



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING
JULY 21, 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.

ABSENT: Rick Barrick, Road Master.

VISITORS: Judy Brough, Ellen Colyer, Karen Walborn, Walter Plank, Merle Miller, Sara Miller, Betsy Smith, Bob Line, Jane Mitchell, Bill Rodier, Greg Bretzman.

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 July 21, 2014 from 5:30pm until 5:45pm to discuss personnel matters, the Breslin litigation and land use appeal litigation.

Enck's Mill Road Bridge is closed to all traffic until September 30, 2014.

Dickinson Township Parks & Recreation Committee will be holding their 3rd annual Ice Cream Social on Thursday, July 24, 2014 from 6:00pm until 8:00pm at Twirly Top in Gardners. Join us for a free ice cream cone while taking the time to meet your neighbors, elected officials and staff. Coupons are required and will be available through the newsletter, online and at the event.

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.

Cumberland County will hold a household hazardous waste collection event on Saturday, August 23, 2014 from 9:00am until 3:00pm at the Cumberland County Service Center located at 310 Allen Road in Carlisle. Please visit www.ccpa.net for more information.

Dickinson Township is seeking volunteers to form an Agricultural Security Area (ASA) committee. The committee shall consist of three active farmers, each representing a different private or corporate farm, and one Dickinson Township resident. If interested, please email the Township Manager.

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. June 16, 2014 BOS Meeting Minutes

Vice Chairman Barrett motioned to approve the June 16, 2014 Board of Supervisors' meeting minutes as presented. The motion was seconded by Supervisor Reisinger and passed 2-0, with Chairman Wrightstone abstaining.

CONSENT AGENDA

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

1. Pay Bills
2. Ratify bill payments from July 7, 2014

CHAIRMAN'S REPORT - No report was submitted.

PUBLIC HEARINGS

1. Central Valley Farms (695 Burnt House Road) proposal for the creation of an ASA.

Mrs. Margie Jones submitted an Agricultural Security Area (ASA) application for a 96.96 acre lot that contains several active farm buildings and a 3.9 vacant farm lot. Public notice of the ASA proposal was posted and advertised on May 21, 2014. After a 15-day period for public comment expired, the proposal was forwarded to the Planning Commission for their review at the June 11, 2014 meeting. The PC recommended approval of entering the property into the ASA. The Board of Supervisors gave consensus to hold the hearing at the July 21, 2014 meeting. Zoning Officer Barrick noted that the Cumberland County reviewed the application and submitted a report with comments.

Chairman Wrightstone opened the public hearing at 6:05pm. Solicitor Smith explained that the two parcels would be added to Dickinson Township's Agricultural Security Area and that the application was not for a separate ASA.

Bob Line asked if the ASA would have to be reinstated every seven years. Zoning Officer Barrick stated that it would be reviewed every seven years by the Township. Solicitor Smith stated that the application was to place the property in the ASA. Mr. Line asked if there was a way to determine which properties were currently in the ASA to which Supervisor Reisinger stated the information was available through the County. Solicitor Smith made clear that an official act is required to bring the property into the ASA and an official act would be required to take the property out of the ASA.

Chairman Wrightstone closed the hearing at 6:09pm.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Time extension for Scott Eimerbrink Planning Module to September 30, 2014

2. Time extension for Scott Eimerbrink Subdivision Plan to September 30, 2014

The Township received a time extension request for the Scott Eimerbrink Planning Module and Subdivision Plan to September 30, 2014. Supervisor Reisinger motioned to accept the time extension request for the Scott Eimerbrink Planning Module and Subdivision Plan to September 30, 2014. The motion was seconded by Vice Chairman Barrett and passed unanimously.

PUBLIC INPUT (non-agenda items)

No public input was offered.

EMERGENCY SERVICES REPORT

Greg Bretzman reported that there were a total of 23 calls in June; 8 automatic fire alarms, 8 medical assists, 3 storm related calls, 3 crashes and 1 building fire. He also noted that the brush trucks were all operational and commented on the increasing need for EMS volunteers.

