



Dickinson Township
219 Mountain View Road
Mount Holly Springs, PA 17065
Phone: (717) 486-7424 ♦ Fax: (717) 486-8412
www.dickinsontownship.org

BOARD OF SUPERVISORS REGULAR MEETING NOVEMBER 16, 2015

PRESENT: **J.R. BARRETT, BOB WRIGHTSTONE - SUPERVISORS;** Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer; Michael Masley, Manager; Marge Metzger, Secretary/Treasurer, Engineer Jason Reichard, Solicitor Susan Smith.

ABSENT: **SUPERVISOR JONATHAN REISINGER**

VISITORS: Judy Brough, Ellen Colyer, Charlie Suhr, Tom Imholte, Dennis Straub, Dean Otto, Lorraine Miller, Dennis Beecher, Brian Evans, Mac Utsey, Phil Thompson, Mary Washburn, Ken Hykes.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Wrightstone called the meeting to order at 6:00pm and those present recited the Pledge of Allegiance.

OPENING ANNOUNCEMENTS - *More information is available on the township website.*

An executive session was held on September 21, 2015 from 5:42pm to 5:57pm to discuss personnel matters and the Breslin Litigation.

An executive session was held this evening from 5:00 PM to 5:54 PM to discuss the Right-To-Know appeal and potential litigation with the Act 537 plan.

For safety reasons, trees were removed in Stuart Park. The wood from the trees is located west of the Stuart Park parking lot. Township residents may remove the firewood on a first come first serve basis.

APPROVAL OF AGENDA

Vice Chairman Barrett **motioned** to approve the agenda as submitted. Chairman Wrightstone seconded the motion and it passed unanimously.

APPROVAL OF MINUTES

1. October 19, 2015 Board of Supervisors Regular Meeting Minutes

Vice Chairman Barrett **motioned** to approve the October 19, 2015 Board of Supervisors regular meeting minutes as submitted. The motion was seconded by Chairman Wrightstone and passed unanimously.

CONSENT AGENDA

Vice Chairman Barrett **motioned** to approve the consent agenda as submitted. Chairman Wrightstone seconded the motion and it passed unanimously with the following items approved:

1. Pay Bills
2. Ratify bill payments November 2, 2015

CHAIRMAN'S REPORT – None

PUBLIC HEARINGS – None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Request for Supplemental Preliminary/Final Land Development Plan for Trade Center 44

Charles Suhr explained this is a minor modification to the plan that was recorded. It reflects what is there now and documents the trees that had been removed by the prior owner. The developer has offered to plant 100 additional trees at a cost of approximately \$30,000.

Vice Chairman Barrett **motioned** to approve the Supplemental Preliminary/Final Land Development Plan for Trade Center 44 as presented. The motion was seconded by Chairman Wrightstone and passed unanimously.

GENERAL PUBLIC INPUT (non-agenda items)

Dean Otto owns the property at 724 W. Pine Street. He is concerned with the drainage on the farm and along Mountain View Road, and stated the township should be responsible to keep the drainage way operational and maintained. The township has installed pipes at Sand Bank, W. Pine Street, and Mountain View Road. He was also concerned with the impact of drainage from the new homes being built on the east side of Mountain View. He suggested something be done to protect the farm. He mentioned the drainage system on Mountain View that was installed at the railroad tracks, and said there should be an agreement for the drainage. Mr. Otto requested a buffer be installed on the eastern side of the township property, since it is zoned commercial. The buffer would be beneficial to the residential zone.

Phil Thompson wanted to clarify comments from the past concerning the DVD internet video that was a business product for C.S. Davidson and the request for access to Ed Schorpp's privileged email. He questioned if anyone asked for this matter to be turned over to the Ethics Commission. He mentioned the appeal and the relevance of his name being used on 24 Right-To-Know requests, which he feels was to cast a discredit on him. Most of the records came back with no record exists. Would the Board consider referring the DVD to the Ethic's Commission? Chairman Wrightstone stated the litigation would not be discussed in the meeting.

EMERGENCY SERVICES REPORT None

NEW BUSINESS

1. Resolution 2015-12 Appointment of Zelenkofske Axelrod as Township Auditors.

Vice Chairman Barrett **motioned** to adopt Resolution 2015-12, which appoints Zelenkofske Axelrod as Township Auditors for 2015 and thereafter until rescinded. The motion was seconded by Chairman Wrightstone and passed unanimously.

2. Adoption of 2016 General Fund Budget

Mike Masley stated the budget was posted on the website and in the lobby for inspection. Mr. Wrightstone said the line item for the expense for the Right-To-Know Officer will be removed, as this service is being brought back in house at the end of the year. Mr. Masley said this adjustment is not above 10% so there is no need to advertise. Chairman Wrightstone stated there are no tax increases.

Vice Chairman Barrett **motioned** to approve the 2016 General Fund Budget. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. Adoption of 2016 Liquid Fuels Budget

Vice Chairman Barrett **motioned** to approve the 2016 Liquid Fuels Budget. The motion was seconded by Chairman Wrightstone and passed unanimously.

