



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING
MAY 19, 2014

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

ABSENT: Supervisor Jonathan Reisinger.

VISITORS: Judy Brough, Ellen Colyer, Kurt Williams, Mike Wadel, Karen Meals, Jeff Damon, Mark VanWeelden, Bill Rodier, Bob Line, Doug Brehm, Dan Wyrick, Molly Baehr, Greg Bretzman, Ron Carlson.

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

An executive session was held on Monday, May 19th from 5:15pm until 5:48pm to discuss the substantive validity challenge filed with the Zoning Hearing Board.

Primary Election Day is Tuesday, May 20, 2014. Polls will be open from 7:00am until 8:00pm.

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.

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. April 21, 2014 BOS Meeting Minutes

Vice Chairman Barrett motioned to approve the April 21, 2014 Board of Supervisors' meeting minutes as presented. The motion was seconded by Chairman Wrightstone and passed unanimously.

CONSENT AGENDA

Chairman Wrightstone 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 May 5, 2014

CHAIRMAN'S REPORT

No report was submitted.

PUBLIC HEARINGS

No public hearings were scheduled.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. *Preliminary/Final Subdivision Plan for Barbara Lillich, deadline 8/12/14*
2. *Non-building declaration for Barbara Lillich*

Doug Brehm explained the plan to subdivide the Lillich property, which would create a 12 acre lot along North Dickinson School Road and an 87 acre residual lot for agricultural use. No new construction is proposed as part of the subdivision. Mr. Brehm reviewed the comment letters from the County and from the Township Engineer. Sheet 3 of the subdivision plan was revised to tie the proposed lot to the parent tract after two existing pins were located. Engineer Reichard had no concerns over the plan or the revision of Sheet 3. Zoning Officer Barrick noted that a variance on a barn setback was granted by the Zoning Hearing Board on March 18, 2014. The Planning Commission reviewed the plan on May 14, 2014 and recommended approval of the waivers and the plan to the Board of Supervisors.

Vice Chairman Barrett motioned to approve the following waivers on the Preliminary/Final Subdivision Plan for Barbara Lillich:

1. Section 178-22 Waiver of Preliminary Plan Process
2. Section 178-21.A.(5) Existing Field Survey Topographic Contours
3. Section 178-23.3 Environmental Impact Study – Steep Slopes
4. Section 178-23.C Environmental Impact Study – Wetlands

The motion was seconded by Chairman Wrightstone and passed unanimously.

Chairman Wrightstone motioned to approve the non-building declaration for the Preliminary/Final Subdivision Plan for Barbara Lillich. The motion was seconded by Vice Chairman Barrett and passed unanimously.

Vice Chairman Barrett motioned to approve the Preliminary/Final Subdivision Plan for Barbara Lillich. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. *Preliminary/Final Subdivision Plan for Woods of Barnitz, Lot #89, deadline 8/12/14*
4. *Planning Module for Woods of Barnitz Lot #89 Final Subdivision Plan, deadline 6/20/14*

Kurt Williams and Mike Wadel presented the plan to the Board of Supervisors, explaining that the intention is to subdivide a 4.67 acre lot into a 1.16 residential lot (#88) and a 3.5 acre lot that will be conveyed to Dickinson Township as an institutional lot addition (#89). The Engineer reviewed his comment letter dated May 12, 2014. Typical on-lot improvements that demonstrate the intent of creating disconnected impervious areas will need to be incorporated. Provisions should be made to account for roadside stormwater runoff that is conveyed along Mountain View Road. Mr. Wadel said he and the developer were willing to address the Engineer's concerns. Cumberland County's review suggested adding a screen buffer on the plan between the proposed institutional use (lot #89) and the proposed residential use (lot #88). The planting will be the responsibility of the Township and will need to follow the provisions of the Zoning Ordinance Chapter 205-30 regarding screenings. The Board asked that this requirement be placed on the plan in the form of a note. Lastly, Mr. Williams noted that the Home Owner's Association Bylaws will need to be amended to include lot #88 and exclude lot #89.

Vice Chairman Barrett motioned to approve the waivers of Section 178-17 (Filing/Park & Recreation Fees) and Section 178-22 (Preliminary Plan Process) for the Preliminary/Final Subdivision Plan for the Woods of Barnitz Lot #89. The motion was seconded by Chairman Wrightstone and passed unanimously.

Chairman Wrightstone motioned to approve the Preliminary/Final Subdivision Plan for the Woods of Barnitz Lot #89 with the condition that the Township Engineer comment letter dated May 12, 2014 and the Cumberland County Planning Commission comments are addressed, and that the plan include a note regarding the screening requirements as per Chapter 205-30 of the Zoning Ordinance. The motion was seconded by Vice Chairman Barrett and passed unanimously.

Vice Chairman Barrett motioned to approve and send the planning module for the Preliminary/Final Subdivision Plan for the Woods of Barnitz Lot #89 to DEP for their review and approval. The motion was seconded by Chairman Wrightstone and passed unanimously.

