

Minutes of the December 20, 2006 Meeting

The regular meeting was called to order at 7:30 p.m. by Chairman Gregor. Present were all Supervisors; Flo Ford, Henry Heiser, Tim Knoebel, Carol Merryman, Chief Boehs, Donald Wolf and Alex Hayes from the Gettysburg Times. The meeting was tape-recorded.

Mrs. Underwood made a motion to approve the Minutes of the November 15, 2006 Budget workshop seconded by Mr. Weikert and carried.

Mr. Weikert made a motion to approve the Minutes of the November 28, 2006 meeting as presented, seconded by Mr. Waybright and carried.

Mr. Shealer made a motion to approve the bills list in the amount of \$203,402.31 from the General Fund, \$1079.51 from the Park and Rec Fund and \$203,666.58 from the State Fund seconded by Mr. Waybright and carried.

Chief Boehs presented a written and oral report of police activities for the month of December including 231 complaints, 98 traffic stops and 74 combined arrests. The department also patrolled 10,920 miles.

No visitors addressed the Board.

Chairman Gregor reported that the next item was approval of the 2007 budget and it is a balanced budget with no tax increase. **Mr. Waybright made a motion to adopt the 2007 Budget, in the amount of \$1,922,259.00 as tentatively approved and available for public review seconded by Mr. Weikert and carried unanimously.**

Mr. Shealer made a motion to adopt the 2007 Tax Resolutions with no change from 2006 seconded by Mr. Weikert and carried.

2007 TAX RESOLUTIONS 06-24

BE IT RESOLVED THAT the Per Capita Resolution of 1953 be re-enacted for 2007 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 2007. The rate is 10% (Township receives 5% and Gettysburg Area School District receives 5%).

BE IT RESOLVED THAT the Tax Millage for 2007 be set at 1 mill for Real Estate. No change from 2006.

BE IT RESOLVED THAT the Earned Income Tax Resolution of 1978 be re-enacted for 2007 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 2007 without change. The tax rate is 1% (Township receives .5% and Gettysburg Area School District receives .5%).

BE IT RESOLVED THAT the Emergency and Municipal Services Tax Ordinance of 2006 be re-enacted for 2007 without change. The rate is \$52.00 (The township receives \$47.00 and the Gettysburg Area School District receives \$5.00).

Chairman Gregor reported that the Supervisors held a Public Hearing on October 25, 2006 for an application for

conditional use approval from Jayjyoti Corporation to construct a hotel at 945 Baltimore Pike. Hotels are permitted as a conditional use in the VMX District. **Mr. Weikert made a motion based on the public interest criteria and general standards set forth in Section 27- 1902.7 and 27-1902.8 of the Cumberland Township Zoning Ordinance of 2003, as amended, and the evidence presented at a hearing held on October 25, 2006 to grant approval of the application to erect a hotel on property located at 945 Baltimore Pike, the Econolodge site, subject to the following conditions: the applicant must comply with all provisions of the Zoning Ordinance including, but not necessarily limited to: 27-603, 27-604.4 and 27-1701.3, as well as the Cumberland Township Subdivision and Land Development Ordinance, and the applicant must comply with all applicable federal, state and local law. The motion was seconded by Mrs. Underwood and carried.**

A public hearing for a conditional use application from Jayanti, Jyoti, and Raju Thakor Patel was scheduled for January 16, 2007 at 7:00 p.m. by motion of Mr. Weikert seconded by Mr. Shealer and carried. The application is to construct a hotel at 950 Baltimore Pike which is a conditional use in the VMX District.

Mr. Knoebel explained that the township has received an invoice from Valley Quarries and two change orders for the Boyd's School Road project. The adjusted amount of the invoice, which includes the two change orders, is \$326,205.81. Mr. Knoebel recommended that the Supervisors consider approving change order #1 in the amount of \$15,073.83, but not to approve change order #2, in the amount of \$1,333.42, for line painting, which could have been included in the contract. **Mr. Weikert made a motion to approve change order #1, in the amount of \$15,073.83, seconded by Mr. Waybright and carried. Mr. Waybright made a motion seconded by Mrs. Underwood and carried to deny change order #2. Mr. Weikert made a motion to approve payment to Valley Quarries in the amount of \$324,872.39 seconded by Mr. Waybright and carried.**

