



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING DECEMBER 15, 2014

PRESENT: J.R. BARRETT, 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, Brian Evans, Bob Line, Cynthia Thompson, Merle Barclay, Ron Lucas, Gary Frederick, Mac Utsey, Phil Thompson, Michael Coyle.

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

Dickinson Township received the 3rd place award for the 'Most Improved Newsletter' in the PSATS 47th Annual Township Citizen Communication Contest.

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.

The Parks and Recreation Committee will hold a free family bowling night on Thursday, January 15, 2015 from 6:00pm until 8:00pm at the Midway Bowling Center.

Supervisor Reisinger asked for a moment of silence in remembrance of Ron Wolfe who passed away on December 5, 2014. Mr. Wolfe served the Township through his varying positions and roles from 1983 until 2007. Supervisor Reisinger read from a plaque honoring Mr. Wolfe before a brief moment of silence was observed.

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. November 17, 2014 Board of Supervisors Meeting Minutes

Vice Chairman Barrett motioned to approve the November 17, 2014 Board of Supervisors regular meeting minutes as presented. The motion was seconded by Supervisor Reisinger 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 December 1, 2014

CHAIRMAN'S REPORT: None

PUBLIC HEARINGS: None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Revised Final Land Development Plan for A.C. Kuhn, Lot 3.

Engineer Brian Evans from Evans Engineering presented the revised final land development plan to the Board of Supervisors. He explained that a final land development plan for the construction of a 665,417 square foot warehouse facility was approved in 2005 through a court approved settlement agreement. Hillwood, the equitable owner of the site formerly known as the Dennison Tract, is proposing modifications to the approved land development plan including a reduction in square footage to 610,625, more automobile parking spaces, and moving the trailer storage parking from the western side of the lot to the northern side near Interstate 81. The proposed changes would reduce the impervious coverage by approximately 34,600 square feet. The revised plan also proposes public sewer.

The Planning Commission recommended forwarding the plan to the Board of Supervisors at their December 10, 2014 meeting with the following comments:

- Consideration of replacing white pines with fir or spruce trees;
- The developer agreed to not placing clear story windows on the top side of the southern walls of the structure;
- Consider installing “No Jake Brake” signs, speed signs and speed tables;
- Updating the owner listing on the notes;
- The possibility of improving the entire section road and not just outer sections of Alexander Spring Road;
- The developer agreed to more landscape plantings on the western side berm;
- Finding related documentation to clarify improvements/ownership of cemetery;
- Consideration of the Engineer’s comments when received;
- The addition of an oil and water separator on the southwest end of the project site by the parking area; and
- A verbal agreement to change the plan title in order to avoid ambiguity.

Engineer Evans stated that the developer agreed to replacing the white pines, signage for Jake brakes and speed limits, changing the plan name, updating the owner block, additional berm plantings, the addition of a second oil and water separator, and not placing clear story windows on the top side of the south side of the building. He noted that small windows might be included on the south side of the building, but they would be placed below the berm. The owners are still researching the speed table installation and the cemetery agreement. The additional water capacity of 3,000 gallons per day would need to be an amendment to the South Middleton Township and Dickinson Township intermunicipal agreement. Lastly, the Engineer’s comment letter dated December 15, 2014 was received and the developer feels the comments are reasonable and is willing to work with the Engineer in satisfying those comments. Engineer Evans asked that if the Board were to approve the plan, satisfaction of the Engineer’s comments and staff’s comments would be a condition of the approval.

Bob Line asked how the developer planned to repair the dry stack wall. Engineer Evans explained that it would be based on provisions in the masonry code to preserve and maintain the integrity of the wall. Mr. Line wanted to know what could be done to prevent trespassers. Two gates with two keys were to be installed, explained Evans; one key going to the Line family and one key going to the Township. Mr. Line stated that he liked the idea of an agreement. Engineer Evans offered adding a row of spruce or fir trees along the eastern side of the cemetery to help deter people from disturbing the area. Hillwood agreed to the additional tree planting along the cemetery.

Supervisor Reisinger **motioned** to approve the Revised Final Land Development Plan for A.C. Kuhn, Lot 3, condition upon the Planning Commission comments from their December 10, 2014 meeting, satisfaction of the Engineer’s comments from the December 15, 2014 letter, adding the additional trees along the side of the cemetery, satisfaction of the Zoning Officer’s comments, and coordination of an agreement with the Line family regarding the cemetery. Vice Chairman Barrett seconded the motion. The motion passed with a 2 – 0 vote. Chairman Wrightstone abstained from voting.

