding Lane

Ron Fox, 230 Longview Blvd.

Elizabeth Magner, 470 Belmont Road

Terri Matlock, 111 Bittern Drive

Stanley Flaggs, 284 Swetland Road

Christine Biggins, 270 Blackhorse Tavern Road

Mr. Todd made a motion seconded by Mr. Brauning and carried to hire one police officer now.

Visitor: Mr. Andrew Dalton, Adams County Historical Society, spoke to the Board regarding a donation to the new facility that they are currently constructing. He stated that they have been speaking to all of the townships and boroughs in the county and they hope that the Board will consider donating 5% of the American Rescue Plan Act funds to their new facility. Mr. Dalton added that the facility will contain a lot of information about Cumberland Township's history, will increase tourism and bring economic benefits to the area. Lastly, Mr. Dalton stated that admission will be free for all students. Chairman Waybright

stated that the Board will consider this request during their budget process.

Engineer: Mr. Knoebel presented the Artillery Ridge Campground Final Land Development Plan and reported that the campground was granted a Conditional Use approval several months ago. Mr. Knoebel reported that the plan has a recommendation for approval by the Township's Planning Commission subject to the engineer's comments being addressed and there is one waiver request for the requirement to submit a separate preliminary plan. Mr. Knoebel went over the comments that remain to be addressed and his recommendation that the substantive comments, particularly relating to water and sewer, should be addressed prior to approval. Mr. Blaine Markel, the applicant's representative, stated that they were hoping to get conditional approval this evening and he talked about several of the comments. Mr. Gary Ott, Jr. stated that they have no issues with what the engineer is asking for and he also asked for a conditional approval of the plan so they can start the swimming pool, pavilion and mini golf and the sewer and water does not have anything to do with this part of the work. Mr. Knoebel stated that their NPDES approval does give them the right to begin earthmoving but, they will not get a building permit until the plan is recorded. Solicitor Wisner advised Mr. Ott to check with Michele Long regarding the status of the building permit for the swimming pool. **Mr. Phiel made a motion to take no action on the Artillery Ridge Campground Final Land Development Plan seconded by Mr. Toddes and carried.**

Mr. Knoebel stated that the Township has a time extension request for the Musket Ridge Plan. He added that time is needed to get the new owner up to speed and they are dealing with an access issue. **Mr. Toddes made a motion seconded by Mr. Brauning and carried to approve a request for extension for the Musket Ridge Land Development Plan until March 31, 2022.**

Mr. Knoebel also reported that the Township has a request for release of financial security for the Lincoln Development Co. Storage Building project and he has prepared a memo dated September 28, 2021 that recommends that a full release may be made to the developer. **Mrs. Ramsburg made a motion seconded by Mr. Phiel and carried to approve a full release of financial security, in the amount of \$32,326.80, for Lincoln Development Co.**

Mr. Knoebel reported that they had been asked to prepare engineering studies for a number of new developments regarding stop intersections being ordained. He added that he just supplied drafts of those reports to Mr. Thomas. Mr. Thomas added that the studies will be reviewed and then go to Solicitor Wisner to draft an ordinance.

Mr. Knoebel reported that the Township has received a revised Professional Services Agreement from Clauser Environmental, LLC, in the amount of \$52,000.00 for the design and permitting of the stream restoration projects for MS4. The construction portion of the projects has been removed. He added that the proposal includes \$12,000.00 for KPI for the support services that they need such as surveying and calculations for the stormwater flow rates. **Mr. Toddes made a motion to approve the revised Professional Services Agreement with Clauser Environmental, LLC seconded by Mrs. Ramsburg and carried.** Mr. Knoebel also stated that Clauser requires a deposit that KPI will advance to them and then invoice the Township.

Lastly, Mr. Knoebel reported that the Township is required to submit an MS4 annual report to PaDEP by the end of September and it is ready to go out electronically.

Police Report: Police Chief Don Boehs presented a written and oral report of police activities for the month of August 2021 including: 271 complaints, 30 traffic stops, nine traffic accidents, 15 targeted enforcements, 4 combined arrests, 9,382 patrol miles and 35 walk-in complaints. He added that they assisted other agencies eight times and they were assisted eleven times. There were three assists to Pa. State Police.