NEW BUSINESS

1. **Community Service Recognition to Mr. Walter Plank and Merle & Sara Miller of Miller's Mulch.**
Every spring for the last ten years, Dickinson Township resident Walter Plank, has been donating and planting impatiens, marigolds and other flowers at Stuart Park. Miller's Mulch owners, Merle and Sara Miller, have donated the mulch in this annual beautifying project for over 10 years. The Board thanked and recognized Mr. Plank, Mrs. Miller and Mr. Miller for their contributions and dedication to the Township by presenting an appreciation plaque to them. Another smaller plaque was purchased and will be placed by the hostas at Stuart Park.
2. **Resolution 2014-06, ASA Central Valley Farms, LLC.**
Supervisor Reisinger motioned to adopt resolution 2014-06, the addition of 100.86 acres owned by Central Valley Farms, LLC to Dickinson Township's Agricultural Security Area. The motion was seconded by Vice Chairman Barrett and passed unanimously.
3. **Manager Salary Adjustment.**
Manager Portillo proposed taking every third Friday off, beginning the week of August 4, 2014, with an adjustment in salary to reflect the proposed change from \$65,256 to \$63,520. Beginning in 2015, the Manager's salary would be adjusted to \$61,000 to account for the 17 Fridays in the calendar year.

Vice Chairman Reisinger motioned to approve the Manager's salary adjustment as described. The motion was seconded by Vice Chairman Barrett and passed unanimously.

4. **Stuart Park Signage.**
Park & Recreation Committeeman Bill Rodier explained that there has been evidence of hunting at Stuart Park and requested permission and funding to post "No Hunting" signs. Manager Portillo thanked Park & Recreation for their work and noted that through further research it was determined that the Township Code requires a list of park rules to be posted at the park. She suggested posting the park with the rules and including the "No Hunting" on the rules sign. Three phone quotes were received to determine the costs associated with performing a boundary line survey of Stuart Park. Prices ranged from \$4,250 to \$11,000. Staff does not believe it to be cost-effective to perform the survey at this time, but the item can be worked into the 2015 or 2016 budget.

Park & Recreation Chairwoman Jane Mitchell noted that the immediate concern is to reduce risk and increase safety at the park. The Board agreed with the Park & Recreation's recommendation to post No Hunting Signs and for staff to post a rules sign in order to satisfy Chapter 137 of the Township Code.

5. **CDL Drug and Alcohol Testing Personnel Policy.**
The proposed Drug and Alcohol Testing Policy will comply with federal and applicable state regulations related to drug and alcohol testing of employees required to have a commercial driver's license (CDL). The policy outlines the action to be taken by the Township Manager if an employee is in violation of the policy, including everything from corrective action to immediate dismissal. The policy also defines the types and methodology of required testing, the reporting and recording of test results, the confidentiality of documents and recordkeeping procedures.

Supervisor Reisinger motioned to approve the CDL Drug and Alcohol Testing Personnel Policy as presented. The motion was seconded by Vice Chairman Barrett, with discussion. He asked if there was a policy in place for drug and alcohol testing of non-CDL employees. Solicitor Smith and Manager Portillo explained that the personnel manual addresses drug and alcohol abuse for non-CDL employees and the ramifications of violating the policy. The motion passed unanimously.

6. **Solid Waste Ordinance – proposed changes.**
Manager Portillo explained that the Board forwarded their concerns over the current Solid Waste Ordinance and a draft document was presented which addressed those concerns. The proposed changes would provide for exemptions from the mandatory township hauler requirement, reference the Electronic Covered Device

Law requirements, determine the minimum number of tags required per year, as well as address violation provisions. Manager Portillo also noted that an email from Marie Thrush was received in relation to this topic.

Betsy Smith said that people should have a choice as to whether or not they want to use a trash hauler. She used to burn her trash in order to save money and can't afford another bill.

