



**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**  
**MARCH 3, 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.

**VISITORS:** Ken Giffhorn, Dennis Straub, Dan Wyrick, Doug Shaffer, Jeremy Baum, Ellen Colyer, Michelle Line, Bob Line, Nathan Wolf, Judy Brough, Thomas Smith, Jane Mitchell, Jim Strader, David Palmer, Bob Reisinger, Karen Meals, Lloyd Hair, Dennis Slopey, Bill Barker, Paul Cunningham, Phil Thompson, Ray Jones, Charlie Courtney, Ron Secary, Troy Briggs, Chuck Stehlik, Gary Graham, Sandy Walker, Jerry Drago, Ron Fevola, Ian Eckman, Jamie Smith, Minnie Lee Price, Darcie Frye, Troy Sieg, Morgan Price.

**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 gardening seminar on Saturday, March 22, 2014 from 2:00pm until 4:00pm at the Township Building. Pre-registration is requested.

**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. February 17, 2014 BOS Meeting Minutes**

Vice Chairman Barrett motioned to approve the February 17, 2014 Board of Supervisors' 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 item approved:

1. Pay Bills

**CHAIRMAN'S REPORT**

Chairman Wrightstone announced that he would recuse himself from voting on the Goodman Birtcher application to amend the zoning map and zoning ordinance based on new information he received within the last week.

**PLAN REVIEW/CONDITIONAL USE HEARINGS**

No plans were reviewed.

## **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. *Acceptance of 2013 Township and Municipal audit reports.*

Chuck Frame from Boyer and Ritter reviewed the general fund and special revenue fund balance sheets with the Board. He noted there was a \$629,000 excess of revenues over expenditures for the 2013 calendar year. Chairman Wrightstone asked if the township was fiscally sound in comparison to other municipalities. Mr. Frame replied that the township was very healthy and noted that only 4 audit adjustments were made. He stated that four adjustments was a low number and that the township did a great job with no deficiencies. Chairman Wrightstone thanked Manager Portillo and Treasurer Gembusia for their hard work.

### 2. *717Studios' proposal to overhaul back-end of Township's website.*

Four web developers were contacted when the Township's website was compromised in mid-January. Only one, 717Studios, was able to bring the information back online. The website remains unstable and staff is aware that all of the links are broken. 717Studios provided a quote to the township in the amount of \$2,997.00 which includes an overhaul of the back-end, a new content management system and staff training on how to edit and maintain the website. With no public input being offered on the business item, Supervisor Reisinger motioned to approve the quote from 717Studios in the amount of \$2,997.00. The motion was seconded by Vice Chairman Barrett and passed unanimously.

### 3. *Bid review and award – Purchase of trees for second Tree Vitalize grant fulfillment.*

The Township received bids for the procurement of 50 additional trees to be planted at Lindenwood Park as part of a second Tree Vitalize grant previously accepted by the Board of Supervisors. Staff reviewed the bids with the Park & Recreation Chairwoman and recommends approval of the bid received from Woodlawn Trees in the amount of \$4,800.00. This amount includes delivery at the planting site on April 26, 2014 and instructions on how to plant a bare-root tree from a certified arborist. Vice Chairman Barrett motioned to accept the bid from Woodlawn Trees in the amount of \$4,800.00. The motion was seconded by Supervisor Reisinger and passed unanimously.

### 4. *Authorization to participate in the CPEC fossil fuel bid – gasoline and diesel.*

Dickinson Township has been participating in the Central Pennsylvania Energy Consortium (CPEC) bulk fuels purchase program for diesel and gasoline purchases for several years. Participation secures a reduced rate per gallon for these fuels. The purchase period is from July 1, 2014 to June 30, 2015. Staff recommends participation in the bid and award process for diesel and gasoline through CPEC. CPEC will award the bid sometime in early June. Staff will report the final bid award at that time. The Board gave consensus to participate in the CPEC bulk fuels purchase program as recommended by staff.