5. **Time extension – Planning Module for Scott Eimerbrink to July 31, 2014**

Zoning Officer Barrick explained that the Township received a time extension request from the applicant and his Engineer so they could revise the plan as per the Dickinson Township Planning Commission's recommendations. Vice Chairman Barrett motioned to accept the time extension for the Scott Eimerbrink Planning Module to July 31, 2014. The motion was seconded by Chairman Wrightstone and passed unanimously.

6. **Time extension – Subdivision Plan for Scott Eimerbrink to July 31, 2014**

Vice Chairman Barrett motioned to accept the time extension for the Scott Eimerbrink Subdivision Plan to July 31, 2014. The motion was seconded by Chairman Wrightstone and passed unanimously.

PUBLIC INPUT (non-agenda items)

Bob Line expressed his desire to have his farm rezoned to agricultural use. The Board explained options, including filing a curative amendment.

Judy Brough asked if actions taken in executive sessions were being completed in public meetings according to provisions in the Sunshine Act. She also questioned whether or not correspondence received by the Board is announced in public meetings or hearings. Chairman Wrightstone explained that correspondence received is not typically announced in a public session unless it is for a hearing. Typically, correspondence received in relation to a public hearing becomes part of the official record. Mrs. Brough said that Supervisor Reisinger made a comment in a public hearing that the Board received an overwhelming number of letters in favor of the recent warehouse decision. However, she didn't receive that many favorable letters in her recent RTK request. Chairman Wrightstone stated that the Board adheres to the Sunshine Act. Solicitor Smith wanted to clarify that the process was legislative in nature and that there was no evidence submitted.

EMERGENCY SERVICES REPORT

Greg Bretzman reported 15 incidents in April 2014. He noted that a 4th due engine has been added on all incidents. Chief Jeff Snyder was appointed in Carlisle and is working with 1st responders to build better relationships.

NEW BUSINESS

1. **Road projects bid awards.**

Manager Portillo explained that the 2014 Road Improvements were bid out and presented the Board with a summary of the two contracts and resulting bids. Engineer Reichard said that the low bidder on Contract #1 was Wilson Paving for a total amount of \$364,785.40 and the low bidder on Contract #2 was Asphalt Maintenance Solutions for a total amount of \$247,686.00. The budgeted amount for all 2014 road projects was \$700,000.00. The two contracts came in \$87,528.60 under budget. Engineer Reichard asked for permission to possibly include East Yellow Breeches in this year's projects if the costs remain low. Manager Portillo asked Solicitor Smith if that request would change the bid. She suggested the Board motion to accept the lowest bids with the condition that any additional road would be subject to the Solicitor's review. The Engineer said that the projects were bid based on quantity, but the Solicitor felt she should review the bids before determining the impact of adding an additional road.

Dan Wyrick asked where the work was expected to be completed and if it would be finished before the start of the school year. Vice Chairman Barrett listed the names of the roads impacted by the two contracts. Engineer Reichard answered that the first contract was expected to be completed while school was not in session, but the second project might extend into the school year. He noted that no roads would be fully closed and the work will not affect school bus schedules.

Vice Chairman Barrett motioned to award Contract #1 to Wilson Paving for \$364,785.40 with the condition that the Solicitor review the contract to determine if additional quantities may be used to include East Yellow Breeches Road. Chairman Wrightstone seconded the motion and it passed unanimously.

Chairman Wrightstone motioned to award Contract #2 to Asphalt Maintenance Solutions for \$247,686.00 with the condition that the Solicitor review the contract to determine if additional quantities may be used to include East Yellow Breeches Road. The motion was seconded by Vice Chairman Barrett and passed unanimously.

2. **Resolution 2014-03 – Act 537 Grant Application.**

At the April 21, 2014 meeting, the Board gave consensus to proceed with a grant application with the Commonwealth Financing Authority for Act 537 and sewage facilities planning. The grant requests \$30,000 total; 50% of which the Township would have to provide matching funds. As part of application, the Township needs to submit a \$100 non-refundable fee and a Resolution authorizing the grant request.

Chairman Wrightstone noted that although this was an unbudgeted expense, the Township needs to update the plan and utilize any grant funds that can be secured. Chairman Wrightstone motioned to approve Resolution 2014-03, authorizing a request to the Commonwealth Financing Authority for a sewage facilities grant for Act 537 sewage facilities planning. The motion was seconded by Vice Chairman Barrett and passed unanimously.

3. **Selection or rejection of Terrorism insurance coverage.**

The Township has the opportunity to purchase terrorism insurance coverage as part of the renewal of liability and business insurances. This insurance would cover losses resulting from acts of terrorism. Previously, the Board rejected this coverage, which would cost \$264 per year. Chairman Wrightstone motioned to reject the terrorism insurance coverage as part of the liability and business renewal. The motion was seconded by Vice Chairman Barrett and passed unanimously.

