

Minutes of the December 18, 2007 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, Chief Boehs; Officers Molloy, Guise, Biggins, Higgs, Topper, Trostle, Barbagello and Morehead, District Attorney Shawn Wagner, Assistant DA Brian Sinnett, County Detective Frank Donnelly, Debra and Gene Golden, Mike Galassi, Elizabeth Magner, Scot Pitzer from The Gettysburg Times and Matt Casey from the Evening Sun. The meeting was tape-recorded.

Mrs. Underwood made a motion to approve the Minutes of the November 27, 2007 meeting as presented, seconded by Mr. Waybright and carried.

Mr. Shealer made a motion to approve the bills list in the amount of \$84,064.28 from the General Fund seconded by Mr. Weikert and carried.

No visitors addressed the Board.

Chairman Gregor presented a Certificate of Appreciation to Mr. George Weikert for serving on the Board of Supervisors for fourteen years. Mr. Weikert is leaving the Board to serve as County Commissioner. Chairman Gregor also presented a Certificate of Appreciation to Henry O. Heiser, III, Esquire for his over thirty years of service to the Board of Supervisors as the township's solicitor.

Chief Boehs thanked the Board of Supervisors and Township Manager for their support and commitment that has allowed him to build the Cumberland Township Police Department into the finest department in Adams County. The Chief also presented the following Commendations and Certificates of Appreciation:

- District Attorney Shawn Wagner for his support throughout the year and particularly to the K-9 Unit and Mobile Command Unit
- Assistant District Attorney Brian Sinnett for his support and assistance with major investigations
- County Detective Frank Connelly for his assistance in an investigation that led to the apprehension and conviction of a murder suspect
- Officer Steve Higgs for his administrative assistance, excellent investigative skills and dedication to the department
- Sgt. Cliff Molloy for apprehending a murder suspect at Wal-mart for the State Police, saving an infant's life and for his assistance in administrative and patrol functions
- Officer Tim Biggins who has left the Detective division, where he will be truly missed, and he, along with "Max", have become the only multi-certified K-9 unit in Adams County
- Office Brand Briggs who is the only Certified Traffic Accident Re-constructionist in the County, managing the Mobile Command Unit and obtaining grant money, equipment and funds for the K-9 Unit
- Officer Dave Ogle for saving the lives of a homeowner and her cat and limiting fire damage to her residence
- Officers Matt Trostle and Dan Barbagello for apprehending a burglar while in progress who was wanted in Maryland for sexual assault
- Detective Tim Guise for his professional investigative skills that led to the apprehension and conviction of a murder suspect

Supervisor Barbara Underwood presented Officer Chad Topper with Officer of the Year. Officer Topper apprehended three felons in 2007. Without hesitation, Officer Topper displayed uncommon bravery and restraint in these dangerous situations.

Chairman Gregor swore in the township's first K-9 officer "Max".

Chairman Gregor reported that the 2008 Budget was tentatively adopted on November 27, 2007 and has been available for public review since that time. **Mr. Shealer made a motion seconded by Mrs. Underwood and carried to adopt the 2008 Budget in the amount of \$2,315,347.00.**

Mr. Shealer also made a motion seconded by Mrs. Underwood and carried to adopt the 2008 Tax Resolutions as follows:

**2008 TAX RESOLUTIONS
RESOLUTION 07-18**

BE IT RESOLVED THAT the Per Capita Tax Resolution of 1953 be re-enacted for 2008 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 2008. The rate is 10% (Township receives 5% and Gettysburg Area School District receives 5%).

BE IT RESOLVED THAT the Tax Millage for 2008 be set at 3.5 mills for Real Estate.

BE IT RESOLVED THAT the Earned Income Tax Resolution of 1978 be re-enacted for 2008 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 Resolution of 1995 be re-enacted for 2008 without change. The tax rate is 1% (Township receives .5% and Gettysburg Area School District receives .5%).

Enacted and ordained this 18th day of December 2007.

/SGN/ John P. Gregor, Chairman

Attest:

/SGN/ Carol A. Merryman, Asst. Secretary

The request from Mr. Robert Sharrah, on behalf of Woodhaven Building and Development, for electric service relocation to GMA Well #8 was tabled.

Mrs. Ford explained that RAK-BLK Ltd. Partnership have changed their plans to reflect the concerns of the Board from the last Conditional Use hearing regarding the very steep slopes and are requesting that another hearing be scheduled. **A Conditional Use hearing for RAK-BLK Ltd. Partnership was scheduled for January 29, 2008 at 7:00 p.m. by motion of Mr. Waybright seconded by Mr. Underwood and carried.**

A Component 1 Sewage Facilities Planning Module for Joseph C. and Susan L. Kessler for a one-lot subdivision of their property located at 180 Swetland Road was approved by motion of Mr. Waybright seconded by Mr. Weikert and carried.

