



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING

FEBRUARY 17, 2014

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

VISITORS: Lloyd Hair, Janice Thompson, Stephen Krebs, Judy Brough, Gary Sutchffe, Carolyn McQuillen, Betty Haslett, Dennis Sloper, Susan Sloper, Tim Hoffman, Dan Wyrick, Rick Hoover, Dale Baer, Dorothy Sysak, Rebecca Bascom, Nathan Wolf, Bill Barker, Tiffany Baish, Andy Grace, Jim Hughes, Deb Baish, Pamela Foster, Marcella Hofler, Terry Burkholder, Sue Hikes, Roy Lindstrom, Ed Whistlek, Irene Whistlek, Sherry Hoover, Ohmar Ardman, Dennis Harvey, Kathleen Harvey, Dennis Calaman, Caroline Kim, Justin Kim, Paul Cunningham, Charlie Courtney, Dan Holland, Ray Jones, Beth Jones, Darlene Hartman, Gary Fatheree, Karen Meals, Ellen Colyer, Begee Staub, Morgan Price, Michelle Line, Bob Line, Daniel Frye, Minnie Lee Price, Jane Hippensteel, Philip Hippensteel, James Powers, Kathy Powers, Curt Wann, Pam Welsh, Jamie Smith, S. Gareth Graham, Dennis O'Brien, Kathleen O'Brein, Jeffrey Rollman, Barbara Krueger, Jean Weikart, Rodger Reese, Duane Lebo, Linda Larson, Ron Secary, Troy Briggs, Chuck Stehlik.

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 Park 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 Park and Recreation Committee will hold a free skating event on February 20, 2014 from 6:30pm to 8:30pm at the Midway Skating Center.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. February 3, 2014 BOS Meeting Minutes

Vice Chairman Barrett motioned to approve the February 3, 2014 Board of Supervisors' meeting minutes as presented. The motion was seconded by Chairman Wrightstone. The motion passed 2 – 0, with Supervisor Reisinger abstaining.

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 item approved:

1. Pay Bills

CHAIRMAN'S REPORT

Chairman Wrightstone publically thanked the road crew for their snow removal work during the last few weeks. He also addressed his employment with Geodis and the suggested possible conflict of interest that was brought up at the last meeting. Chairman Wrightstone said that he reviewed the information with the Township Solicitor and his own personal attorney, noting that both felt there was no conflict of interest present. He stated that he believed he could thoroughly and objectively review the Goodman Birtcher request.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Woods of Barnitz

Jim Hughes reviewed the Woods of Barnitz amended subdivision plans noting that the street widths were reduced from 30 feet to 24 feet and the boulevard widths were reduced from 18 feet to 16 feet. Lot 88 was also removed from the plans until the soil testing is completed. The intention is convey the land to the Township in a subdivision plan submittal at a later date. The Planning Commission recommended approval of the amended preliminary and final subdivision plans for Woods of Barnitz with six waivers, which were outlined in a memorandum presented to the Board by Manager Portillo and Assistant Manager Barrick. Chairman Wrightstone motioned to approve the amended preliminary and final subdivision plans for Woods of Barnitz, condition upon the future subdivision plan showing the lot conveyance to the Township and with the waivers outlined in the memorandum presented to the Board by Manager Portillo and Assistant Manager Barrick, which reads as follows:

1. Section 178-42.C Street Widths- local street from 30 foot minimum width to 24 foot
2. Section 178-17.A, B, D Submittal fees (for Phase I preliminary/final subdivision Plan revision and future minor SD Plan for lot 88)
3. Section 178-43.A.1.a.1 Park & Rec fees (with the inclusion of the Final SD Plan for Phase 2 and 3)
4. Section 178-43.A.4 Park & Rec fees (with the inclusion of the Final SD Plan for Phase 2 and 3)
5. Ordinance 2012-2 (Construction Standards) Local street cross sections from 26ft to 24ft
6. To modify the approved preliminary plan to regarding the Boulevard from 18ft paved width to 16ft.

The motion was seconded by Supervisor Reisinger and passed unanimously.

PUBLIC INPUT (non-agenda items)

There was no public input on non-agenda items.

EMERGENCY SERVICES REPORT

No EMS representative was present.

NEW BUSINESS

1. Borough of Carlisle's request for contribution to the 2014 Summerfair fireworks display.

The Carlisle Borough Mayor submitted a request to the Township for a donation towards this year's annual Summerfair "Stars Burst over Carlisle" fireworks display. Dickinson Township has donated twice in the past years: \$1000 in 2009 and \$500 in 2012. Manager Portillo stated that no money has been allocated in the 2014 budget for this expenditure. Duane Lebo stated that if it was not budgeted to not give money. The Supervisors noted that it was not a budgeted expense and agreed that no donation would be given this year.