Judy Brough had questions regarding the exemptions section. She asked if the exemptions would be at the Manager's discretion and if the exemptions will include snow birds. Manager Portillo replied exemptions would be granted if the resident has alternative means of disposal. Mrs. Brough asked the difference between an exemption and a suspension of service. Manager Portillo clarified each for her through hypothetical situations. Mrs. Brough asked if it would be a violation to take trash and recycling over township lines. Solicitor Smith stated that the receiving municipality might have an issue, but Dickinson Township would no longer consider it a violation of the ordinance if the changes were adopted by the Board.

After a series of discussions, the following changes to the working draft were agreed upon:

- **Article 6 (C)** Section only states what items can go into recycling bin. Recycling will not be mandated. As written, it would be violation to put something in the recycling bin that is not on list. Needs to be reworded to encourage recycling (§ 166-5 NEW SECTION)
- **Article 7 (A) 2** Seasonally-occupied structures may not be occupied for more than 6 months within a given year provided that a sworn affidavit of the owner of such structure as to the seasonal occupancy is provided to the Township Manager (NEW SECTION)
- **Article 7 (A) 3** "Alternate means of disposal" needs to be more clearly defined. Especially since burning is an alternative mean of disposal, but violates the Burning Ordinance as well as various state laws (NEW SECTION)
- **Article 9 (D)** Participants in the per bag system shall be required to purchase a minimum of 6 tags per year (§ 166-7.E)
- **Article 9 (I)** Delete entire section (§ 166-9.D)
- **Article 11 (A)** Typo; know to known
- **Article 15 (A) 1, 2, 3** Delete entire section (§ 166-14.C.1 through 3)
- **Article 15 (B)** Delete entire section (§ 166-14.A.3) and add to contract.
- **Article 15 (4)** Delete entire section (§ 166-14.A.4)
- **Article 15 (C)** Entire section must be moved to different place in ordinance (§ 166-14.F) and change frequency of reporting requirements.
- **Article 18 (C)** Delete entire section (§ 166-15 and § 166-19.D)
- **Article 18 (D)** Add "Except as provided herein" to the beginning of the section (§ 166-16)
- **Article 18 (F)** Delete entire section (§ 166-19.C)
- **Article 19 (B)** Restrict enforcement to Township Manager and Codes Enforcement Officer.

Manager Portillo stated she would make the changes to the working draft. The Board agreed to set the hearing date during a meeting in August.

OLD BUSINESS

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

The Planning Commission Chairman, Denny Straub, submitted a letter to the Board in which the Planning Commission recommended the deletion of white pine trees from the list of approved trees for screening application from the zoning ordinance with a specific prohibition of use of such trees to be added. The requirement for the establishment and maintenance of a mulch bed surrounding all trees used in screening applications was also recommended. Aware of the costs associated with making such a change, the Planning Commission requested guidance from the Board in their willingness to proceed with the recommended changes at this time. Solicitor Smith noted that many of the landscaping requirement rules have changed and she suggested the Board review the list of acceptable materials and plants for landscaping.

Chairman Wrightstone stated that his group was completed with their review of the draft zoning ordinance. Vice Chairman Barrett stated that his group had one more meeting, which was scheduled for the following evening. Supervisor Reisinger's group is almost completed with their review. There was a discussion on how to disseminate the information compiled from each group into a single document. It was determined that the Roth draft Word document would have track changes and comments inserted from each group and they would be managed by color. Chairman Wrightstone offered to provide his group's information to staff first.

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 submitted her report without any additions, but noted that a traffic impact study was received from Goodman-Birtcher's Engineer.

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.

ROADMASTER'S REPORT - Road Master Barrick was not present, but his report was submitted.

ENGINEER'S REPORT

The Engineer submitted his report and noted that road contract #2 will start in early September.


SOLICITOR'S REPORT - Solicitor Smith submitted her report without any additions.

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

ADJOURNMENT

Chairman Wrightstone motioned to adjourn the meeting at 7:42pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,


Denise Gembusia
Secretary/Treasurer

