

Minutes of the October 24, 2006 Meeting

The regular meeting was called to order at 7:30 p.m. by Chairman Gregor. Present were all Supervisors; Flo Ford, Carol Merryman, Tim Knoebel, Scot Pitzer from the Gettysburg Times and Meg Bernhardt from the Evening Sun. Approximately 30 people were present for Donald Boehs swearing in. The meeting was tape-recorded.

Mr. Weikert made a motion to approve the Minutes of the October 10, 2006 meeting as presented, seconded by Mrs. Underwood and carried.

Mr. Waybright made a motion to approve the bills list in the amount of \$42,266.51 from the General Fund, seconded by Mr. Weikert and carried.

Chairman Gregor reported that the next item on the agenda was something very special and something that has not been done here in the township for over twenty years, that being swearing in a new Chief of Police, Donald Boehs. He added that Don comes to Cumberland Township from Lower Gwynned Township in Montgomery County and was chosen from over eighty applicants. He welcomed him, his family, friends and former co-workers present for this occasion. Chairman Gregor administered the Oath of Office and Mr. Boehs affirmed that he would discharge the duties of Police Chief with fidelity. Chairman Gregor reported that a reception would be held following the meeting and invited everyone to stay.

Mr. Charles Stamm of 90 Palace Drive made the Board aware of a dangerous situation that occurred when a yard sale was held on Biglerville Road and cars were parking on both sides of the road making it very hard to see to pull out of Palace Drive. Chairman Gregor assured Mr. Stamm that they will look into this situation.

There was no Old Business.

The first item on the agenda under New Business was approval of the Biglerville Crossing Preliminary Plan. Chairman Gregor reported that this action is taking place because of a Court Order issued by Judge George. Mr. Knoebel explained that this subdivision is located mainly in Butler Township with ten houses being located in Cumberland Township. **Mrs. Underwood made a motion to approve the Biglerville Crossing Preliminary Plan as per Judge George's Order and Opinion subject to a condition that the Final Plan must include verification that public water and sewer facilities service the properties. The motion was seconded by Mr. Shealer and carried.**

Mr. Knoebel reported that the next item is a Planning Module for Round Top Campground. He explained that Round Top is an existing campground in the VMX zoning district bound by Rt. 15 and Knight Road. He added that they are adding thirteen campsites with water and sewer in an area previously used for tent camping. He reported that the Planning Module is in order to be sent on to PaDEP for their approval. Chairman Gregor reported that these are not the same campsites that were previously granted Conditional Use approval. **Mr. Weikert made a motion to approve the Planning Module for Round Top Campground seconded by Mr. Waybright and carried.**

Mr. Knoebel reported that the Board also has the Final Land Development Plan for the additional sites at the Round Top Campground on the agenda for their action. He reported that the plans have been reviewed and revised and recommended for approval by the Planning Commission. He added that a Resolution for Final Plan Approval has been prepared with the only outstanding issue being PaDEP's approval of the Planning Module. **Mr. Shealer made a motion to approve Resolution 06-20 Final Plan Approval for Round Top Campground contingent upon conditions 2.a. and 2.b. being addressed seconded by Mrs. Underwood and carried.** For the benefit of the representative for the campground, Mr. Knoebel clarified that it would be fine

for them to begin their site work with this conditional approval.

Mr. Knoebel reported that the next item on the agenda is a Preliminary Subdivision Plan for Joseph Tripi. The plan proposes the creation of 3 lots in the AR zoning district on Pumping Station Road. He added that the Sewage Planning Module has been forwarded to PaDEP for their review and approval and there are some conditions in his latest review letter of October 12, 2006 which will be addressed on the Final Plan. The Planning Commission has recommended approval of the plan. **Mrs. Underwood made a motion to approve the Joseph Tripi Preliminary Plan subject to the conditions in Mr. Knoebel's October 12, 2006 letter being addressed on the Final Plan seconded by Mr. Weikert and carried.**

Mr. Knoebel reported that the next item is a two-lot Final Subdivision Plan for Weibe Viersma on Barlow-Greenmount Road. The plan creates an 11.6 acre building lot in the AR zoning district. The Sewage Planning Module also needs approval to be forwarded to PaDEP. He added that the Resolution for Final Approval contains several conditions including approval of the Planning Module by PaDEP and payment of a traffic impact fee. **Mr. Waybright made a motion to approve Resolution 06-21 Final Plan Approval for Weibe Viersma and the Sewage Planning Module seconded by Mrs. Underwood and carried.**