OLD BUSINESS

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

Each Supervisor reported that things were moving along and that a few more meetings were scheduled.

2. Goodman Birtcher Application to amend Zoning Map and Zoning Ordinance.

Chairman Wrightstone explained that two public hearings had already been held regarding the Goodman Birtcher application to amend the zoning map and zoning ordinance. The Supervisors decided to hear public comment at this meeting and delay the vote until the March 3, 2014 meeting at the earliest. He also noted that there would be a joint meeting with Carlisle Borough at Borough Hall. Although not confirmed, Monday, February 24 at 6:00pm was requested as the meeting day and time.

Pediatrician Stephen Krebs discussed the health effects and risk of long-term exposure to diesel exhaust chemicals. He provided the Board with a 10-page list of chemicals identified in diesel exhaust. Chairman Wrightstone asked Dr. Krebs what solution he recommended since the demand for trucks was not changing. He asked what impact clean diesel engines have on the facts presented. Dr. Krebs stated that with cleaner diesel emissions, there are lower health effects. Vice Chairman Barrett asked if automobile emissions contain the same chemicals as diesel emissions. Dr. Krebs stated that they are the same, but diesel emissions contain 2.5 particulate matter. Vice Chairman Barrett asked how the information presented compares to the emissions on home heating fuel. Dr. Krebs stated that he didn't know the specifics, but did agree that diesel has more sulfur and a dye added to it. Dr. Krebs answered the Supervisors' questions regarding air quality.

Rick Hoover, North Middleton Township resident, discussed the impacts of living next to a warehouse including light pollution, noise pollution, diesel odors, haziness and the intensity of the construction process.

Bill Barker reviewed federally funded studies regarding warehouse jobs, asserting that they are typically temporary, low-wage jobs that do not offer worker's compensation. He stated that the average salary in Cumberland County was approximately \$46,000 per year and that an average warehouse job pays only \$9 per hour. Mr. Barker believed that the Township was going to receive a payment in lieu of taxes (PILOT) as a special favor from the developers.

Karen Meals articulated that she couldn't see the benefit to Dickinson Township residents and asked the Board to weigh the pros and cons so she could have a better understanding of each. Chairman Wrightstone answered that job creation was the number one benefit to residents, followed by income for the school district and fire tax revenue for the Township. He reviewed how residents' taxes were collected and distributed.

Michelle Line conveyed that Berks and Beyond currently hires between 15 and 20 people per day for \$8.50 per hour warehouse jobs. She believed Chairman Wrightstone's opinions were biased since he grew up with a father who worked in the industry. Mrs. Line spoke about the signed petitions asking the Supervisors to deny the Goodman Birtcher request and her opposition to the request.

Bob Line voiced concern over responsible growth and asked the Board to follow the current zoning.

Curt Wann asked what criteria the Planning Commission used to make their recommendation to the Board and how it coincides with the Boards' decisions regarding the Goodman Birtcher request. Chairman Wrightstone stated that he didn't know what criteria the Planning Commission used to make their recommendations. He thought they deliberated and discussed the pros and cons of each recommendation. Mr. Wann suggested the Board use services within the County to present data and make their decisions. He questioned what, if any, ethics standards discussions were held with the Solicitor in January of 2012.

Roy Lindstrum stated that most trucking firms purchased a large number of trucks in 2007 so they would not have to comply with the clean-air standards. He verbalized concern over the inadequate road structure, increased crime and lack of manufacturing jobs left in the country. Mr. Lindstrum plead that the Board take more time in making their decision.

Charlie Courtney stated that Goodman Birtcher did not hire Lloyd Hair as a representative and that Mr. Hair's comments were his as a township resident. He noted that PM2.5 was falling and offered Dan Holland to present his information to the Board. Mr. Courtney discussed idling and the hotline available to call if someone were to see a truck idling. He spoke about responsible growth, job creation, and tax revenues.

Dan Holland from West Chester presented information to the Board regarding the EPA's regulation of PM2.5, which occurs every 5 years. He said that PM2.5 is not a distinct regional micro-level pollutant. Mr. Holland talked about non-attainment, the strategy to get attainment, annual standards and 24-hour standard petitions for air quality. Mr. Holland offered that there is 5 years of data showing air quality improvement, but attainment has not been reached because of political lag. He reviewed regulatory actions and programs,

noting that a 10-year maintenance plan must be submitted once a non-attainment area becomes an attainment area. The PA Bulletin will have information regarding the State's effort to gain attainment.

