

**Cumberland Township Board of Supervisors
July 9, 2015 Workshop Minutes**

Chair 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 and Zoning Officer Bill Naugle. Others present were Dale Molina, Carolyn Greaney, Jean Stone, Steve Tallman and Speros Marinos. Supervisor Paddock was absent. The workshop was recorded.

Public comment:

Mr. Steve Tallman, 29 Bittern Drive, expressed a concern about the deteriorating condition of Herr's Ridge Road north of Woodhaven Drive.

Mr. Speros Marinos, 912 Baltimore Pike, asked that the Amusement Tax be fairly enforced and asked for a list of taxpayers so it is known who is and is not paying the tax. He also asked for fair zoning on Baltimore Pike.

Mrs. Jean Stone, 1745 Mummasburg Road, read and presented a letter to the Board regarding the Keller Poultry project that addressed the Nutrient Management Plan including the pasturing of 10 goats and the conditional use approval not including that use. She added that the addition of the goats would increase the Animal Equivalent Units (AEU's) and establish a new use which is prohibited by Section 27-1701.2.B(1) of the Zoning Ordinance. The letter also indicates that the Adams County Conservation District will no longer permit the Nutrient Management Plan to include a Vector Management Plan or a Mortalities Management Plan and both are required by the Zoning Ordinance. The letter asks how the Township will address these items.

Manager:

Mr. Thomas reported that the Township requested a letter from St. Francis Xavier for an extension to the timeframe for the completion of the improvements to the intersection of Boyd's School Road and Table Rock Road until October 31, 2015 and the Board should have that for their regular meeting on July 28th.

Mr. Bob Sharrah spoke to the Board regarding a request for Zoning Text Amendment to language in Section 27-503.1 and 27.503.2 regarding "central water and sewer facilities" and Township staff will review this request. Mr. Sharrah suggested a "blanket" requirement of "Central water and sewer shall be required if the lot size is less than one acre."

Mr. Thomas explained that the bidding of pre-maintenance road items (crack seal and Poly-patch) was advertised and it was brought to the Township's attention that there was an error in the timeline for receiving the bids. He added that he and Mr. Shealer decided to take telephonic quotes for the work and to keep the work under the \$19,400.00 that requires that the work be bid and advertised. He added that all bidders were notified and the Township received a low bid from Stewart and Tate at \$19,330.00 and this will save the taxpayers about \$5,300.00. Mr. Thomas added that a second quote was received from Asphalt Maintenance Solutions for \$24,678.00. **Mr. Waybright made a motion to approve the quote from Stewart and Tate for pre-maintenance items, not to exceed \$19,330.00, seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the Township recently entered into a Developer's Improvement Construction Agreement with Abell, Inc. regarding their subdivision plan for Old Mill Woods located on Old Mill Road. He added that according to the agreement, Abell Inc. will pay the Township \$8,636.00 for Traffic Impact Fees and agrees that these fees may be used for transportation projects which are not included in

the transportation capital improvement plan and waives the right to a refund if the Township does not use the money within a three-year period. Mr. Thomas recommended, subject to legal review, that the fees be used for Old Mill Road that goes right by the development. Solicitor Wisner stated that in this limited case, it is fine to use this money for Old Mill Road. **Mr. Ferranto made a motion to use the Traffic Impact Fee from Old Mill Woods subdivision, in the amount of \$8,636.00, for the Old Mill Road double-seal coat Ralumac project seconded by Mr. Toddes and carried.** Mr. Waybright was out of the room and did not vote.

Mr. Thomas also reported that the paving at Cannon Ridge has been completed and the developer will be approaching the Township to take dedication/ownership of the road prior to the fall and winter season. Mr. Thomas also reported that it is the developer's intention to do the final paving at The Preserves – Cumberland Village Phase 1A along with their obligation for Herr's Ridge Road and Fairplay Road in accordance with the Developer's Agreement and also will be requesting dedication/ownership of those roads.

Mr. Thomas stated that he would like to speak to the Board at their July 28th meeting regarding future funding and long range planning for future capital road /improvement projects. He added that the growth is having an impact on the Township and this needs to be discussed and it is important for the public to hear as well.

Mr. Thomas reported that he has received a verbal request from Steve Wolf, owner of Herr Tavern, for the Township Police Department to enforce the Noise Ordinance. He added that there was a permit that expired in July, 2013 and the owner would like the Township to apply for a new permit. Mr. Thomas asked the Board if they would be interested in entertaining the hearing that has to transpire as part of this process which would be held at Herr Tavern and would involve limited staff time. He added that Chief Boehs has no issue with local enforcement. He added that Mr. Wolf would have to pay an escrow amount (\$1,500.00) to pay for the Township's costs and he would have to pay for any costs that exceed the escrow amount. **Mr. Waybright made a motion authorizing Solicitor Wisner to proceed with the process of the Township Police enforcing the Noise Ordinance at Herr Tavern, if Mr. Wolf desires, seconded by Mr. Toddes and carried.**

Mr. Thomas reported that the Township received a request for funding allocation from York Adams Transportation Authority (dba rabbittransit) dated July 1, 2015. He added that \$2,000.00 was budgeted for 2015. Mr. Ferranto suggested that \$1,000.00 be paid now and to continue to try and get donations from businesses along Emmitsburg Road. **Mr. Ferranto made a motion to donate \$1,000.00 to rabbittransit seconded by Toddes and carried.**

Mr. Thomas reported that the Joint Comprehensive Plan public workshop scheduled for mid-July has been postponed and will be held sometime in mid-August.

Solicitor: No report.

Committee Reports:

Planning/Zoning – Chair Underwood informed the public to watch Adams County's website for information on the public "roll-out" of the Joint Comprehensive Plan and Mr. Ferranto suggested that our website have a link to Adams County to make it easier for the residents to find.

Public Safety – Bike Week events begin tonight. The Police Department has requested to purchase a 2015 Caprice through the Westmoreland Council of Governments (COG) and the purchase is included in the 2015 budget and recommended by the Finance Committee.

Finance Committee – The replacement tractor/mower has been received. Mr. Thomas expressed his happiness with the York Adams Tax Bureau with collections and sharing of information.

Park and Rec – Mr. Toddes stated that he is working with the Little League on funding for upgrades to the ball fields and hopes that the Township will match that money and the County will also contribute Act 13 money.

Personnel – Chair Underwood acknowledged, with regret, Mr. Thomas Shealer’s retirement effective September 24, 2015 and on behalf of the Board, thanked Mr. Shealer for his many years of service. Mrs. Underwood added that the committee would like to recommend that Christopher Walter be appointed as Roadmaster, effective September 7, 2015, at a pay rate of \$25.00 per hour with a \$50.00 per month cellphone stipend. **Mr. Waybright made a motion to appoint Mr. Christopher Walter as Roadmaster, as recommended seconded by Mr. Toddes and carried. Mr. Toddes made a motion seconded by Mr. Ferranto and carried to authorize an advertisement for a skilled laborer position for the Road Maintenance Department.** The committee will also be conducting staffing review based on the additional workload being realized by the road maintenance, zoning and administration departments.

CTA – No report

COG – No report

GMA – No report

Economic Development – No report

CT411 – Mr. Thomas reported that the Countywide Hazard Mitigation Plan has been approved.

There being no further business the workshop was adjourned at 9:33 a.m.

Carol A. Merryman, Secretary

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