



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING NOVEMBER 17, 2014

PRESENT: J.R. BARRETT (*via Skype*), BOB WRIGHTSTONE, JONATHAN REISINGER- SUPERVISORS; Laura Portillo, Manager; Denise Gembusia, Secretary/Treasurer; Susan Smith, Solicitor; Rick Barrick, Road Master; Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer; Jason Reichard, Engineer.

VISITORS: Ivan Bretzman, Greg Bretzman, Ellen Colyer, Jim Hughes, Brian Evans, James Mascaro, Michelle Line, Bob Line, Jane Mitchell, Joe Cress.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

OPENING ANNOUNCEMENTS

The Parks and Recreation Committee is seeking volunteers to join their Board. If you are interested, please email the Township Manager. More information is available on the township website.

An executive session was held on Monday, November 17, 2014 from 5:30 pm until 5:55 pm to discuss potential litigation regarding the Dennison Tract court approved plan.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. October 20, 2014 Board of Supervisors Meeting Minutes

Supervisor Reisinger motioned to approve the October 20, 2014 Board of Supervisors regular meeting minutes as presented. The motion was seconded by Chairman Wrightstone and passed unanimously.

CONSENT AGENDA

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

1. Pay Bills
2. Ratify bill payments from November 3, 2014

CHAIRMAN'S REPORT: None

PUBLIC HEARINGS: None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Revised Final Land Development Plan for Mountain Creek Distribution Center.

Attorney Jim Hughes and Engineer Brian Evans were present on behalf of Mountain Creek Owner (MCO) and explained that the applicant was requesting approval of a revised final land development plan. MCO proposed a new access drive along Walnut Bottom Road. The drive would be a low-volume automobile only

access drive to lot 2 and would be subject to obtaining a Highway Occupancy Permit (HOP) through the PA Department of Transportation. The Planning Commission reviewed the plan at their October 8, 2014 meeting and recommended approval with a 5 – 1 vote. All Planning Commission recommendations and Engineer comments have been addressed and are reflected on the plan. Brian Evans reviewed these modifications with the Supervisors.

Supervisor Reisinger **motioned** to approve the revised final land development plan for Mountain Creek Distribution contingent upon obtaining a Highway Occupancy Permit through the PA Department of Transportation. The motion was seconded by Vice Chairman Barrett and passed 2 – 0. Chairman Wrightstone abstained from discussions and the vote.

PUBLIC INPUT: None

EMERGENCY SERVICES REPORT

Greg Bretzman said there were a total of 22 calls in October. Nine calls were for medical assistance, ten calls were for fire and three were for automobile crashes.

NEW BUSINESS

1. **Adoption of the 2015 General Fund Budget.**

The 2015 General Fund and Liquid Fuels budgets were on display and advertised in accordance with the Second Class Township Code. Manager Portillo noted that there was originally a \$19,000 deficit in the general fund budget, but that has been reduced to approximately \$8,000 due to a \$12,000 decrease in the public officials' insurance policy renewal. She also noted that payroll expenses have decreased over \$100,000 since 2008.

Chairman Wrightstone felt that budget adoption was one of the most important tasks assigned to the Supervisors. He mentioned that the fire tax was not increased and that 50% of the monies to fund the fire and emergency services sector will come from the fire tax fund and the other 50% would come from the general fund. The road investments over the next few years will reduce the reserves, but will be an investment in the Township's infrastructure. The Supervisors thanked the staff for their work on the budget and for continuing to reduce expenses.

Supervisor Reisinger **motioned** to adopt the 2015 General Fund Budget as displayed. Vice Chairman Barrett seconded the motion and it passed unanimously.

2. **Adoption of the 2015 Liquid Fuels Budget.**

The 2015 Liquid Fuels budget is balanced. Supervisor Reisinger **motioned** to adopt the 2015 Liquid Fuels Budget as displayed. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. **Adoption of Resolution 2014-07 – Establishing the General Fund Real Estate Tax effective January 1, 2015 at a millage rate of 0.0 mills, establishing the Fire Real Estate Tax effective January 1, 2015 at a millage rate of 0.084 mills on assessed valuation and an Earned Income Tax or Net Profit Tax at a rate of one-half of one percent.**

Chairman Wrightstone **motioned** to establish the General Fund Real Estate Tax effective January 1, 2015 at a millage rate of 0.0 mills and establish the Fire Real Estate Tax effective January 1, 2015 at a millage rate of 0.084 mills on assessed valuation as per Resolution 2014-07. Vice Chairman Barrett seconded the motion and it passed unanimously.

Solicitor Smith noted that Chairman Wrightstone forgot to establish the earned income tax or net profit tax as part of his motion.

Chairman Wrightstone **motioned** to establish the Earned Income Tax or Net Profit Tax at a rate of one-half of one percent, as per Resolution 2014-07. The motion was seconded by Supervisor Reisinger and passed unanimously.

4. **Goodman Logistic Center Conditional Use – scheduling of new public hearing date.**

Due to scheduling conflicts and the possibility of no quorum, the Goodman conditional use public hearing will need to be rescheduled. Goodman-Birtcher has offered an extension of time until December 12, 2014. The date being considered for the rescheduled hearing is December 8, 2014, with an alternate date of December 11, 2014. The Penn Township Fire Hall has been secured for both dates.

