

**Cumberland Township Board of Supervisors
Minutes of the December 21, 2010 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairman Waybright. Present were all Supervisors; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Carol Merryman, Police Chief Boehs, Dale Molina, Don Sangirardi, Carolyn Greaney, Speros Marinos, Allen Baldwin, Jim Brown, Mike Slaybaugh, Richard Kitner, Mike Galassi, John Longanecker, Bea Waybright, Jeff Bucher, Tom Gilbert, Betty Howard, Lydia Garcia, Jim Zero and Rick Fulton from The Gettysburg Times. The meeting was tape recorded.

Chairman Waybright led the Pledge of Allegiance.

Mrs. Underwood made a motion to approve the Minutes of the November 23, 2010 regular meeting, as written, seconded by Mrs. Golden and carried.

Mr. Phiel made a motion to pay the bills, in the amount of \$114,011.39 from the General Fund, \$7,614.18 from the State Fund and \$4,137.09 from the Park and Rec account, seconded by Mrs. Underwood and carried.

Engineer's Items:

Mr. Thomas reported that a request has been received to release the Letter of Credit for the Wayne and Susan Hill project "Preserve at Plum Run" as the plan has been denied by the Board of Supervisors. **Mrs. Underwood made a motion to release the bond for Preserve at Plum Run seconded by Mr. Phiel and carried.**

Mr. Thomas also reported that there is a second request for a release of the bond being held for Hagemeyer North America for their land development plan on Biglerville Road. He added that Mr. Knoebel has done a site review and supplied a recommendation letter dated December 21, 2010 and the recommendation is to hold \$6,250.00 until a few items that are listed in the letter are completed. **Mrs. Golden made a motion to reduce the bonding for Hagemeyer North America, in the amount of \$119,645.90, retaining \$6,250.00, seconded by Mr. Phiel and carried.**

Chairman Waybright recognized the following individuals for their contribution to Cumberland Township: **CARL SCHMICK, LYDIA GARCIA, ALLEN BALDWIN – GETTYSBURG FIRE COMPANY, MIKE SLAYBAUGH – BARLOW FIRE COMPANY AND JEFF BUCHER**

Visitors:

Mr. Don Sangirardi read a prepared statement from the Concerned Citizens that included questions about the 2010 and 2011 budgets and that statement is attached. Chairman Waybright asked that questions be emailed to the township prior to the meeting so they have time to do research and answer the questions accurately.

Mr. Richard Kitner reported that a new group is being formed in the Township and the new group is not in opposition to, or in conflict with, the Concerned Citizens and he invited them to join this new group, Cumberland Township Police Assistance Together (PAT). He reported that they will, in accordance with the Chief's wishes, help the department where they can.

Mr. Jim Zero, New Oxford Borough Councilman, offered to answer questions regarding their request for support of the Community Media Initiative for Public, Education and Government Access. This will be added on the next workshop agenda.

Mr. Allen Baldwin, on behalf of the Gettysburg Fire Department, thanked the Township and Police Department for their support.

Mrs. Lydia Garcia stated that she feels that Cumberland Township has the finest Police Department that she has ever encountered and she comes from a Township with a 54-man department. She added that they are kind, attentive and professional and they have been a great help to her and her husband. Mrs. Garcia offered to help the department in any way that she can.

Mr. Speros Marinos, 912 Baltimore Pike, thanked the volunteers of the Township and reported times when there was loud noise coming from The Pike. Mr. Marinos stated that he did not report this to the Liquor Control Board instead he contacted C. L. Hankey LLC. He added that he has received the report from the PA Liquor Control Board from the meeting regarding the enforcement of the Noise Ordinance and he asked the Board not to pursue anything else with C. L. Hankey, LLC within the confines of the PA Liquor Control Board.

Chief Boehs presented a written and oral report of police activities for the month of November including 410 complaints, 20 combined arrests, 27 traffic stops, 13 traffic accidents and 8429 patrol miles. He added that they assisted other agencies 5 times and they were assisted 3 times.

Mr. Martin Healy stated that he had read that the part-time police officers are receiving a cut in pay and he asked if this cut also applied to other Township employees. Mr. Thomas responded that the non-uniformed employees are receiving a wage freeze and a reduction in hours and the full-time police officers are receiving a wage freeze. Mr. Healy urged the Board to reconsider such a drastic cut in the part-time officers' pay.

