

**Cumberland Township Board of Supervisors  
February 21, 2013 Workshop Minutes**

Chairperson Underwood called the workshop to order at 8:30 a.m. Present were Supervisors Shealer, Toddes and Ferranto; Township Manager Ben Thomas, Jr., Solicitor Sam Wiser, Police Chief Don Boehs, Assistant Secretary Carol Merryman, and Engineer Tim Knoebel. Others present were: Speros Marinos, Dale Molina, Carolyn Greaney, Jim Paddock, Steve Tallman, Elizabeth Magner, Jenna Faust from The Gettysburg Times and Amy Stansbury from the Evening Sun. Mr. Waybright was absent. The workshop was recorded.

**Engineer:**

Mr. Knoebel reported that Cumberland Village has bonding in place for all three phases; 1A, 1B and 1C, and since the approval dates back to 2005 and 2006, the Manager requested that the amounts be updated for inflation. He added that he prepared a memo dated January 28, 2013 that shows a 15% increase that he felt was appropriate. He also explained that they have made a request for release of \$74,662.00 for Phase 1A and due to the inflation the recommendation is to retain \$422,809.00 and release \$7,555.00. He also asked the Board to direct the developer, Woodhaven Building and Development, to update the amounts of bonding in accordance with the inflation provisions of the PA Municipalities Planning Code (PMPC) and in accordance with the amounts recommended by the Engineer in the January 28, 2013 memo. Mr. Knoebel will make sure that the developer gets a copy of his memos.

Mr. Knoebel also reported that a Request for Release of bonding has been received by Jayjyoti for their Comfort Suites Land Development on Baltimore Pike and he has prepared a memo dated February 20, 2013 recommending that \$25,000.00 be held for several items that still need to be completed. These items are itemized in his memo and he went over them with emphasis on the maintenance of the porous pavement/parking area that was installed. He also explained that the maintenance requirement is included in the Stormwater Operation and Maintenance Agreement.

Mr. Knoebel reported that the Township has received two 90-day Requests for Extension from HACC for their Parking Lot Expansion and Ely's Farmer's Market and he recommended approval of both requests.

**Public comment:**

Ms. Elizabeth Magner, 470 Belmont Road, asked to reserve her questions/comments until after the Manager explains Item E removing "Application for Amendments by Citizen's" §27-2001.3.

Mr. Speros Marinos, 912 Baltimore Pike, reported that he attended his first Council of Governments (COG) meeting and feels that they should address the mutual aid that Cumberland Township's Police Department gives to other Law Enforcement agencies because it is financially unfair to Cumberland's taxpayers. He also asked for financial fairness in zoning.

**Manager:**

Mr. Thomas reported that the Township has adopted a new Stormwater Management Ordinance following the State and County's requirements and we need to adjust our fees given the time that staff must spend on the new paperwork that is required. He added that there are potentially three phases and the recommendation is that the fee be between \$60.00 and \$90.00. He added that the staff is really trying to help the citizens and the expense to them can be quite large. He added that this fee can be adjusted annually if needed.

Mr. Thomas also reported that when the Board reviewed the fees in January, it was agreed to continue with the \$650.00 application fee for an Amendment by Citizen's, but the additional charges per hour that were suggested were deferred and the Board was asked to review §27.2001.3. Mr. Thomas recommended that the Board remove this section from the Zoning Ordinance and rewrite. He explained that even if this section is

removed, a citizen can make an application for a text change at any time and not pay a penny. The Board would then review the application and if they agree with it and think it is a good idea, then the Board would proceed forward with the Solicitor to make the change. He added that if it is something that the Board does not agree with, the Board would thank the applicant for their submission, but they would not move forward. He added that the way the ordinance reads today, the Board must have public notifications and hearings, whether the Board agrees with it or not. Solicitor Wisner also spoke to the expenses and stated that he agreed with Mr. Thomas that the section should be removed and added that it is unique to Cumberland's ordinance. Mr. Thomas added that if the Board agrees then they would be authorizing the Solicitor to amend this section.