Active Business:

Mr. Thomas requested that the Board consider adoption of Resolution 2021-12 that makes the following supplemental appropriations for the 2021 budget from the American Rescue Plan allocation that was voted on at the August meeting: administrative costs, MS4 costs, revenue loss and Act 537 planning for the Greenmount area. **Mrs. Ramsburg made a motion seconded by Mr. Phiel and carried to adopt Resolution 2021-12.**

RESOLUTION 2021-12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF CUMBERLAND PROVIDING FOR THE SUPPLEMENTAL APPROPRIATIONS FOR THE 2021 BUDGET

Mr. Thomas also presented a revised Employee Computer Policy that has been amended because of concerns expressed by the Police Officers. He added that the revised policy has been reviewed by Solicitor Wisner's office. **Mr. Phiel made a motion seconded by Mr. Toddes and carried to adopt the revised Employee Computer Policy.**

Mr. Thomas asked the Board to affirm the DECLARATION OF DISASTER EMERGENCY that took effect on or about September 1, 2021 for Tropical Storm IDA. **Mrs. Ramsburg made a motion to affirm the Declaration of Disaster Emergency for tropical storm IDA seconded by Mr. Brauning and carried.**

Mr. Thomas reported that the staff has been reviewing the Escrow Fee schedule, looking at how it is handled in other townships and will be making a recommendation in January, 2022.

Mr. Thomas also reported that the Township has received notification from Carl Athey that he is resigning from his position on the Zoning Hearing Board. He added that Carl has been an asset over the years volunteering on various boards and committees. **Mr. Brauning made a motion to accept Mr. Athey's resignation from the Zoning Hearing Board seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the Township received a letter from the Adams County Commissioners stating that they will not be conducting the bidding process for solid waste as they did in the past. He added that they will still be assisting the Townships and this will be placed on next month's agenda and more information will be provided.

FINANCE COMMITTEE: Mr. Phiel reported that the Township received \$39,741.79 from the Commonwealth of Pa. Firemen's Relief that goes to Barlow's Firemen's Relief Association. He added that the Finance Committee is recommending that the existing door and side-lite framing in the Police Department be replaced at a cost of \$5,569.00. **Mr. Phiel made a motion to replace the door seconded by Mr. Toddes and carried.** Mr. Phiel also reported that all of the road projects are completed with the exception of the stormwater project on Lakeview Dr., the new Durango is now in service and the SRO vehicle is having the decals removed and then it will go on Municibid to be sold.

SOLICITOR: Solicitor Wisner reported that the RV ordinance amendment will provide parameters for someone to occupy, on a temporary basis and under certain circumstances an RV and this comes up from time to time when someone loses their residence due to fire or other natural disaster. Solicitor Wisner read through portions of the amended ordinance. He added that the next step will be to advertise the ordinance for adoption and hold a public hearing. **Mr. Toddes made a motion to advertise the amended ordinance seconded by Mr. Phiel and carried.**

Committee Reports and comments from Board Members:

Highways – Mr. Brauning read the monthly Maintenance Department report that was supplied by Road Superintendent Chris Walter.

Park and Recreation – Mr. Toddes reported that they have added on to the pump track and Steve Niebler is now the President of Gettysburg Area Recreation Authority.

Planning and Zoning – Mr. Waybright reported that the committee has turned everything over to the consultant who will be creating the draft Zoning ordinance.

CTA – Mr. Toddes reported that they will be extending the sewer lines on Boyd’s School Road and eliminating a pump station, they are looking at metered rate billings and the rates may be going up.

COG – Mr. Phiel reported that there was a presentation on Human Trafficking that goes on throughout the country and also a presentation on the Solid Waste contract.

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

The Zoning Officer and Treasurer’s reports were reviewed.

Unless otherwise noted, all votes were unanimous.

The meeting was adjourned at 8:30 P.M. for an Executive Session to discuss real property, contract negotiations and personnel issues with no action to follow.

Carol A. Merryman, Secretary

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_____) Supervisors
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