Ms. Rachel Killeen, Public Financial Management, Inc. presented a Summary of Bank Loan Proposals, for the restructuring of the Township's debt. She reported that they received proposals back from five banks and Orrstown Bank offered the longest fixed term at 10 years and a good rate. She added they would not require the Township to move their bank accounts to them. Mrs. Golden asked her to prepare a scenario where the Township pays a little higher payment in the beginning to save more on the back end of the loan. The Board will take some time to review this information and it will be placed on a workshop agenda. Solicitor Wisner stated that the Township would have to advertise and adopt a debt ordinance and prepare the other necessary paperwork. He asked that the Board authorize this advertisement at their next workshop so he can get the process started in hopes of closing the loan mid-February.

Mr. Thomas reported that this is the first time that the Board will be giving final approval of multiple budgets to make the General Fund a true operational account that is analyzed monthly by the department heads and the Board of Supervisors. He added that the millage rate in 2010 was 5.5 mills and the Township has received revised certified assessed values from Adams County, in the amount of \$723,498,500.00 with a millage rate of 1.4995, and he suggested that the Board round that rate off to 1.5 mills. He added that the 2011 General Fund Budget is projected to end in 12 months with a small surplus of \$3,500.00 and there are no capital expenditures proposed and no excess annual revenues to support depreciation, vehicle or equipment replacement in the future. The General Fund Budget does include a computer upgrade for the office and the replacement of the Code Enforcement Officer's vehicle with a used vehicle. He added that the budget is balanced with approximately 9% in budget cuts. **Mrs. Golden made a motion to make the tax millage rate for 2011 1.5 mills for real estate seconded by Mr. Phiel and carried. Mr. Phiel made a motion to adopt the 2011 General Fund, State Fund, Park and Recreation Fund, Traffic Impact Fund and Capital Reserve Fund budgets seconded by Mrs. Golden and carried. Mrs. Underwood made a motion to adopt the 2011 Tax Resolutions seconded by Mr. Shealer and carried.**

2011 TAX RESOLUTIONS

BE IT RESOLVED THAT the Per Capita Resolution of 1953 be re-enacted for 2011 without change. The tax rate is \$5.00. 2% at discount, 5% at par and 10% at penalty.

BE IT RESOLVED THAT the Admission Tax Ordinance of 1978, amended, continue without change in 2011. The rate is 10% (Township receives 5% and Gettysburg Area School District receives 5%).

BE IT RESOLVED THAT the Tax Millage for 2011 be set at 1.5 mills for Real Estate.

BE IT RESOLVED THAT the Earned Income Tax Resolution of 1978 be re-enacted for 2011 without change. The tax rate is 1.7% (Township receives .5% and Gettysburg Area School District receives 1.2%).

BE IT RESOLVED THAT the Realty Transfer Tax Ordinance of 2008 be re-enacted for 2011 without change. The tax rate is 1% (Township receives .5% and Gettysburg Area School District receives .5%).

Mrs. Golden made a motion to accept, with regret, the resignation of the Receptionist, Christina Danos, effective January 13, 2011 seconded by Mrs. Underwood and carried.

Mrs. Golden made a motion to schedule the Reorganizational Meeting for Monday, January 3, 2011 at 4:00 p.m. seconded by Mrs. Underwood and carried.

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

Solicitor:

The Board approved, upon advice by Solicitor Wisner, a request from Bob Campbell, on behalf of the Grandview Station Subdivision, to allow them to place a provision in the deed and a note on the plan regarding the shared use and maintenance of the driveway rather than providing a formal agreement. Solicitor Wisner added that the language needs to be approved by the township engineer and the plan will need to be revised.

Mr. Thomas reported that the Chairperson, by law, is given the opportunity to declare a “Snow Emergency” and may designate other people to do the declaration such as the Chief of Police or Superintendent of Roads. Chairman Waybright delegated his power to enact a “Snow Emergency” to the Superintendent of Roads, Chief of Police or Township Manager (responsible for notifying the media).

At 8:35 p.m., Chairman Waybright adjourned the regular meeting for an Executive Session to discuss a personnel issue with no report to follow.

There being no further business the meeting was adjourned at 9:00 p.m. by motion of Mrs. Golden seconded by Mr. Phiel and carried.

Carol A. Merryman, Asst. Secretary

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