### **Solicitor:**

Solicitor Wisner presented a Draft Ordinance repealing the Admission Tax Ordinance of 1977, as amended, and enacting a new Ordinance providing for an Amusement Tax. He reported that he and the Manager have worked to clarify the requirements of the ordinance. He added that there is a two-part system that differentiates between events where people pay to engage in the event and where people simply pay to be admitted to the event. He also reported that there are two different rates. He asked the Board to review the draft and added that they will also have to speak to the School District.

Solicitor Wisner also reported that he has been working on a Pedestrian Signal Agreement for the National Park Service and hopes to have a copy for the Board for Tuesday night's meeting. He explained that the Park Service wants to make some changes to the pedestrian signal at Pleasanton Avenue on Taneytown Road and the Township must be the applicant. He added that the Township does ask the developer to pay any and all costs and provide financial security. He added that an escrow account will be established for that purpose.

### **Committee Reports:**

**Planning/Zoning** – Chair Underwood reported that the Township has not heard from Adams County regarding the regional planning project.

**Public Safety** – Chair Underwood reported that the police have three quotes for seven (7) new computers and the recommendation to move forward with the purchase from Computer Works comes from both the Public Safety and Finance Committees. The price is \$7,139.65, is included in the 2013 Budget and is under what was budgeted to be spent. Chair Underwood also reported that the committee would like to submit a Letter of Interest to PA Dept. of Community and Economic Development for a Police Study for the Township and Gettysburg Borough and there will be no cost for the study. Chair Underwood also reported that the Police have three quotes for improvements to the Police Station entryway. Mr. Shealer added that he and Lt. Guise are working to obtain a Jersey barrier from PennDOT to put in front of the Police Station door. Approval of this is also recommended by the Public Safety and Finance Committees. The lowest bid, in the amount of \$5,871.00, comes from Exteriors Plus.

**Finance Committee** – Mr. Shealer reported that he has final numbers for the purchase of a new truck from U. S. Municipal Supply through the COSTARS - State Piggyback Program, in the amount of \$77,754.25. The purchase includes an F550 chassis, flat bed aluminum body, Western Wide-Out Plow and spreader. He stated that this is under what was budgeted and the 1990 International will be sold at auction. The truck will be paid for with funds from the State and Capital Reserve Funds. There will be no money borrowed for the purchase and the truck should be in service for the next twenty years.

**Park and Rec** – Mr. Toddes will confirm the meeting with the Adams County Commissioners on the 27<sup>th</sup> and the joint public hearing is scheduled for April 4<sup>th</sup> at the Gettysburg Rec Park. Mr. Toddes asked Chair Underwood to sign a letter to the Gettysburg Area School District.

**Personnel** – No report.

**CTA** – Mr. Shealer reported that the project is moving forward and the piping is 60 -70% completed. He added that the meeting time has been changed to 4:00 p.m. and things are going well.

**COG** – Chair Underwood reported that the meeting is next week. Mr. Ferranto reported that the Legislative Committee did meet and they will be going to the COG with their priorities and will be meeting with the politicians.

**ACTPO** - No report.

**Economic Development** – No report.

**150<sup>th</sup> Commemoration** – Mr. Ferranto reported that they had a meeting on Monday. There will be a parade on July 3<sup>rd</sup> and they are calling it an Independence Day parade at this time and anyone can participate. He also reported that the Park Service Kick-Off is June 30<sup>th</sup> at 7:30 at Meade’s Headquarters.

**CT411** – Chair Underwood reported that the YWCA recognized the Township in their Y Works newsletter for their donation. She also reported that Senator Alloway’s office is moving to Deatrick Village effective next week and she asked Chief Boehs to make his staff aware of this.

There being no further business, the meeting was adjourned at 9:40 a.m. for an Executive Session with no report to follow.

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Carol A. Merryman, Asst. Secretary

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