Mr. Knoebel reported that the Apple Ridge Family Medicine Land Development Plan is before the Board and ready for adoption. The plan proposes a small medical office building located on Rt. 34 (Biglerville Road) just north of Boyd's School Road. There is a residential structure located on the property that will remain as an apartment. The Planning Commission has approved the plan and a Resolution has been prepared. The developer is requesting two waivers to allow 10% slopes within 20 ft. of the property line and geometric modification to the 150 ft. clear sight triangle and Mr. Knoebel is comfortable with both waivers. **Mr. Shealer made a motion to grant a waiver from Section 504.1.B; to allow grading that creates 10% slopes within 20 ft. of the property line seconded by Mr. Weikert and carried. Mrs. Underwood made a motion seconded by Mr. Waybright and carried to grant a waiver form Section 404.12.F; to allow geometric modification to the required 150' sight triangle. Mrs. Underwood made a motion seconded by Mr. Weikert and carried to adopt the Resolution for Final Plan Approval for Apple Ridge Family Medicine.**

Mr. Knoebel reported that the township received a request from Woodhaven Building and Development for a bond reduction for Cumberland Village Phase 1A Requisition #3 in the amount of \$212,275.00. After inspection, and by way of a letter dated December 18, 2007, Mr. Knoebel recommended that a reduction of \$178,431.00 be approved leaving a balance of \$935,486.20. **Mr. Waybright made a motion to approve a reduction of the bonding for Cumberland Village Phase 1A Requisition #3 in the amount of \$178,431.00, leaving a balance of \$935,486.00 seconded by Mr. Weikert and carried.**

Mrs. Ford reported that the franchise agreement with Comcast is ready to be acted upon and a date for intention to adopt needs to be set. **Mr. Shealer made a motion to adopt the ordinance authorizing the execution of a cable franchise agreement between the Township and Comcast of Colorado/Pennsylvania/West Virginia, LLC on January 22, 2008 seconded by Mrs. Underwood and carried.**

Chairman Gregor reported that with Mr. Heiser's retirement, the Board has been seeking and has interviewed two candidates to represent the township as its new Solicitor and the Board is ready to sign a Legal Representation Agreement with Thomas R. Campbell, Esquire of Campbell and White, P.C. **Mr. Waybright made a motion to approve the Legal Representation Agreement for 2008 with Thomas R. Campbell, Esquire seconded by Mrs. Underwood and carried.**

Mr. Weikert made a motion seconded by Mrs. Underwood and carried to re-appoint Mr. Richard Redding to the Cumberland Township Authority for a five-year term expiring on 12/31/12.

Mr. Weikert made a motion seconded by Mrs. Underwood and carried to appoint Mr. Michael Galassi to the Board of Auditors to fill an unexpired term created by Mr. David Meno moving from the area. Mr. Galassi's term will expire on 12/31/09.

Mrs. Underwood made a motion to accept, with regret, the letter of resignation from Mr. George Weikert effective December 31, 2007 seconded by Mr. Shealer and carried.

Chairman Gregor reported that the Board has known that Mr. Weikert would be leaving since the election in November and to that end, has been seeking a replacement. He added that three people have been interviewed for the position and the Board has chosen Mrs. Debra Golden to replace Mr. Weikert and fulfill his term until December 31, 2009. He added that Mrs. Golden may chose to run for the position during the 2009 municipal election to fulfill the balance of Mr. Weikert's term until December 31, 2011. Chairman Gregor stated that Mrs. Golden will officially become Supervisor on January 1, 2008.

Chairman Gregor reported that the Township received a request from Mt. Joy Township to include a very small portion of two parcels owned by Dean A. and Judith A. Shultz (located in Cumberland Township) into their Agricultural Security Area. **Mr. Waybright made a motion to approve the request to include the small portions of the Shultz's property located in Cumberland Township in Mt. Joy Township's Agricultural Security Area seconded by Mr. Weikert and carried.**

Mr. Shealer made a motion seconded by Mr. Waybright and carried to approve a request from C. S. Davidson, Inc., on behalf of St. Francis Xavier, for a 90-day extension for approval of their Land Development Plan. Approval of this plan will now be needed by April 7, 2008.

Mrs. Underwood made a motion seconded by Mr. Weikert and carried to approve a request from Sharrah Design Group, Inc., on behalf of Wayne D. and Susan C. Hill, for an extension for approval of their Subdivision Plan until March 1, 2008.

Mr. Shealer made a motion seconded by Mr. Weikert and carried to approve a request from William F. Hill and Associates, on behalf of Adams Christian Academy, to withdraw their Final Land Development

Plan due to unforeseen difficulties in contacting adjacent landowners regarding the proposed grading within the project.

Mrs. Ford reported that the GMA water booster station went online yesterday after three years and three months and the Supervisors have a special meeting on December 27, 2007 at 3:00 p.m. to consider adoption of The Local Services Tax Ordinance. Mrs. Ford reported that she had an inquiry about limbs that were downed by the storm and Mr. Shealer stated that he had instructed the road crew to make a round with the chipper and gather up downed brush that was placed near the road. Chairman Gregor asked the reporters to include this information in their articles regarding this meeting. Mrs. Ford also reported that the Board will hold a workshop on Friday, January 4, 2008 at 8:30 a.m.

Mrs. Underwood reported that she attended a ceremony recognizing the Gettysburg Fire Department's 75% certification of their volunteers and they are rated 40th in the State and should be commended for that.

Mr. Waybright reported that he attended the Adams County Green/Open Space Committee meeting and the money that was appropriated by the County Commissioners was divided up between four applications and he hopes that the Commissioners will continue to fund that program. He added that it would be nice to have a project to get some of the funding into the township.

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

Being no further business, the meeting was adjourned at 8:25 p.m. by motion of Mr. Shealer, seconded by Mrs. Underwood and carried.

Carol A. Merryman, Asst. Secretary

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