4. Adoption of Resolution 2015-13 Establishing the General Fund Real Estate Tax, Fire Real Estate Tax, and Earned Income Tax.

Vice Chairman Barrett **motioned** to adopt Resolution 2015-13, which establishes the tax rates for 2016 as follows: Real Estate tax remains at 0 mills; Fire Tax remains at .084 mills; and Earned Income Tax remains at .5%. The motion was seconded by Chairman Wrightstone and passed unanimously.

5. **Close Fire Reserve Account**

Vice Chairman Barrett **motioned** to authorize the closing of the Fire Capital Reserve Fund. The motion was seconded by Chairman Wrightstone and passed unanimously.

6. **Appoint a Township Road Master**

Vice Chairman Barrett **motioned** to appoint Don Yost as Road Master, effective January 4, 2016. The motion was seconded by Chairman Wrightstone and passed unanimously.

7. **Accept Bid for West Yellow Breeches Culvert**

Tom Imholte questioned if providing references was part of the bid process. Jason Reichard said references are provided upon request. A favorable recommendation was received within his office for work that Farhat Excavating, LLC has completed within the past year.

Vice Chairman Barrett **motioned** to award the bid to Farhat Excavating, LLC in the amount of \$44,650.00 to replace the culvert pipe, a headwall and an end wall and install a guiderail on West Yellow Breeches Road. The motion was seconded by Chairman Wrightstone and passed unanimously.

8. **Accept Deed of Easement for West Yellow Breeches Culvert (Wood)**

Vice Chairman Barrett **motioned** to enter into the Deed of Easement with Walter J. and Anne H. Wood for the West Yellow Breeches culvert project. The motion was seconded by Chairman Wrightstone and passed unanimously.

9. **Accept Deed of Easement for West Yellow Breeches Culvert (Salisbury)**

Vice Chairman Barrett **motioned** to enter into the Deed of Easement with Edgar H. and Lorraine E. Salisbury, Sr. for the West Yellow Breeches culvert project. The motion was seconded by Chairman Wrightstone and passed unanimously.

10. **2016 Road Repair Proposed Projects (discussion)**

The Township budget consists of \$750,000 for contracted road improvements. Jason Reichard reviewed his proposal that lists the roads proposed for street improvements in 2016. It includes a list of 12 roads to be micro surfaced; one road to receive a full depth reclamation, mill and overlay; and one road to receive base repair, mill and overlay. The micro surfacing is a preservation technique, which will be used on 6.6 miles of road. The other 2 miles of road will be rehabilitated and paved. A total of 8.6 miles of road are proposed to be completed. There are 3 roads listed as alternates, and will be considered if actual bids come in lower than the estimates. The township road crew will help in keeping costs down by doing the preparation work internally, such as grading the shoulders and storm water repairs.

There was discussion on the proposed list of roads, as well as how long the funds will last and how many roads can be completed in that time frame. Progress is being made to get roads to a more manageable condition for future. There are some roads that will be very costly because of being in disrepair and deteriorated. Traffic and use of roads are factored in when deciding which roads to complete each year, as well as the benefits of completing roads within developments to keep them current and not needing the more expensive reconstruction. Preserved roads have a good base and structure and the top coating protects the road for another 7-10 years. Jason Reichard said a thorough analysis and inventory of each road will be done, which could change the scope of proposed work.

Judy Brough requested the list of roads to be completed be posted on the website. She mentioned there is a section of road heaved up in Holly Estates, which could damage a snow plow.

Denny Beecher mentioned there is drainage problems on Chestnut Ridge Road that need to be fixed. The road is in disrepair. It has had foot patching done over the years. Buses use that road. It is not listed on the rotation schedule. He takes care of the culvert and does the mowing. A suggestion was made to pursue any available grants for this road, as it is used to access the state game lands. He requested some attention to the road. Chairman Wrightstone mentioned the limited amount of money and the attempt of

doing what is logical. Raising taxes is an option. Mr. Beecher mentioned the money being wasted on the lawsuits and appeals that could be used for infrastructure.

Vice Chairman Barrett asked if North Dickinson Road will be widened. Jason Reichard said that would be part of the evaluation process.

Tom Imholte asked if any sub-surface investigation sampling or testing will be done for the roads proposed for full depth reclamation. Jason Reichard said the proof rolling is the best option, and core samples will be done. Mr. Imholte asked if an economic analysis has been done. Mr. Reichard said the road crew will help with storm water and grading, but the construction portion is outside their limits of crew and equipment.

Vice Chairman Barrett questioned the township's ability to purchase the equipment to do the micro surfacing. Jason Reichard said it is highly specialized equipment. Mike Masley will do a five year analysis on how much work has been done by the road crew, how much has been saved, depreciation, and so on.

Chairman Wrightstone questioned how to get to the point where all deteriorated roads would be brought back up to standard. Is there a middle ground other than tar & chip. Jason Reichard said tar & chip is not recommended anymore because the road failures come back.