Mr. Knoebel reported that the last plan on the agenda is a Land Development Plan for Herff Jones located in the Industrial zoning district on Boyd's School Road. The plan proposes a 110' x 180' building addition to be used as part of their binding process for the yearbooks that they print. He added that the plan has been reviewed and revised and the remaining conditions are noted on the Resolution and there is one waiver requested to Section 516.2 to waive the applicable recreation fees. **Mr. Weikert made a motion to grant the request waiving Section 516.2 requiring the applicable recreation fees seconded by Mr. Waybright and carried. Mr. Waybright made a motion to approve Resolution 06-22 Final Plan Approval for Herff Jones Land Development Plan seconded by Mr. Weikert and carried.**

Mr. Knoebel explained that the Supervisors received a request from Agrotors, Inc. to remove a note from a Subdivision Plan that they had approved in 1993 stating that "Lot #1 is to be retained as a lot addition to other adjacent lands of Agrotors, Inc.", due to a lack of sewage testing. He added that the lot has since been tested for a sewage disposal system and under advice from the township's solicitor the lot may be able to be conveyed with the Board's action to allow the note to be removed from the plan and something being recorded showing that the note has been removed. **Mrs. Underwood made a motion seconded by Mr. Weikert and carried to approve the removal of the note from the Agrotors, Inc. Plan prepared by Mark A. Kuntz, Surveyor and approved on February 9, 1993 – "Lot #1 is to be retained as a lot addition to other adjacent lands of Agrotors, Inc."**

Mr. Knoebel reported that the township received two requests for Bond Reduction from J. A. Myers for Phases 1 and 2 of Patriot's Choice. He added that his office has made the necessary inspections and prepared letters recommending the releases as requested. **Mr. Waybright made a motion to approve the request for Bond Reduction for Phase 1 Patriot's Choice in the amount of \$120,092.50 leaving a balance of \$185,810.93, as recommended by the township's engineer, seconded by Mrs. Underwood and carried. Mr. Shealer made a motion to approve the request for Bond Reduction for Phase 2 Patriot's Choice in the amount of \$526,473.42 leaving a balance of \$693,032.88, as recommended by the township's engineer, seconded by Mr. Weikert and carried.**

Mr. Shealer made a motion seconded by Mr. Weikert and carried to approve a Request for Extension for Pickett's Choice Condominiums Plan for an additional 90 days for approval of the plan. Approval is now needed by February 5, 2007.

Mr. Weikert made a motion seconded by Mrs. Underwood and carried to approve a Request for

Extension for Graphcom, Inc. for approval of their Land Development Plan until February 1, 2007.

The Supervisors had agreed to cancel both meetings in December and hold only one meeting on December 19, 2006 due to the Christmas holiday. Mr. Gregor reported that he does have a conflict on that night and the one meeting was rescheduled for December 20, 2006.

Mrs. Ford reported that the township received a memo from Adams County Earned Income Tax Collection Agency Transition Committee (ACEITCATC) indicating that the Adams County Earned Income Tax Collection Agency had overpaid the township a total of \$78,344.00 since 2001. The memo indicated that most all townships and boroughs had been overpaid and most school districts were underpaid. Mrs. Ford stated that she has been contacted by several townships and boroughs and they have suggested that they band together to see what can be done. She suggested that it could be brought up at the County Convention on November 8, 2006. Mrs. Underwood stated that she would like the township to take the lead and offer the conference room as a meeting place. She added that she was appalled that the information came in the form of a memo with three options for paying the money back. Mrs. Ford stated that she will contact the solicitor for the now defunct ACEITCA and see if there was any bonding in place. Mr. Weikert stated that he wants this to be handled in a business-like way and does not want to join with any townships or boroughs that would not also handle it that way. Chairman Gregor suggested that Mrs. Ford send a general response back to ACEITCATC indicating that the township is going to do further investigation and at this time, and is not willing to pay the money back as suggested in their memo.

Chairman Gregor reminded everyone that there is Conditional Use hearing tomorrow night and two budget workshops scheduled for October 25 and November 6, 2006.

Being no further business, the meeting was adjourned at 8:10 p.m. by motion of Mr. Weikert, seconded by Mrs. Underwood and carried. A reception followed for Police Chief Boehs.

Carol A. Merryman, Asst. Secretary

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