2. **Time extension – Planning Module for Scott Eimerbrink to March 31, 2015**

3. **Time extension – Subdivision Plan for Scott Eimerbrink to March 31, 2015.**

On December 11, 2014, Engineer John Madden from Madden Engineering Services submitted a request for a time extension until March 31, 2015 on the Scott Eimerbrink Planning Module and Subdivision Plan.

Supervisor Reisinger **motioned** to accept the time extension requests for the Scott Eimerbrink Planning Module and Subdivision Plan until March 31, 2015. The motion was seconded by Vice Chairman Barrett and passed unanimously.

PUBLIC INPUT

Cynthia Thompson, Merle Barclay and Judy Scholl were present as representatives of the Amelia Givin Library. Director Cynthia Thompson provided a fact sheet to the Board while discussing the services offered by the library. She noted that state funding was cut 5 years ago and that there has been no increase in state or county funding through tax revenue for the library system. She was granted an additional three minutes to speak. Supervisor Reisinger suggested she contact the Park and Recreation Committee for a possible joint fundraising event. Treasurer Gembusia offered to include library programs in the next newsletter.

Phil Thompson asked and was granted an additional three minutes. He addressed Chairman Wrightstone about being sensitive to township actions that might cause hikes in insurance. Mr. Thompson stated that a former insurance carrier dropped Dickinson Township’s coverage due to false statements during depositions in the second lawsuit. Mr. Thompson said that previous township officials claimed he and the other plaintiffs accepted a bribe in which they lined their pockets with money from Trammell-Crow. He stated that these statements were designed to intimidate and defame him and the other plaintiffs. Mr. Thompson spoke about a phone call he received from Attorney Nathan Wolf regarding the Trammell-Crow agreement that was signed approximately seven years ago. During that phone call, Mr. Wolf informed Mr. Thompson of a conversation that he had with Assistant Manager, Larry Barrick, in which Mr. Barrick asserted that the people who negotiated the Trammell-Crow agreement lined their pockets. Mr. Wolf stated that he advised Assistant Manager Barrick that he didn’t know what he was talking about and that he should cease and desist parroting commentary from past officials. Mr. Thompson said he didn’t think Assistant Manager Barrick had intended to wake up to a letter stating that he has been sued. Although he has been involved in lawsuits against the township for 7 years, Mr. Thompson stated he was willing to give it another 7 years. He said that the Township might go to court and risk a \$300,000 judgment against them, or the plaintiffs will walk away and will put up \$10,000 and the Township could put up \$65,000 to put an end to it.

EMERGENCY SERVICES REPORT

Greg Bretzman had no report.

NEW BUSINESS

1. **Appointment of Kathy Walton, William Rodier, and Miriam Robinson as Auditors (term ending 12/31/15).**

Supervisor Reisinger **motioned** to appoint Kathy Walton, William Rodier and Miriam Robinson as Dickinson Township Auditors with a term expiring on December 31, 2015. Vice Chairman Barrett seconded the motion and it passed unanimously.

2. **Goodman Logistic Center Conditional Use – Scheduling of Continuation of Public Hearing Dates.**

After a brief discussion, the Board of Supervisors agreed to continue the Goodman-Birtcher public hearing as follows:

- January 19, 2015 Regular Board meeting at 5:30pm, with the public hearing to continue immediately afterwards, ending no later than 9:00pm
- February 2, 2015 Regular Board meeting at 5:30pm, with the public hearing to continue immediately afterwards (if needed), ending no later than 9:00pm
- February 16, 2015 Regular Board meeting at 5:30pm, with the public hearing to continue immediately afterwards (if needed), ending no later than 9:00pm

The Board discussed holding the regular Board of Supervisors' meeting at 5:30pm on those dates, regardless of whether or not the hearing continuation was needed. Doing so would allow the Manager to advertise the dates all at once, saving the Township advertising expense.

Bob Line asked where the meetings would be held. The Supervisors answered that all the meetings would be held at the Dickinson Township Municipal Building.

Vice Chairman Barrett **motioned** to continue the Goodman-Birtcher Logistic Center conditional use public hearings as discussed. The motion was seconded by Supervisor Reisinger and passed unanimously.