Chairman Wrightstone **motioned** to hold the Goodman Logistic Center Conditional Use hearing on Monday, December 8, 2014 from 6:00 pm until 9:00 pm at the Penn Township Fire Hall, with an alternate date of December 11, 2014. Supervisor Reisinger seconded the motion and it passed unanimously.

5. **Reduction #7 Letter of Credit – Woods of Barnitz.**

The Township received a request for a seventh reduction of the public improvement financial security for the Woods of Barnitz land development plan in the amount of \$260,677.25. The original security amount was \$865,697.25. Previous reductions approved by the Board in the total amount of \$373,805.00 have left a remaining balance of \$491,892.25. The Township Engineer recommended a reduction of \$264,000.00, resulting in a remaining balance of \$227,892.25, as per his letter dated November 3, 2014.

Supervisor Reisinger **motioned** to approve the reduction of the Woods of Barnitz land development plan public improvement financial security in the amount of \$264,000.00, as suggested by the Township Engineer. The motion was seconded by Chairman Wrightstone and passed unanimously.

6. **Park and Recreation 2014 Committee Report and 2015 Plans.**

Park and Recreation Chairwoman, Jane Mitchell, reviewed the 2014 report for the Board of Supervisors. She noted the following:

- There have now been 100 trees planted at Lindenwood Park.
- The Lindenwood Trail work is beginning and will continue into 2015.
- No Hunting signs have been purchased for Stuart Park.
- A 2nd trailered sign was purchased to help advertise events.
- Two members, Beth Kikla and Bill Rodier, will end their terms in 2014.
- The Board approved pursuing well and septic at Stuart Park.
- Clair's Orchard donated pumpkins and apples to the Harvest Event in 2014.

Ms. Mitchell reviewed the 2014 events and planned events for 2015. Chairman Wrightstone thanked the Park and Recreation Committee for their work and continued dedication.

7. **Modification to Court Approved Land Development Plan for the Dennison Tract – discussion only.**

In early 2005, the Board of Supervisors denied approval of a land development plan submitted by AC Kuhn for a warehouse, to be served by an on-lot septic system, on the Dennison Property. A land use appeal was taken to the court. The appeal was resolved by a November 2005 settlement agreement that approved the land development plan.

Hillwood Enterprises, LP (Hillwood) has entered into an agreement with the owner to purchase the Dennison Property and to develop it as a warehouse. Hillwood wants to modify the court-approved land development plan to change the internal access to allow for truck movement on the south side of the building and to move the truck storage area to the north side of the property next to Interstate 81 and reduce the square footage of the building. They also want public sewer service. Finally, Hillwood wants the plan to be reviewed under the same standards that applied to the plan that was the subject of the settlement agreement.

The Township has received a letter from Hillwood requesting a “willing to serve” letter for sewer and approval of a related sewage planning module.

Solicitor Smith advised that after speaking with Hillwood's council, all parties agree that the willing to serve letter is premature as the developer will need to start the process by requesting sewer capacity from South

Middleton Township Municipal Authority. Additionally, Hillwood's council wants to take the time to verify ownership rights due to older maintenance and easement agreements.

Bob Line asked if any of the requested modifications would affect the family cemetery on the property. Zoning Officer Barrick stated that it was protected in the original agreement and the changes would not harm the cemetery.

OLD BUSINESS

1. **Zoning/Saldo Draft Ordinances – task force progress.**

A master draft is in the process of being produced. Supervisor Reisinger has not provided his comments at this time.

2. **Regional Municipal Authority**

The grant application for the Act 537 Plan, Phase 2 that was submitted was denied. Manager Portillo said she would address Phase 2 of the plan once Phase 1 has been completed.

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

There was nothing new to report on this item.

MANAGER'S REPORT

Manager Portillo's report was submitted. She noted that she is now the Vice President of the Western Cumberland Council of Governments. Manager Portillo explained that the public officials' liability premium went from \$29,606 to \$17,900 and the deductible for the public official's policy went from \$25,000 to \$15,000.

TREASURER'S REPORT - Treasurer Gembusia's report was submitted without any additions.

ZONING OFFICER'S REPORT - Zoning Officer Barrick's report was submitted without any additions.

ROADMASTER'S REPORT - Road Master Barrick's report was submitted.

ENGINEER'S REPORT - The Engineer's report was submitted without any additions.

SOLICITOR'S REPORT

Solicitor Smith submitted her report and reviewed a recent Supreme Court decision regarding right-to-know policy. She also updated the Board on the Wolf appeal.

SUPERVISORS' REPORTS

No reports were provided by the Supervisors.

Manager Portillo stated that the Enck's Mill Bridge is now open and that there was an opening ceremony. She also provided the Board with the Carlisle Fireman's Relief Association audit findings and noted that there were identical findings in their last two audits. Since Dickinson Township provides relief funds to the Association, Manager Portillo suggested reviewing their policies before any additional distribution of funds.

ADJOURNMENT

Chairman Wrightstone **motioned** to adjourn the meeting at 6:40 pm. Supervisor Reisinger seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

