

**Cumberland Township Board of Supervisors  
August 21, 2014 Workshop Minutes**

Chairperson Underwood called the workshop to order at 8:30 a.m. Present were Supervisors Underwood, Waybright, Toddes and Ferranto; Township Manager Ben Thomas, Jr., Solicitor Sam Wiser, Secretary Carol Merryman, Zoning Officer Bill Naugle and Police Chief Don Boehs. Others present were Dale Molina, Carolyn Greaney, Terry Sheldon and representatives from St. Francis Xavier. Supervisor Paddock was absent. The workshop was recorded.

**Engineer/Plans:**

Mr. Thomas reported that Adams Electric is seeking final approval of their two-lot subdivision plan located on South Ave. that creates one new building lot. The lot will be used to build a “green” (energy-efficient) house by the Gettysburg Area School District. Mr. Thomas also reported that the Cumberland Township Authority has approved and signed a sewage extension agreement and the applicant has addressed all of the engineer’s comments.

Mr. Thomas also reported that the William Hemler two-lot final subdivision plan proposes one new building lot on Belmont Road. He added that there is a Sewage Planning Exemption that needs action by the Board to be forwarded to PaDEP for their review and approval once a letter of adequate capacity has been received from Cumberland Township Authority.

Mr. Thomas reported that the Township has received a request from Harvest Investment Group for approval of a Sewage Planning Exemption for their proposed 42 bed Memory Care Facility and 90 bed Assisted Living Facility located on the corner of Table Rock Road and Boyd’s School Road. He added that the project did receive Conditional Use approval and they have submitted a Land Development Plan for the project. He also reported that they will need a letter of adequate capacity from Cumberland Township Authority.

**Public comment: None**

**Visitors: Representatives from St. Francis Xavier**

Mr. Thomas reported that they have been having good meetings with representatives from St. Francis Xavier and all disciplines involved with the upgrades to the intersection of Table Rock Road and Boyd’s School Road which was part of St Francis’ approved land development plan. He added that the talks are continuing and he and Mr. Knoebel will be presenting a recommendation to the Board to grant St. Francis an extension for the completion of the improvements. Mr. Harry Holt, St. Francis Xavier Church Business Manager, addressed the Board regarding their efforts to move forward with the intersection improvements and stated that they will be coming before the Board at their meeting to request an extension on the completion of the improvements. Mr. Thomas recommended that the Board consider an extension through October 31, 2014 and that there may be a need for a second extension. **Mr. Ferranto made a motion to grant St. Francis Xavier an extension until October 31, 2014 for the completion of the intersection upgrades at Table Rock Road and Boyd’s School Road pending receipt of a written request seconded by Mr. Waybright and carried 4-0.**

Mr. Holt also asked if St. Francis would be exempt from payment of the Amusement Tax and Solicitor Wiser stated that they are not exempt. Mr. Holt read and submitted written comments regarding the proposed Amusement Tax Ordinance mainly regarding the exemption of public schools and not private schools. Solicitor Wiser explained that one political subdivision of the Commonwealth cannot tax another political subdivision of the Commonwealth and that is why public schools are specifically mentioned as being exempt from the tax. Solicitor Wiser also advised Mr. Holt that there have been a few changes made to the draft ordinance and asked him to review the updated ordinance that is posted on the

Township's website. A public hearing will be held on the proposed ordinance on Tuesday night at 6:30 p.m. prior to the regular meeting.

**Manager:**

Mr. Thomas reported that a date needs to be set for the Board's decision on Kenneth Stake's application to have his parcel located at 1590 Mummasburg Road included in the Township's Agricultural Security Area. He also reported that the decision could be made at the regular meeting in September and still be in the 180 day window before the application gets deemed approval. The Board agreed that they would be ready to take action at the regular meeting on Tuesday night.

Mr. Thomas also reported that he and the Economic Development Committee have been looking into the Local Economic Revitalization Tax Assistance Act (LERTA) for a property or properties in the Township. Mr. Thomas went on to explain how LERTA works and emphasized that the tax relief would only be on improvements made to the buildings. He added that it is up to the Township to start the process and then go to the School District and County to see if they would be interested in starting a LERTA program here in the Township. The Board agreed that the Manager and Economic Development Committee should move forward and speak with the School District and Adams County.

Mr. Thomas also reported that the Township has received requests from Gettysburg Fire Department and Barlow Fire Department for reimbursements from the .25 mil Fire Tax enacted for 2014. He added the revenues generated from the Fire Tax to date are slightly over \$150,000.00. Mr. Thomas also reported that Gettysburg's request is for \$57,132.31 and Barlow's request is for \$22,249.80 and both entities have submitted the appropriate paperwork. He added that in reviewing Gettysburg's request he is recommending that approximately \$3,500.00 be removed from their request for office expenses that are not part of the Memorandum of Understanding (MOU.) Mr. Thomas stated that he is still working on a formula for reimbursement and he recommended that these requests be approved, less the office expenses for Gettysburg, and that they will be in keeping with his formula recommendation. Mr. Thomas also recommended that a capital reserve be started for capital expenditures. Lastly, Mr. Thomas reported that Greenmount Fire Department has not requested any funds, but they have applied for their 501C3 status with the Internal Revenue Service as required.

