



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 DECEMBER 21, 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, Tom Imholte, Dennis Straub, Phil Thompson, Mary Kuna, Cynthia Thompson, Merle Barclay, Judy Scholl, Denise Gembusia, Bryan Gembusia, Kevin McGarvey, Ron Lucas, and Gary Frederick.

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 Monday, November 16, 2015 from 5:00 PM to 5:54 PM to discuss the Right-To-Know appeal and potential litigation with the Act 537 plan.

An executive session was held on Monday, December 7, 2015 from 5:15 PM to 6:37 PM to discuss personnel matters and litigation updates to Breslin I, Breslin II, and the recent Right-To-Know appeal.

Park and Recreation will host a free Family Bowling Night on January 21, 2016 from 6-8 PM at the Midway Bowling Center on Route 34. Flyers for the event are in the Township Building.

Used Christmas Trees may be disposed of during normal trash times or brought to the Township Building for disposal (December 28, 2015 – January 11, 2016).

The Township Manager is taking resumes through December 28, 2015 for the following positions in 2016: Parks and Recreation (1 position), Planning Commission (2 positions), Auditor (3 positions), and Zoning Hearing Board (2 positions). Positions will be filled at the January organizational meeting.

APPROVAL OF AGENDA

The public hearing was advertised for 7:00 PM, so the agenda must be amended to move the public hearing and the New Business #4 item after Old Business.

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

APPROVAL OF MINUTES

1. November 16, 2015 Board of Supervisors Regular Meeting Minutes

Ellen Colyer pointed out a name correction on page 2, second paragraph under General Public Input, the name "Sharp" should be "Schorpp". On page 3, under #10, first paragraph, the total miles is "8.6", not "6.6". On page 4, the sixth paragraph, the name "Hites" should be "Hykes", and the word "site" should be "sight".

Judy Brough pointed out that on page 3, under #10, Denny Beecher's comments should include a reference to pursuing grants for road work on Chestnut Ridge Road since it is used as access to state game lands.

Vice Chairman Barrett **motioned** to approve the November 16, 2015 Board of Supervisors regular meeting minutes with the suggested amendments. 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 December 4, 2015

CHAIRMAN'S REPORT

Chairman Wrightstone said he has been a Supervisor and Chairman for the past four years. He has been spending as much time outside the township as he has been spending in the township. In the best interest of the township, himself, and his family, he is resigning at the end of tonight's meeting. The township can begin the New Year with Tom Imholte and J.R. Barrett appointing a Supervisor for the New Year. He hopes the Board will continue to be fiscally prudent and put money towards the roads. In five years about 50% of the roads will have been paved, because of the efforts of the various people.

PLAN REVIEW/CONDITIONAL USE HEARINGS

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

Ron Lucas, Gary Frederick, and Kevin McGarvey were present. Mr. McGarvey explained the only change to the plan is the addition of the public sewer instead of the private on-lot septic. The public sewer will come through South Middleton Township Municipal Authority.

Jason Reichard stated there are three engineering comments still outstanding, which are outlined in his letter dated December 17, 2015. All comments relate to sewer.

Tom Imholte questioned if the area that was designated for the on-lot septic becomes available for something else and is there any concern of impervious area. Mr. Reichard explained there would just be additional berm constructed as opposed to a large retaining wall.

Vice Chairman Barrett **motioned** to approve the 2nd Supplemental Preliminary/Final Land Development Plan for Trade Center 44 as presented, which includes an amendment for public sewer, with the condition that the Engineer's comments are addressed. The motion was seconded by Chairman Wrightstone and passed unanimously.

Vice Chairman Barrett **motioned** to amend the previous motion to include consideration for repayment of administrative fees before the plan is released. The motion was seconded by Chairman Wrightstone and passed unanimously.

2. Time Extension Planning Module for Scott Eimerbrink

Vice Chairman Barrett **motioned** to approve the time extension through December 31, 2016 for the Scott Eimerbrink planning module. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. Time Extension for Subdivision Plan for Scott Eimerbrink

Vice Chairman Barrett **motioned** to approve the time extension through December 31, 2016 for the Scott Eimerbrink subdivision plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

GENERAL PUBLIC INPUT (non-agenda items) None

EMERGENCY SERVICES REPORT None

NEW BUSINESS

1. **Resignation of Manager.**

Chairman Wrightstone acknowledged receipt of the resignation of the Township Manager, effective December 31, 2015. He thanked Mr. Masley for his service.

2. **Ratification of Appointment of Assistant Manager as Manager, Zoning Officer, Codes Officer and Right-To-Know Officer**

Chairman Wrightstone stated Larry Barrick is being promoted to the position of Township Manager, and until January 4, 2016, he will continue as the Zoning and Codes Officer, and Open Records Officer.

Judy Brough questioned if there will be an opening for Assistant Manager, and suggested Denise Gembusia be considered for the position because she knows the township well and served as the Secretary/Treasurer.