### 5. *Act 537 discussion and direction.*

Bob Reisinger from Glace Associates explained that a municipality's Act 537 Plan has to be updated every ten years. Dickinson Township's Act 537 plan is dated December 1992. The Township had a meeting with DEP in late 2005 where DEP indicated that they would accept the plan update in two phases. Phase 1 would address the northeast corner of the Township and the second phase would address the remainder of the Township. In July 2013 the Board discussed the options for updating and completing Phase 1 of the Act 537 Plan. The options include (1) taking no action, (2) building a new treatment plant and collection system, or (3) purchasing capacity from Carlisle Borough and conveying sewage through South Middleton Township's lines to Carlisle Borough's system.

Supervisor Reisinger shared his thoughts and recommended approving connecting to the Borough of Carlisle. Bob Reisinger explained that after a decision is made, the plan will need to be finalized and a meeting will need to be scheduled for public comment. Once a hearing is held, the plan would be submitted to DEP for

approval and Phase 2 would begin. Capacity is available through the Borough and through the South Middleton Township lines.

Supervisor Reisinger motioned to proceed with Phase 1 of the Act 537 Plan via connection to Carlisle Borough's existing system. The motion was seconded by Vice Chairman Barrett and passed unanimously.

## **OLD BUSINESS**

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

Chairman Wrightstone explained the creation and purpose of the task force groups for those who were unfamiliar with the old business item. Each Supervisor reported that their groups were making progress, but still needed to conduct more meetings.

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

Chairman Wrightstone stated that he was no longer in favor of approving the application, even though he would not vote on the matter. He expressed his concerns over access, traffic impact and weighing the majority over the interest of a few.

Supervisor Reisinger said he was struggling to sift through perception and reality. He noted that denying this application doesn't guarantee a better idea or use in the future. Supervisor Reisinger stated that traffic will increase no matter what use is approved in the area. He questioned if the public's opinion would change if Industrial use meant less truck traffic than other uses. Supervisor Reisinger reviewed current zoning and discussed surrounding land use.

Vice Chairman Barrett talked about three main issues, the first of which was road access. He stated that he was against any traffic being routed onto Ritner Highway instead of through Allen Road. Secondly, he addressed tax revenue for the school district. Although an increase in tax revenue may not lower taxes, Vice Chairman Barrett suggested it might slow the frequency of a tax increase. Lastly, he discussed how temporary jobs allow employers to pick the best employees for direct hire. Vice Chairman Barrett reviewed a recent article in The Sentinel which listed the top 50 employers in Cumberland County. Only two manufacturing companies were in the top 50. Vice Chairman Barrett stated that he has yet to see any local data showing that with each additional warehouse, air quality decreased. He read from page 29 of the Exit 44 study regarding rationale for modifying the zoning to Business-Industrial. Vice Chairman Barrett wondered if the developers would offer city water to the surrounding residents since a previous groundwater contamination issue was identified.

Chairman Wrightstone noted that access seemed to be the top issue of concern and questioned if the Board needed more information before voting. Vice Chairman Barrett stated that he didn't want to have Carlisle Borough dictate what the Supervisors' decide. He wondered if rezoning the property to B-I would prohibit retail use.

Supervisor Reisinger reviewed estimated traffic numbers using the Institute of Transportation Engineers' (ITE) trip generation manual. Goodman Birtcher's proposed elimination of the West Pennsboro portion of the project would only allow for truck access through Allen Road. Supervisor Reisinger compared retail waste against warehouse waste. Stating that he was not a traffic engineer and needed more information, Supervisor Reisinger voiced his decision that he was not ready to vote on the business item. He wondered if there could be a workshop meeting between Goodman Birtcher, the Board of Supervisors and a few community representatives. Chairman Wrightstone thought Supervisor Reisinger might be suggesting an engineering study and not a workshop. Supervisor Reisinger said an engineering study might answer his questions and provide facts that all parties could agree upon. Vice Chairman Barrett questioned the Exit 44 true traffic capacity in relation to the original design plan traffic capacity.