Larry Barrick mentioned the grant program through Cumberland County Conservation for low volume roads and dirt & gravel roads. He is looking into getting money toward Cold Spring Road repairs. Then he could proceed to request funds for other roads. Improving storm water issues increases the chances of getting this type of funding.

Ken Hykes was concerned with Peach Glen Road. The main problem is the tractor trailer traffic going to Knouse Food. He suggested putting a weight restriction on the road, which could eliminate some of the truck traffic. The trucks could use the Idaville – Peach Glenn Road, which has better sight distance. Sue Smith pointed out that setting a weight limit doesn't mean trucks don't use the road if they are willing to pay. It may be a deterrent, but it is not a prohibition.

Chairman Wrightstone appreciates the work that has gone into the proposal. He wishes there was more money, but in a few years over 1/3 of the miles of township roads will have been done.

11. **Advertise Draft Ordinance 2015-X and Hearing to Amend the Zoning Map**

The Planning Commission has requested to restore the MDR-O line north of Alexander Spring Road to 300 feet from the center line of the road. Mike Masley provided some brief history of the 200' versus 300' line. Restoring the line to 300' would make the residents happy, but is a concern for Trade Center 44 because of non-conformity issues. Denny Straub indicated the map reflects what the Planning Commission requested for the north side of Alexander Spring Road.

Charles Suhr said the 300' from center line would put the zone line through a building for Trade Center 44, and all of the access road. It would affect them economically when dealing with lenders and would make securing tenants more difficult with non-conformity.

Chairman Wrightstone suggested restoring the zone line to 300' for the residential properties along Alexander Spring Road, and once the line reaches the Trade Center 44 property, it bends back to the 200' for their property so a non-conformity does not occur. Vice Chairman Barrett agreed with the concept. Denny Straub said, speaking as a resident, the concept answers the spirit of the Planning Commission request. It doesn't make sense to make a non-conforming property.

The proper zone line for the south of Alexander Spring Road is 700'. Susan Smith said the 700' foot setback is shown on the official map. The zoning map must match up with the official map. The official

map doesn't have property lines and shows up a little different than the maps that have been drafted by Cumberland County on the townships behalf.

Chairman Wrightstone said the proposal to be advertised will include a 300' zone line to the north of the residences on Alexander Spring Road. At the last residence it will then change to 200'. Susan Smith said the text will be changed to match the official map, with a line of 700' to the south. The proposed amendment offered for public comment will focus on establishing the MDR-O line north of Alexander Spring Road at 300' from center line until the last residence, then it will be reduced to 200'. A list of affected property owners on the north side of Alexander Spring Road will be included.

Vice Chairman Barrett **motioned** to set a public hearing for December 21, 2015 for the zoning map amendment consideration as discussed this evening. The Planning Commission will review the matter at their December 9 meeting. The motion was seconded by Chairman Wrightstone and passed unanimously.

12. **Approve the Parks & Recreations 5 year plan**

The plan has been reviewed by the Park & Recreation Board, staff, and Solicitor. It documents the existing conditions and future needs for recreational facilities and improvements. It allows for potential funding opportunities.

Vice Chairman Barrett **motioned** to accept the Parks and Recreation 5 Year Open Space Plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

OLD BUSINESS

1. **Zoning/Saldo Draft Ordinances.**

Judy Brough questioned when this matter will move forward. Chairman Wrightstone it will be addressed in the new year.

2. **Regional Municipal Authority**

There was nothing new to report on the item.

3. **Master Stormwater Feasibility Study – Mountain View Road Drainage.**

There was nothing new to report on the item.

MANAGER'S REPORT

Manager Masley reported the road crew has been working with a sister township on Cold Springs Road so it meets the state requirements for funding and for being able to respond to emergencies on the mountain. The materials are recycled so the only cost is the time being put in.

On November 25 the staff will be holding in-house training to mitigate concerns with safety and ensure we are meeting the minimum requirements from an insurance perspective, which will keep insurance rates reduced.

ZONING OFFICER'S REPORT

Zoning Officer Barrick submitted his report.

SOLICITOR'S REPORT

Solicitor Smith mentioned the U.S. Supreme Court ruling that will affect regulations for signs for special events, political, and general signs. The sign section of the zoning ordinance will need to be reviewed, as well as a policy decision on these types of signs. The Commonwealth Court of PA confirmed the zoning on regulating use of land, but not the construction of the use. The ruling about guns in parks is up for review by the Supreme Court. The Parks & Recreation Plan puts the township in full compliance with the assessing of fees.

TREASURER'S REPORT

Treasurer Metzger's report was submitted without any additions.

ROADMASTER'S REPORT

No report was submitted.

ENGINEER'S REPORT

Jason Reichard's report was submitted without any additions.

SUPERVISORS' REPORTS

No reports were submitted.

ADJOURNMENT

Vice Chairman Barrett **motioned** to adjourn the meeting at 7:56pm. Chairman Wrightstone seconded the motion and it passed unanimously.

Respectfully submitted,



Marjorie E. Metzger
Secretary/Treasurer