Vice Chairman Barrett **motioned** to ratify the appointment of Larry Barrick as Township Manager, in addition to being the Open Records Officer, Zoning and Codes Enforcement Officer, effective January 1, 2016. Mr. Barrick will be compensated at \$62,118 annually and receive one additional week of paid vacation per year. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. **Ratification of \$500 Payment for Computer Encryption Key**

Manager Masley mentioned a ransom ware came in through one computer and spread onto the network on December 9, 2015 at approximately 12:30 PM. He explained the steps taken by the staff and the assistance provided by the IT agency, as well as notification to the Board of Supervisors, State Police, and bank. There is no reason to believe that any personal information was released. A \$500 was paid to gain the decryption codes, which is the equivalent of 1.15 bit coin of online currency. The computer system is now backed up so any future attempts with ransom ware will not result in any additional payments.

Vice Chairman Barrett **motioned** to ratify the \$500 payment for the computer encryption key. The motion was seconded by Chairman Wrightstone and passed unanimously.

4. **Policy Adopting New Business Agenda Items**

Manager Masley said the document is being worked on, with the assistance of PSATS.

5. **Woods of Barnitz – Bond Reduction Request**

Vice Chairman Barrett **motioned** to approve a bond reduction for the Woods of Barnitz in the amount of \$14,123.98, leaving a balance of \$108,700.90. The motion was seconded by Chairman Wrightstone and passed unanimously.

6. **Mountain Creek Distribution Center, Bond Reduction Request**

Denny Straub questioned if this bond is for both warehouses, because there are some trees that need to be replaced. Larry Barrick said the trees will be taken care of in the spring. Solicitor Smith said the trees are a subdivision land development enforcement action for Larry Barrick to take care of.

Vice Chairman Barrett **motioned** to approve the final bond reduction for Mountain Creek Distribution Center in the amount of \$969,231.80, leaving a balance of \$0.0. The motion was seconded by Chairman Wrightstone and passed unanimously.

7. **Amelia Givin Library Usage Rates and Future Funding**

Cynthia Thompson, Director of the Amelia Givin Library, was present and shared facts and figures about the library, and an update on 2014 events and activities. She also requested consideration for funding in 2016.

8. Letter of Financial Grant Support for Increased Capacity and Improved Life Lion Capability at Carlisle Airport

Mary Kuna of the Cumberland Area Economic Development Corporation was present and provided some background information on the proposed project at the Carlisle Airport to add a corporate hangar, add a hangar for Life Lion, and a terminal building. The total project is \$3.9 million and a grant is being requested in the amount of \$2.7 from PennDOT, with the remaining matching funds coming from the airport owners. No public funding is being used. She requested a letter of support to be included with the grant application.

Tom Imholte questioned what the letter of support provides, if it is not for a financial request. Solicitor Smith explained the grant request is placed in a pool. The more public support provided, the higher the grant application is placed in the pool for funding.

Brian Gembusia stated not a penny comes from tax dollars. The grant is a great way to fund that type of project. Those who do not use it are not being taxed for it.

Vice Chairman Barrett **motioned** to provide a letter of support for the Carlisle Airport, their activities, and their proposed project request for funding. The motion was seconded by Chairman Wrightstone and passed unanimously.

9. Road Management Plan Testimonial Video

Manager Masley stated there have been requests for an explanation of what happened with the road management plan and C.S. Davidson video, so Jason Reichard has offered to speak on what was done with respect to the video.

Jason Reichard provided the background of C.S. Davidson with respect to the business, type of services they provide, and who they represent throughout several counties. There is a lot of experience working with municipalities, specifically in finding ways for them to be successful with projects with limited funding. Focus has been placed on technology and how to do more with less cost. This led to the development of the Roadway Management Plans and software called C.S. Davidson Pave, which is an Excel based program set up as free software that was being distributed at PSATS events. Any township could log on and get a full inventory of the roadways and do a roadway management plan. It helped Dickinson Township. In March 2013 Dickinson Township was approached to use this program, which was a cost savings. The Board had a great response. C.S. Davidson made five videos to advertise this software, and Supervisor Reisinger was willing to provide a testimonial on one video. There was an event held at the Range End Golf Course on September 26, 2013 to share this information with numerous municipalities. The message was clear, how can we share technology to help municipalities in roadway management with the free software that was developed. The purpose of the video was to support the roadway management plan from townships that had gone through the process. The process is learned by going through the effort. That is what Supervisor Reisinger voiced on the video. Supervisor Reisinger volunteered his work. There was no written or verbal contract, and no compensation.

Solicitor Smith stated there has been confusion over time between the request for an investigation of the video, and the term investigation, in reference to a right-to-know, which there are 30 exceptions. The term non-criminal investigation is used for a right-to-know matter, and over time it got confused with investigation of the video. They are two separate matters, unrelated.