Before continuing, Solicitor Smith wanted to clarify that the current zoning ordinance is not inclusive. Not all of the Business-Recreation (B-R) uses are permitted in Business-Industrial (B-I) zones. She also wanted to

address the Act 2 contamination issue. No active remediation is being proposed. The idea is allow nature to clean the contamination through time and space.

Attorney Nathan Wolf suggested the Board table the business item until the access issue was clear. He discussed impacts of 24-hour operations verses those open only during business hours. Mr. Wolf stated that only a small handful of residents supported the Goodman Birtcher application.

Attorney Charles Courtney was confident that truck access was permitted and stated that Goodman Birtcher wants access explicitly through Allen Road. He offered a promise of a perpetual condition of approval that would restrict all access to Route 11. Reviewing his memo to the Board of Supervisors, Mr. Courtney discussed buffering and berm height, pollution due to truck volume and jobs. Mr. Courtney offered information from a Department of Labor report to show in contrast to the jobs report presented by Professor Barker. Mr. Barker's report was conducted on 391 respondents from Will County, Illinois.

Before public comment Solicitor Smith clarified that the Goodman Birtcher request is to make a change to the zoning ordinance. No application has been placed before the Board. This is a policy decision and it would be inappropriate to consider any promises or offers verbalized by the developer.

The following people offered public comment:

- Gary Graham discussed Act 2 issues and spoke in opposition of the plan.
- Sandy Walker discussed Act 2 and traffic issues. She spoke in opposition of the plan.
- Ken Giffhorn talked about the comprehensive plan and spoke in opposition of the plan.
- Jerry Drago talked about heavy ozone days and spoke in opposition of the plan.
- Ron Fevola suggested the Supervisors take no action. He spoke in opposition of the plan.
- Ian Eckman talked about tax revenue fallout and spoke in opposition of the plan.
- Bill Barker talked about verbal promises from the developer. He spoke in opposition of the plan.
- Ray Jones talked about the comprehensive plan and spoke in opposition of the plan.
- Lloyd Hair spoke in favor of the plan.
- Dan Wyrick discussed an electric line on the concept design and spoke in opposition of the plan.
- Sharon Barker spoke in opposition of the plan.
- Karen Meals spoke in opposition of the plan.
- Denny Straub spoke in opposition of the plan.
- Dennis Slopey spoke in opposition of the plan.
- Phil Thompson expressed his disappointment with two Supervisors. He spoke in opposition of the plan.
- Jamie Smith asked the Board to postpone their vote until Carlisle Borough made their decision since they control access and water to the site.
- Minnie Lee Price read the words to the song, "They Paved Paradise and Put up a Parking Lot".
- Troy Briggs stated he was a resident of Hershey, PA and spoke in favor of the plan. He explained that Goodman Birtcher talked to PPL and the power line would be relocated if necessary.
- Michelle Line stated that Mr. Briggs was a liar. She spoke in opposition of the plan.

Supervisor Reisinger motioned to table the business item. The motion was seconded by Vice Chairman Barrett and passed unanimously.

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 noted that the Township received a check in the amount of \$4,603 as a result of the DEP Act 101 Recycling Performance Grant for the 2012 calendar year.

**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 was not present.

**SOLICITOR'S REPORT**

Solicitor Smith discussed a recent court decision regarding spot zoning for a parcel behind the outlets on Route 30. Based on the decision in the case, Solicitor Smith suggested the Township create purpose statements for each zoning district. She reviewed a large lot agricultural zoning decision that was blessed by the court with the caveat that sliding scale zoning be applied.

**SUPERVISORS' REPORTS**

No reports were submitted.

**ADJOURNMENT**

Supervisor Reisinger motioned to adjourn the meeting at 9:05 pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia  
Secretary/Treasurer