3. **Reduction #8 – Letter of Credit for Woods of Barnitz.**

A request for a seventh reduction of the public improvement financial security for the land development plan for Woods of Barnitz in the amount of \$125,042.25 was received on November 12, 2014. The original amount of the security was \$865,697.25. Previous reductions approved by the Board in the amount of \$637,805.00 have left a security amount balance of \$227,892.25. The Township Engineer recommended a reduction of \$52,450.13, leaving a remaining balance of \$175,442.12. Vice Chairman Barrett asked the Engineer to clarify the difference in the requested and recommended amounts. Engineer Reichard explained the discrepancy, citing the swales that are not fully vegetated and retention of the 10% contingency.

Vice Chairman Barrett **motioned** to reduce the Woods of Barnitz public improvement financial security by \$52,450.13, as recommended by the Township Engineer's letter dated November 21, 2014, leaving a balance of \$175,442.12. The motion was seconded by Supervisor Reisinger and passed unanimously.

4. **Authorization to participate in the Central Pennsylvania Energy Consortium (CPEC) Fossil Fuel Bid (gasoline and diesel).**

Dickinson Township has been purchasing diesel and gasoline by participating in the Central Pennsylvania Energy Consortium (CPEC) bulk fuels purchase program for several years. This has allowed the township to secure a reduced rate per gallon for these fuels. In order to take advantage of the low fuel prices, the 2015 request for bids will go out sooner than usual. Typically this process is completed in March. The bids would be for purchase period from July 1, 2015 to June 30, 2016. Staff recommended participation in the bid and award process for diesel and gasoline through CPEC. Staff will report the final bid award at the time CPEC awards the bid.

Supervisor Reisinger **motioned** to participate in the CPEC fossil fuel bid and award for the purchase period from July 1, 2015 to June 30, 2016. Vice Chairman Barrett seconded the motion and it passed unanimously.

5. **Purchase of New Truck – discussion and direction.**

Currently, the Township owns a 2009 Ford F550 which is used to plow the cul-de-sacs and intersection as well as other township related tasks. This truck has a dump bed. The hydraulic system in this truck has failed multiple times and repairs have become costly. The road crew has been asking for a utility type truck they can use to haul tools and small equipment.

After many discussions, staff proposed the following:

- Purchasing a new Dodge 5500 cab and chassis.
- Transferring the current dump bed from the F550 to the new truck, with a new hydraulic system and hardware.
- Installing a new aluminum flatbed with tool boxes on the current F550.
- Purchasing new plows for both trucks.
- Selling/trading in the current F550 plow and the F450 which has reached its life expectancy.

By taking the actions proposed by staff, the Township would acquire two useful trucks, as opposed to one. The Board approved the 2014 budget with \$90,000 allocated for the purchase of one truck. Staff estimates the expenses at \$86,000. The Liquid Fuels has \$178,000 eligible for an equipment purchase. However, the

road construction and maintenance plans have been budgeted with the majority of that money. The estimate for the sale or trade in of the F450 is approximately \$4,500.

Staff recommended looking into a 3-year finance plan asked for the Board's direction on the financing of the above. The Board was happy with the idea of the purchases and financing. They gave permission for staff to research purchasing and financing options for presentation at an upcoming meeting.

OLD BUSINESS

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

Supervisor Reisinger recently provided his comments to staff. He talked about the suggested changes and recommended discussions begin with the zoning map in March of 2015. Solicitor Smith explained that the Board would need to advertise a public meeting before handing the draft back to the Planning Commission. She also clarified that the Board does not have to take public comment during their deliberations, but will need to hold a public hearing in which the public has the option to speak regarding their comments and changes.

2. **Regional Municipal Authority** - There was nothing new to report on this item.

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 without any additions.

TREASURER'S REPORT

Treasurer Gembusia's report was submitted. She noted that the Township completed the 2013 Liquid Fuels Audit with the Auditor General's office earlier in the day. There were no findings and an official report will be provided shortly.

ZONING OFFICER'S REPORT

Zoning Officer Barrick's report was submitted without any additions.

ROADMASTER'S REPORT

Road Master Barrick's report was submitted and he noted that the backhoe was going to be repaired next week.

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

SOLICITOR'S REPORT

Solicitor Smith submitted her report and requested a short executive session at the adjournment of the meeting in order to discuss the Breslin litigation.

SUPERVISORS' REPORTS - No reports were provided by the Supervisors.

ADJOURNMENT

Vice Chairman Barrett **motioned** to adjourn the meeting at 7:17 pm. Supervisor Reisinger seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