Mr. Thomas reported that he is requesting authorization to proceed with maintenance needs on the portion of Herr's Ridge Road between Mummasburg Road and Biglerville Road. He stated that there is approximately \$30,000.00 worth of repairs needed, the equipment needed to do the job would be rented, it would be paid for with Liquid Fuels funds and there are adequate funds budgeted to cover this work. **Mr. Ferranto made a motion to authorize the \$30,000.00 maintenance work to Herr's Ridge Road seconded by Mr. Toddles and carried 4-0.**

Mr. Thomas also reported that he is requesting authorization for Solicitor Wiser to file a lien, in the amount of approximately \$425.00, against Punjabi Management Corporation for property along Biglerville Road. He added that the property has been in violation of the Township's Weed Ordinance and the Township has had a contractor mow the property twice. He stated that the property is now going for Sheriff's sale and it is the appropriate time for the Township to file the lien which would include any associated legal costs. **Mr. Toddles made a motion to authorize Solicitor Wiser to file a lien against Punjabi Management Corporation seconded by Mr. Ferranto and carried 4-0.**

Mr. Thomas reported that, in accordance with the Pennsylvania Consolidated Assessment Law, the County Tax Services Department is contemplating recommending that the Per Capita Tax exemption be raised from \$5,000.00 of income to \$12,000.00 of income and they are giving the Supervisors a chance to voice their opinion since it will affect their tax collections. **Mr. Ferranto made a motion to go along with the County's recommendation seconded by Mr. Waybright and carried 4-0.**

Mr. Thomas reported that he has received documents regarding internet security from ACNB Bank and he asked the Board to proceed with signing the documents provided that Solicitor Wiser does not have any issues with them. **Mr. Ferranto made a motion to sign the documents pending Solicitor Wiser's review and approval seconded by Mr. Toddes and carried 4-0.**

Mr. Thomas reported that the Township will be seeing a six or seven percent increase adjustment to the health insurance rates based on the questionnaires filled out by all employees. He added that the rate will still be under the Highmark 17.5% increase.

Mr. Thomas also reported that the Public Utility Notice advertised in The Gettysburg Times regarding York Water indicating that they would be providing water service in Cumberland Township was in reference to Lincoln Estates. He added that they will be re-publishing the notice, but it will still be vague.

**Solicitor:** Solicitor Wiser reiterated that the most current version of the Amusement Tax Ordinance is on the website and that there were some non-substantial modifications made to the ordinance in response to some comments received. He also mentioned that he has several items to discuss with the Board in Executive Session.

### **Committee Reports:**

**Planning/Zoning** – No report

**Public Safety** – Chair Underwood reported that they are waiting to receive a letter of intent from the Gettysburg Area School District regarding a School Resource Officer (SRO) and the school district will pay all associated costs for the officer. Solicitor Wiser stated that he did receive correspondence from their Solicitor. **Mr. Ferranto made a motion seconded by Mr. Toddes and carried 4-0 to authorize Solicitor Wiser to respond to the school district's correspondence from Solicitor McQuaide in reference to the SRO.** Mrs. Underwood also reported that the new Chevy Caprice Police car is having the graphics applied.

**Finance Committee** – Mr. Thomas reported that the committee has several recommendations as follows:

- Deem the 2006 Dodge Charger as surplus and advertise for bids with a minimum bid of approximately \$4,900.00. **Mr. Waybright made the motion to deem the 2006 Charger as surplus and advertise for sealed bids seconded by Mr. Toddes and carried 4-0.**
- The Police Department would like to apply for an additional bullet-proof vest grant through the National Rifle Association to defray the cost not covered by the Department of Justice grant that they received. **Mr. Waybright made a motion to approve the grant application from the National Rifle Association for bullet-proof vests seconded by Mr. Ferranto and carried.**
- Transfer \$200,000.00 from the General Fund checking account to an insured Certificate of Deposit and we will shop interest rates from local banks. **Mr. Ferranto made a motion to approve the transfer of \$200,000.00 to an insured Certificate of Deposit seconded by Mr. Toddes and carried 4-0.**

**Park and Rec** – Mr. Toddes reported that the Dog Park is open. He also reported that GARA needs a mowing tractor and he asked the Township if they would purchase it with money from the Park and Recreation Fund. He added that he priced a tractor on the COSTARS State contract through O. C. Rice. Mr. Ferranto stated that the Township should own the tractor and lease it to GARA and Mr. Waybright asked that Mr. Toddes also get a price from Barlow Ag that is located in the Township.

**Personnel** – No report

**CTA** – No report

**COG** – No report

**Adams County Conservation District (ACCD)** – Chair Underwood reported on their West Nile Virus program.

**Economic Development** – No report – LERTA already discussed.

**Central Adams County Joint Comprehensive Plan** – Mr. Ferranto reported that the County Planning Office is shorthanded and their Director, Nick Colonna, is leaving and that has slowed down the Comprehensive Plan process.

**CT411** – Mrs. Underwood reported that she attended a reception for Steve Niebler who is retiring after 34 years of service as the Director of the Adams County Office of Aging. She added that Mr. Niebler instituted many of the programs that serve our residents and is himself a Township resident.

The workshop was adjourned at 9:45 a.m. for an Executive Session to discuss real estate and personnel matters, both uniformed and non-uniformed, and quasi-judicial deliberations.

At 11:05 a.m. Chair Underwood reconvened the workshop.

**Mr. Ferranto made a motion to accept the resignation of Police Officer Chad Topper; effective November 12, 2014 seconded by Mr. Toddes and carried 4-0.**

At 11:10 a.m. Chair Underwood adjourned the workshop.

---

Carol A. Merryman, Secretary

\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_) Supervisors  
\_\_\_\_\_)  
\_\_\_\_\_)