4. **Acceptance of Liquid Fuels Audit for period January to December 2012.**

The Township's Liquid Fuels Tax Fund audit for the year ending December 31, 2012 was completed in September 2013. The report was submitted and approved by the Auditor General with no deficiencies. The Board accepted the liquid fuels tax fund examination report for the year ending December 31, 2012 and thanked staff for their work.

5. **Single trash hauler discussion.**

Manager Portillo noted that the optional 4th year of the current single trash hauler contract expires on April 1, 2015 and presented options for the Board to consider. One option is to extend the current contract another year, to expire April 1, 2016. Prices would increase \$0.06 per bag tag and \$0.90 cents per quarter for the tote system. A second option is to rebid the contract pursuant to the current adopted ordinance in hopes of better pricing. A third option is to amend the current ordinance to address some of the residents' concerns such as exemptions for temporary residential housing (cabins), hours of service (currently they are 5am to 6pm), recycling of electronics as per the new Covered Device Recycling Act and rebid the contract under the newly amended ordinance. A fourth option is to repeal the single trash hauler ordinance in its entirety and permit residents to select a trash hauler without oversight from the Township. A fifth option is to repeal the single trash hauler ordinance and adopt a new ordinance that considers multiple haulers but still requires residents to have a trash hauler and other regulations found in the current ordinance.

Dan Wyrick asked if staff or the Board has talked to any of the trash haulers to determine the impact and costs that might be associated with changing the hours of service to start at 6:00am. Chairman Wrightstone said that the bids would determine the impact on pricing. Mr. Wyrick felt that the haulers would be able to provide feedback on what impacts pricing.

Karen Meals discussed two times when her trash or recycling was not picked up by the hauler. After contacting them to complain, she was told to hold onto her trash until next week.

Mark VanWeelden from Advanced Disposal introduced himself and addressed some of the common concerns and complaints. Vice Chairman Barrett asked Mr. VanWeelden to address the skid marks caused by some of the truck stopping too quickly. Mr. VanWeelden said that the new trucks are equipped with a program that will take a short video if any significant G-force is exerted on the truck. It should help prevent drivers from stopping too quickly. Mr. VanWeelden told Ms. Meals that the company policy is to recover any missed stops within 48 hours.

Dan Wyrick asked why trash and recycle trucks travel up one side of the road and then down the other. Manager Portillo explained that it is illegal for them to cross the double-yellow line for collection.

After a brief discussion, the Board expressed their desire to amend the current ordinance. Manager Portillo asked them to email their concerns to her so she may begin working on amending the ordinance.

6. **Designation of Dickinson Township Building as the primary Emergency Operations Center.**

7. **Emergency Operation Plan adoption.**

The Pennsylvania Emergency Management Services Code requires municipalities to have a current emergency operations plan (EOP) in place. Dickinson Township's EOP was adopted in 2003. It is outdated and may not have been reviewed since its adoption. The state and county's Emergency Management Agencies are trying to standardize these plans. The proposed plan has been adapted to match Dickinson Township's needs.

As part of the plan, an Emergency Operations Center must be designated by the Board. Staff and Earl Bock, Emergency Management Coordinator, recommend designating the Township building as the primary Emergency Operations Center.

Chairman Wrightstone motioned to designate the Dickinson Township Building as the primary emergency operations center and to adopt Resolution #2014-04, the Emergency Operation Plan. Vice Chairman Barrett seconded the motion and it passed unanimously.

OLD BUSINESS

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

Chairman Wrightstone said that his group has completed the review process. Vice Chairman Barrett explained that his group has about 14 pages remaining in Section 4 and another meeting has been scheduled.

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 reported that the Township was one of the companies affected by the Paytime breach. She noted that staff is working on finding a solution, which will most likely include moving the general checking account to a new account within the same financial institution. She will report back to the Board once more is known.

TREASURER'S REPORT

Treasurer Gembusia submitted her report and noted that the Fishing Derby was attended by over 300 people total. She also noted that the Lindenwood tree planting event was attended by 46 volunteers, including numerous students from the Carlisle High School Track & Field team. Lastly, she stated that she planted flowers at Stuart Park with Mr. Walter Plank on Saturday, May 10th. Treasurer Gembusia asked the Board to recognize Mr. Plank for donating the flowers and his time. Additionally, she asked to recognize Miller's Mulch for donating the mulch for the Stuart Park flower planting.

ZONING OFFICER'S REPORT

Zoning Officer Barrick stated that septic citations for those who did not pump their septic systems in 2013 will be issued later in the week.

ROADMASTER'S REPORT

The Roadmaster reviewed his report with the Board, noting that new barricades and lights were purchased from Chemung Supply. This purchase allowed the Township to return the rented barricades to Associated Products, which will result in a savings of \$1,200 per year.

ENGINEER'S REPORT

The Engineer left the meeting after business item #1, but his report was submitted without any additions.

SOLICITOR'S REPORT

Solicitor Smith had nothing to add to her report.

SUPERVISORS' REPORTS

No reports were submitted by the Supervisors.

ADJOURNMENT

Chairman Wrightstone motioned to adjourn the meeting at 7:28 pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