Mr. Knoebel also reported that the township received a request for release of financial security from Realty Leasing and Management Co. for improvements to Deatrck Drive. The initial amount of financial security was \$74,156.50 held in escrow, and the current balance is \$49,857.00. He added that following inspection and review of the site, the recommendation is to release \$39,857.00 and to hold \$10,000.00 for items that still need to be completed as described in his letter dated December 14, 2006. **Mrs. Underwood made a motion to release \$39,857.00 from the escrow account for Deatrck Drive and retain \$10,000.00 as recommended seconded by Mr. Weikert and carried.**

Mr. Knoebel reported that the Jay Wolf Final Plan is a minor lot addition subdivision at the corner of Willoughby Run Rd. and Blackhorse Tavern Rd. The plan proposes the addition of a 0.566 acre lot from an existing 146.5 acre lot to the property of Mr. Donald R. Wolf. Mr. Knoebel added that a Resolution for Final Plan approval has been prepared and the plan is ready for approval. **Mr. Waybright made a motion to approve the Non-Building Waiver for the Jay D. Wolf Plan seconded by Mr. Weikert and carried. Mr. Waybright also made a motion to adopt Resolution 06-25 for Final Plan Approval for Jay D. Wolf seconded by Mrs. Underwood and carried.**

Mrs. Underwood made a motion seconded by Mr. Waybright and carried to approve a Certificate of Appropriateness for Herff Jones for an addition to their existing building on Boyd's School Road. Mrs. Underwood also made a motion seconded by Mr. Waybright and carried to approve a Certificate of Appropriateness for Adams County Christian Academy for an addition to their existing building located on Biglerville Rd. Both applications have been approved by HARB.

Mr. Weikert made a motion seconded by Mrs. Underwood and carried to adopt Resolution 06-26 Implementing the National Incident Management System which will provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and recommends that all public safety agencies, emergency responders, hazardous materials

users and transporters, hospitals and school districts situated within the municipality do the same.

Mr. Shealer made a motion seconded by Mrs. Underwood and carried to approve the following requests for extension: D & L Enterprises for a 90-day extension, The Crossings – 100 Lot Subdivision for a 90-day extension, Biglerville Crossing II for a 30-day extension, The Ridge – 2 Lot Subdivision and The Ridge – Condominium Community extension to March 30, 2007.

The Reorganization Meeting was schedule for January 2, 2007 at 7:00 p.m. by motion of Mr. Shealer seconded by Mrs. Underwood and carried.

Mr. Shealer made a motion seconded by Mrs. Underwood and carried to approve a proposal from Advantage Engineering for geotechnical work in the amount of \$4,410.00. This work is necessary to determine the soil bearing capacity for the new building for the Road Department.

Mrs. Ford explained that the Board has a proposal from Chuck Frieland to provide actuary service for the both pension plans. The costs would be \$3,100.00 for the Non-Uniformed Plan when the actuarial valuations are done and \$1,450.00 in the years they are not and \$3,000.00 for the Police Pension Plan when the actuarial valuations are done and \$1,350.00 when they are not. Mrs. Ford added that the township will be cutting the costs for these services by 2/3rds and the township is currently paying a lot of money out of the plans for these services. **Mr. Shealer made a motion, seconded by Mrs. Underwood and carried to accept the proposal from Municipal Finance Partners, Charles B. Friedlander, F. S. A. for Actuary services for the Uniformed and Non-Uniformed Pension Plans.**

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

Mrs. Ford reported that she filed a complaint with the PUC concerning the traffic signal at Herr's Ridge Rd. and Route 30. She reported that they have been in discussion with Met-Ed and were getting nowhere quickly and a resolution is needed. Mr. Shealer explained that at the request of Swam Electric, Met-Ed placed a recorder on the feed coming into the control system for the traffic signal looking for a voltage spike or outage and he has gotten conflicting stories regarding the results of that. He added that there have been more problems since that time and they are doing everything that they can to keep the signal working. Mrs. Ford also reported that they will be holding a meeting after the first of the year with the townships and boroughs who wish to participate in hiring a CPA to verify the numbers given for the amounts of EIT that need to be repaid to YATB. The cost of hiring the CPA will be split equally between all municipalities that participate. She also reported that the franchise agreement with Comcast is back in the works and all employee evaluations have been completed.

Being no further business, the meeting was adjourned at 8:15 p.m. by motion of Mr. Shealer, seconded by Mrs. Underwood and carried.

Carol A. Merryman, Asst. Secretary

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