



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING May 20, 2013

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

VISITORS: Charles Breslin, David Liberator, A.C. Kuhn, Karen Walborn, Ken Giffhorn, J.R. Barrett, Ellen Colyer, Judy Brough, Ron Wolfe, John Perkey, Raymond Highlands, Bill Rodier, Dan Wyrick, Jane Mitchell, Glenn Mitchell, Charles Graver, Chad Clancey, Ivan Bretzman, Greg Bretzman, Paul Cunningham, Ronald Bixler, Michael Wadel, Phil Thompson.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Wrightstone called the meeting to order at 6:00pm and led the audience in the pledge of allegiance.

OPENING ANNOUNCEMENTS

Primary Election Day is Tuesday, May 21, 2013. Polls will be open from 7:00am until 8:00pm.

A special meeting will be held on Wednesday, May 22, 2013 at 6:00pm at the Township building for the appointment of a Board Supervisor.

Chad Clancy from Modjeski & Masters gave a presentation on the Burnthouse Road humpback bridge and presented two plaques to the Board. The bridge won two awards; Outstanding New Short Span Bridge and Outstanding CSS Bridge Design. Mr. Clancy noted that Penn DOT paid for the construction of the bridge.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. May 9, 2013 Board of Supervisors Special Meeting Minutes

Vice Chairman Reisinger motioned to accept the May 9, 2013 Board of Supervisors special meeting minutes as presented. Chairman Wrightstone seconded the motion and it passed unanimously.

CONSENT AGENDA

Vice Chairman Reisinger motioned to approve the consent agenda as submitted. Chairman Wrightstone seconded the motion and it passed unanimously with the following item approved:

1. Pay Bills

CHAIRMAN'S REPORT

No report was submitted.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Minor Final Subdivision plan for Victor and David Barrick – for discussion only.

2. Planning waiver and non-building declaration for Victor and David Barrick – for discussion only.

Mike Wadel, plan Engineer for the Barricks, explained that Victor and David Barrick plan on subdividing a 2.23 acre lot (Lot #3) from their 55.7 acre farm at Encks Mill Road and Montsera Road for residential purposes. An existing dwelling, driveway, sewage disposal area and replacement sewage disposal area are currently located on proposed Lot #3. Engineer Reichard noted that his comment letter dated May 7, 2013 had 11 total comments which were mostly addressed at the Planning Commission meeting. However, the Planning Commission wanted to get direction from the Board regarding comment #9 which reads, "*The Index Map illustrates the boundary of the original tract by a bold line while previously subdivided Lots No. 2 is represented in a manner that does not account for the previous subdivisions. The perimeter of Lot No. 1 needs to be updated to clearly acknowledge the previous subdivisions including proposed Lot No. 3. New bearings and distances will need to be established for residual Lot No. 1*". Essentially, the Planning Commission wanted to know if a full survey of the perimeter would be required by the new owner.

After a discussion and further clarification, Solicitor Smith said that the deed for the parent tract will not need to be rewritten. On Lot #3 there are established and surveyed lines. She said that Mr. Wadel could mark the plan with the boundary line around the Keck's property and then notate it as an unsurveyed line. He should also note the source of the information used for marking the line. The line should then be redrawn to clearly depict the outer boundary of the residual lot #1 minus the Keck and Dunbar property. No action was taken as the item was up for discussion only.

PUBLIC INPUT (non-agenda items)

Charles Breslin asked Chairman Wrightstone if he would agree that this is the first meeting he's attended since December of 2011. He also asked why Township lawyers would tell a Federal judge that he continues to come to meetings to exercise his 1st amendment rights. He then asked what the Board was going to do to correct the record. Chairman Wrightstone said that he would not discuss litigation at the meeting. Mr. Breslin asked if Chairman Wrightstone would confirm or deny a rumor that when he was running for office, he received correspondence from Dan Wyrick threatening release of information that was potentially embarrassing to Mr. Wrightstone or one of his supporters. Mr. Breslin asked Chairman Wrightstone if he wasn't investigating the CD transfer further because Dan Wyrick was implicated as the responsible party for the transfer and, therefore, Mr. Wyrick would release the embarrassing information. Mr. Breslin then asked about a Planning Commission email between a member of the Planning Commission and Judy Brough. He stated that Dan Wyrick is one of only three members who have not publically denied authoring that email. Mr. Breslin again asked if Chairman Wrightstone was not pursuing any action on the matter because he feared disclosure of the threatening information. Mr. Breslin asked for Chairman Wrightstone's resignation.