Phil Thompson thanked Chairman Wrightstone for serving as Supervisor for four years. He raised the issue of the video 22 months ago. Why it was not addressed then. He accepts what Mr. Reichard has said, but two years is inexplicable. Mr. Thompson submitted numerous right-to-know requests for background information. Supervisor Reisinger never stepped forward to say there was nothing done wrong. Mr. Thompson questioned how C.S. Davidson could have no records of the video being on the internet and you tube. If this is true, why did the township go to the extent of an investigation and two appeals? Mr. Thompson spoke with Manager Masley two weeks ago and received responses that were different from the

past. Someone is playing games. No one stood up and no one is taking accountability. It is going to bite you in the backside if it doesn't straighten up. He is really mad and this has compounded it.

10. **Second Amendment to the Inter-municipal Sanitary Sewage Treatment Agreement**

Ron Lucas was present. This agreement is to provide sewer. The agreement is between South Middleton Township, South Middleton Township Municipal Authority, Dickinson Township, and Dickinson Township Municipal Authority to provide public sewer for Trade Center 44. Carlisle Borough and Middlesex Township must signify they have no need for the capacity. The Dickinson Township Municipal Authority will need to approve and sign the Agreement as well.

Vice Chairman Barrett **motioned** to approve the Second Amendment to Inter-municipal Sanitary Sewage Treatment Agreement. The motion was seconded by Chairman Wrightstone and passed unanimously.

PUBLIC HEARING – An ordinance amending the Zoning Map of the Dickinson Township Zoning Ordinance to rezone portions of certain properties located north of Alexander Spring Road (T-469) from the Business-Industrial District to the Medium Density Residential-Office District.

A stenographic record was taken of this hearing, which began at 7:00 PM.

Ken Graham read a prepared statement, providing historical data and information on the matter.

Chairman Wrightstone said the proposal is a compromise between the request of the Planning Commission and the business there. The 300' MDR-O line is to be restored in the vicinity of Alexander Spring Road for the residential properties and remain 200' for the business, so as not to punish the business because the 300' would make their property a non-conforming use.

Solicitor Smith questioned the advertisement, which Larry Barrick stated the proposed ordinance was advertised on December 5 & 11. Solicitor Smith questioned if the affected properties were posted, which Larry Barrick stated the posting took place on December 11. Solicitor Smith questioned if the proposed ordinance was reviewed by the Cumberland County Planning Commission, which Larry Barrick responded the county received the request on November 19, 2015, and it was reviewed on December 17, 2015, and comments were provided. Solicitor Smith questioned if the Dickinson Township Planning Commission reviewed the proposed ordinance, which Larry Barrick said it was sent to them on November 19, 2015, and no comments were submitted.

Chairman Wrightstone **motioned** to close the public hearing. The motion was seconded by Vice Chairman Barrett and passed unanimously.

NEW BUSINESS CONTINUED

11. **Approval of Ordinance 2015-4 Amending the Zoning Map of the Dickinson Township Zoning Ordinance.**

Larry Barrick stated the Cumberland County Planning Commission suggested instead of the 300' line, it should follow the property lines. Solicitor Smith said the request before the Board is to re-determine the 300' line, as suggested by the Dickinson Township Planning Commission.

Vice Chairman Barrett questioned what the Planning Commission's recommendation was. Larry Barrick said the original request was for the 300' line for the entire length. After speaking to the Planning Commission Chairman, and providing copies of everything considered, they were comfortable with adjusting the line for the business property and keeping the 300' for the residential properties.

Chairman Wrightstone said the Trade Center was using the 200' map. It is not the right thing to put them in a position of being a non-conforming use. The compromise is to use the 300' for the properties where the houses are, and not for the business there. It doesn't make everyone happy, but it makes the most sense.

Vice Chairman Barrett **motioned** to adopt Ordinance 2015-4, which amends the zoning map of the Dickinson Township Zoning Ordinance to rezone portions of certain properties located north of Alexander Spring Road (t-469) from the business industrial (B-1) district to the medium density residential-office (MDR-O) district. The motion was seconded by Chairman Wrightstone and passed unanimously.

OLD BUSINESS

1. **Zoning/Saldo Draft Ordinances.**
There was nothing new to report on the item.

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 submitted his report

ZONING OFFICER’S REPORT

Zoning Officer Barrick submitted his report.

SOLICITOR’S REPORT

Solicitor Smith submitted her report.

TREASURER’S REPORT

Treasurer Metzger’s report was submitted without any additions.

ROADMASTER’S REPORT

Larry Barrick said the road crew continues to make base repairs and is cleaning out gutter systems for the winter months.

ENGINEER’S REPORT

Jason Reichard’s report was submitted without any additions.

SUPERVISORS’ REPORTS

Vice Chairman Barrett thanked Manager Masley for his services. He has done well for the township in the short time he was here. Vice Chairman Barrett appreciates what Mr. Masley has done.

Vice Chairman Barrett couldn’t express enough to Chairman Wrightstone how much he has appreciated his service and the guidance provided to him as a new supervisor, and Chairman Wrightstone’s leadership. The Township is definitely better off with Chairman Wrightstone’s service and his contribution will be missed.

ADJOURNMENT

Chairman Wrightstone **motioned** to adjourn the meeting at 7:25 PM. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Marjorie E. Metzger
Secretary/Treasurer