Rebecca Bascom, M.D., M.P.H., provided the Board with a packet of information on air quality. She discussed point-source problems and relations, declaring that the closer to the point-source, the more dangerous the particulate matter. She testified that diesel particulate has the ability to combine with other allergens and activate the sensitized allergen response, or asthma. Dr. Bascom reviewed proximity from point-source distances relative to the concentration of particulate matter. These discussions lead to a debate on horizontal abatement versus vertical distance as a way to increase proximity from the point-source of the pollutant. The Board questioned whether it was better to concentrate the area of pollution or spread it out over a wide network. Dr. Bascom stated that the Board must make that decision, but encouraged them to not add to the pollution problem. Supervisor Reisinger asked Dr. Bascom if Nathan Wolf consulted her whether or not he should move his home closer to Interstate 81. There was a brief public outburst.

Nathan Wolf defined point-source and asked the audience to stand up if they were opposed to the Goodman Birtcher request. He stated that the public was taking part in the legislative process and that the Board was their designated trustees. Mentioning the emotional involvement of the residents, Mr. Wolf requested the Board delay their decision, especially while the zoning task force is still contemplating changes. He suggested exhausting all other possibilities via regional, long-range planning standards before making a plea for the Board to turn down the request.

Barbara Kruger talked about her family's history in the area as well as her working experiencing at the Flying J and Sheetz. She stated that she hasn't had to take cough medicine since leaving work at both places. Ms. Kruger warned the Board about opening Pandora's Box. She stated that she didn't think people worked a warehouse job for 50 years.

Judy Brough wanted to let air quality to continue to improve rather than add to the pollution problem. She spoke in opposition of the request.

Morgan Price said that trucks under load make the most 2.5PM. He stated that automation and robotics will eliminate jobs.

Gary Graham discussed the contamination plume from the old electric company and expressed concern over his well being contaminated. He asked the Board if they were aware of the DEP brownwater application. Chairman Wrightstone stated that he had no knowledge of water contamination in the area. Mr. Graham talked about conflicts of interest, taxpayers paying for clean-up, and speeding. He stated that the 40 foot high warehouse buildings were obsolete since 50 foot high buildings were needed for automation picking.

Lloyd Hair stated that his graphs were not misleading and that he was present to express his support of the trucking industry. He noted that diesel fuel is what the school buses use to transport children to school. Mr. Hair talked about the optimum burn of a diesel engine versus home heating devices. At the current price of diesel, Mr. Hair didn't feel a good company would allow their trucks to idle. Mr. Hair reminded everyone about the peripheral jobs the warehouse could bring to the area, such as highly-skilled diesel mechanics.

Rodger Reese spoke in support of the Goodman Birtcher request and stated that he spoke to people who were also in support of the request, but were too afraid to speak at a meeting.

Paul Cunningham stated that the Board will become pariahs in the community if they approve the request. He asked Chairman Wrightstone to get a waiver from the Geodis attorney and asked if he consulted an ethics professor at Dickinson College about a possible conflict of interest. Mr. Cunningham said that Judge Ebert talked about the evils of the trucking industry and stated that only a fool would approve the request. Mr. Cunningham wanted Goodman Birtcher to put up a \$25 million dollar bond and offered Nathan Wolf \$5,000 to file a class-action lawsuit against the Township.

Jamie Price offered that the interstate was built for economic reasons by people who were unaware of adverse health risks. She stated that although the township inherited I81, they could still make good decisions regarding its use. Ms. Price also offered that no parking signs were often ignored.

Jean Weikart informed the Board of low-fee mediation services offered to anyone, regardless of county affiliation, by Adams County Mediation Services. She suggested the Board contact Jan Powers and provided contact information. Mrs. Weikart also offered contact information to a dispute center in Harrisburg. She encouraged the Board to use one of the resources and asked them to consider all possibilities before making a decision.

Dan Wyrick offered hypothetical scenarios if the Goodman Birtcher request were approved as is or on a conditional approval. He noted that a high-powered electrical line goes through the middle of one of the buildings on the conceptual plan. Mr. Wyrick stated that there was no validation or justification for more warehouses in the community before discussing the increase in his property taxes.

No action was taken by the Board of Supervisors after public comment was received.

3. Regional Municipal Authority.

There was nothing new to report on this item.

4. Master Stormwater Feasibility Study – Mountain View Road Drainage.

There was nothing new to report on this item.

MANAGER'S REPORT

Manager Portillo had nothing to add to her report.

TREASURER'S REPORT

Treasurer Gembusia had nothing to add to her report.

ZONING OFFICER'S REPORT

Zoning Officer Barrick had nothing to add to his report.

ENGINEER'S REPORT

The Engineer asked that the Board should be ready to review the Roadway Improvement Plan at the next meeting.

SOLICITOR'S REPORT

Solicitor Smith had nothing to add to her report.

SUPERVISORS' REPORTS

No reports were submitted.

ADJOURNMENT

Chairman Wrightstone motioned to adjourn the meeting at 10:00 pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