John Perkey asked that the gutter on Green Mountain Road be cleaned out. He asked why the Township hires people who can't run the equipment to get the work done.

Dan Wyrick asked questions about the special meeting scheduled for Wednesday. He asked the Board if they plan on disclosing the names of the people interested in being appointed as interim Supervisor. Chairman Wrightstone said that four people submitted resumes; Dan Wyrick, Ken Giffhorn, J.R. Barrett and Bob Livingston. Mr. Wyrick asked if other individuals had been contacted by the staff or the Board. Chairman Wrightstone said that these issues would be discussed at the special meeting. Mr. Wyrick asked if either Board member had communicated with the potential candidates. Vice Chairman Reisinger said that he didn't plan on following a formal interview process and that his task was only to appoint someone to the position. Mr. Wyrick said he was asking his questions so that the Board showed transparency in its decision.

Paul Cunningham asked Bob Wrightstone why he sat on a threatening letter for over a year. He claimed that the extortion letter exists because three township residents have it or have seen it. Mr. Cunningham asked that the letter be turned over to the District Attorney. Mr. Cunningham said that it was his understanding that the plaintiffs cost the Township so much money in right-to-know requests that they were going to be sanctioned to the tune of \$100,000. He asked if anyone else's costs are being tracked in their right-to-know requests.

Phil Thompson said that he said something inappropriate at the last special meeting and he publically apologized to Dan Wyrick and the Board. Mr. Thompson then offered to correct Paul Cunningham's figure of \$100,000 for the sanctions. He said that he never told Mr. Cunningham a figure. Mr. Thompson noted that in December of 2010, video recordings of the meetings had started. He said that Jonathan Reisinger, Bob Wrightstone, Ray Jones, and Allyn Perkins were all surprised when they saw the cameras. Mr. Thompson then said he doubted the decision to video record meetings came from Ron Reeder or Laura Portillo. He said that, logically, it only leaves the Township Solicitor as the person who directed the action. Mr. Thompson said that the personal attacks on Bob Livingston were disgraceful. Then Mr. Thompson discussed times when he was called out of order or disruptive in meetings. He noted that there are a variety of standards in enforcement. Then Mr. Thompson asked why the Township didn't indemnify Laura Portillo. Mr. Thompson was told his time was up and he requested an additional three minutes, which were granted. He then asked again why the Township didn't indemnify Laura Portillo making her have to hire her own attorney.

Dan Wyrick talked about the word intimidation. He said that intimidation it is disrespectful and shows a lack of honor. He claimed the retired Colonels will try to restrain his speech or attempt to hurt him in some way.

EMERGENCY SERVICES REPORT

Greg Bretzman reviewed the report for April. Raymond Highlands said he is waiting for certification paperwork.

NEW BUSINESS

1. **Hearing Ordinance 2013-05, establishing a weight restriction on Green Mountain Road.**

Chairman Wrightstone opened the hearing at 7:01pm and noted that the hearing was advertised and properly posted. Solicitor Smith noted that the Board changed the weight limit to 20 tons.

Ron Wolfe asked that the Township clean the gutters with a grater and perform road repairs before putting the weight restriction on the road. He also suggested hiring someone who knows how to run the equipment or ask other townships for help. Chairman Wrightstone said that the Dickinson Township road crew knows how to work the equipment and noted that we often work with neighboring townships. With no further public input, the hearing was closed at 7:05pm.

2. **Discussion and action on Ordinance 2013-05, Green Mountain Road Weight Restriction.**

Vice Chairman Reisinger motioned to approve Ordinance 2013-05, restricting the weight limit on Green Mountain Road. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. **Board action on pooled collateralization of assets with Orrstown Bank.**

The Township currently has a Board approved agreement with Orrstown Bank for a bridge collateralization of Township funds individually collateralizing Dickinson's funds for a period of 60 days. This agreement ends on June 4th, 2013. After staff researched other Act 72 compliant banks, it was determined that no bank was willing to offer individualized collateralization of funds. Manager Portillo recommended that the Board agree to the pooled collateralization of funds with Orrstown Bank beginning June 4, 2013, with direction to search other approved institutions for a better rate of interest now that the assets will be collateralized the same way with other institutions. Vice Chairman Reisinger motioned to accept the pooled collateralization of funds with Orrstown Bank beginning June 4, 2013. Chairman Wrightstone seconded the motion and it passed unanimously.

4. **Acceptance of Tree Vitalize grant award in the amount of \$4,844.**

The Parks & Recreation Committee received notification that the 2013 Tree Vitalize Grant was approved in the amount of \$4,844. Once the grant money is received, the Township will be issued a check for 70%, or \$3,390.00, of the grant. The remaining 30% (or \$1,454.00) will be issued to the Township upon satisfactory completion of the project. The grant close out information must be received 45 days after project completion or by November 15, 2013. All work on the project must be completed by October 1, 2013. Money for this project will come from the Park & Recreation Fund. Approximately \$1,200.00 will be needed from that fund in order to fulfill the Township's monetary requirement of the grant. Vice

Chairman Reisinger motioned to approve the 2013 Tree Vitalize Grant in the amount of \$4,844 with the Township's monetary requirement coming from the Park and Recreation Fund. The motion was seconded by Chairman Wrightstone and passed unanimously. Vice Chairman Reisinger thanked Jane Mitchell and the Park & Recreation Committee for their work on the project.

5. **Fire Chief/Assistant Fire Chief – New title as Emergency Services Administrator and job description.**
At the March 18, 2013 Board of Supervisors' meeting, staff was directed to look into pursuing different options to remove the fire wage classification from the Township payroll while keeping the current personnel on the payroll. Dickinson Township does not have a volunteer fire company to be classified with the State under a Firefighter's code for Workers' comp purposes. Currently, Dickinson Township's budget has an Emergency Management category (415.00) and a Planning and Zoning/Codes category (414.00). After reviewing the job duties received from Greg and Ivan Bretzman, they have been reclassified under these two categories. The title for this new position would be Emergency Services Administrator. Staff recommends the adoption of the new job description and the appointment of Greg Bretzman to Emergency Services Administrator and of Ivan Bretzman to Assistant Emergency Services Administrator. Vice Chairman Reisinger motioned to adopt the new job description and appoint Greg Bretzman as Emergency Services Administrator and to appoint Ivan Bretzman as Assistant Emergency Services Administrator. Chairman Wrightstone seconded the motion and it passed unanimously.
6. **Worker's Compensation Insurance.**
The state removed the firefighter's code from the Township's worker's compensation file. However, getting a worker's comp quote proved to be difficult. One company, Amerihealth Casualty, provided a quote of \$13,075.00. This quote reflects a \$6,000 increase in our premium. With no other options, Manager Portillo recommended approval of the Amerihealth Casualty Insurance Company quote. Vice Chairman Reisinger motioned to accept the Amerihealth Casualty Insurance Company quote for worker's compensation insurance for \$13,075.00. The motion was seconded by Chairman Wrightstone and passed unanimously.
7. **Planning Commission Solicitor.**
Since no responses were received for RFQ for the Planning Commission Solicitor, Manager Portillo said she would like the Board's permission to extend the RFQ response period by another month. An email blast to the Adams County Bar Association will also be sent out regarding this request. The Board agreed.

OLD BUSINESS – To be discussed at May 22, 2013 Board of Supervisors' meeting

1. **North Dickinson Road project**
2. **DTMA Dissolve**
3. **Zoning/Saldo Draft Ordinances – Rescind April 15, 2013 motion and discussion and action on new proposal.**
4. **Master Stormwater Feasibility Study – Mountain View Road Drainage**

MANAGER'S REPORT

Manager Portillo's report was submitted without any additions or questions.

TREASURER'S REPORT

Treasurer Gembusia's report was submitted without any additions or questions.

ZONING OFFICER'S REPORT

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

ENGINEER'S REPORT

Engineer Reichard's report was submitted without any additions or questions.

SOLICITOR'S REPORT

Solicitor Smith's report was submitted without any additions or questions.

SUPERVISORS' REPORTS

There were no reports submitted from the supervisors.

ADJOURNMENT

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

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

