



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING
AUGUST 18, 2014

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

ABSENT: J.R. Barrett, Vice Chairman.

VISITORS: Amy Myers, Jim Hughes, Ellen Colyer, Michael Wadel, Brian Evans, Bob Line, Michelle Line, Jane Mitchell, Bill Rodier, Molly Baehr, Ivan Bretzman, Greg Bretzman, Gerald Eby.

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

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

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.

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

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

APPROVAL OF MINUTES

1. July 21, 2014 BOS Meeting Minutes

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

CONSENT AGENDA

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

1. Pay Bills
2. Ratify bill payments from August 4, 2014

CHAIRMAN'S REPORT - No report was submitted.

PUBLIC HEARINGS - No public hearings were scheduled.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. **Final Minor Subdivision Plan for Estate of Frances J. Verdekal.**
2. **Non-building Declaration for Estate of Frances J. Verdekal.**

Mike Wadel from E.L. Diffenbaugh Associates explained the plan as a final minor subdivision of approximately 80 acres on the east side of Mount Rock Road. The purpose of this plan is to settle the estate of Frances J. Verdekal by subdividing lands from the estate (lot#1). Lots 2A and 2B will be conveyed as lot additions to the adjoining lands of Albert Verdekal. They cannot be sold or conveyed separately and a deed of consolidation must be prepared and recorded for the final combined lot as depicted on the accompanying plan. The other two proposed lots (Lot #3 & Lot #4) will each contain one of the existing dwellings, sewage disposal areas and a shared well. The only earthmoving or improvements will be a driveway for Lot #4. The residual Lot #1 will be farmland and woods with three agricultural buildings. No wetlands or floodplains are on the project site.

Engineer Reichard noted that a revised plan was submitted and prior to final approval the owner's notarized signature will need to be provided on the plan.

Supervisor Reisinger **motioned** to waive the preliminary plan requirement of the Subdivision and Land Development Ordinance. The motion was seconded by Chairman Wrightstone and passed unanimously.

After noting that no motion was required for the non-building declaration, Supervisor Reisinger **motioned** to approve the Final Minor Subdivision Plan for the Estate of Frances J. Verdekal subject to the owner's notarized signature being provided on the plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. **Sketch Plan for Mountain Creek Distribution Center – Lot #2.**

Attorney Jim Hughes and Brian Evans (Evans Engineering) presented the sketch plan for a proposed improvement to the current access drive along Walnut Bottom Road. Originally, Dermody Properties intended to upgrade the existing emergency access drive to a low-volume driveway which would serve as automobile access for employees to lot 2 and remain as emergency medical services (EMS) access. The estimated disturbed area is approximately 0.75 acres and the increase in impervious coverage is estimated at 810 square feet. Mr. Evans stated that this should have no adverse impact to the on-site stormwater management facilities. Dermody is also aware that the upgrade would require a highway occupancy permit through PA Department of Transportation. Mr. Evans stated that the tenant wants to minimize the comingling of automobile and truck traffic.

However, the Planning Commission offered some suggestions which the developer thought would improve the sketch plan. There was concern over safety issues at the access drive due to a crest and turn in the roadway. On a Planning Commission suggestion, the developer agreed to create a straighter access drive at the top of the roadway crest while keeping the original access drive as an EMS access only. The berm would be rebuilt and the new drive would be constructed for automobile access only. A height bar could be installed on the new drive. Mr. Hughes stated that new trip generation data would be provided to the Engineer. No action was taken since an amended land development plan would have to be submitted first.

PUBLIC INPUT (non-agenda items)

No public input was offered.

EMERGENCY SERVICES REPORT

Greg Bretzman reported a total of 18 calls in July. There were 8 medical assists, 1 automobile accident, 2 automatic fire alarms, 3 storm related calls, 2 brush fire calls and 2 State Police assists.

NEW BUSINESS

1. **Ratification of Board's vote on Wilson Paving's time extension request for road contract #1.**

A poll of the individual Supervisors was conducted via telephone and email by the Township Manager in which the Board of Supervisors voted on Wilson Paving's request for a time extension to complete the road project under contract #1. The majority of the Board voted to deny the time extension request and to enforce the liquidated damages of \$870 per calendar day after August 7th until the project is completed. The Board needs to ratify the vote in an open session.

Chairman Wrightstone **motioned** to ratify the Board of Supervisors' vote to deny the time extension request from Wilson's Paving and to enforce the liquidated damages of \$870 per calendar day after August 7th under contract #1. The motion was seconded by Supervisor Reisinger and passed unanimously.

2. **Solid Waste Ordinance – set hearing date.**

After the discussion at the Board of Supervisors' meeting of July 21, 2014, the following agreed upon changes to the working draft version of the Solid Waste Ordinance were made, along with some editing changes:

- Title of Ordinance- the words 'Residential' and 'Collection' were added
- The word Article was substituted with the word Section
- The words 'Structures', 'Residential Units', and 'Buildings' were replaced by 'Dwelling Unit'
- Section 4. Definitions- The definitions 'Comingled' and 'Township Collection Service' were deleted; the definition for 'Bag', "Flat Rate System", 'Per Bag System', 'Single Stream', and 'Tag' were added
- Section 6 was reorganized and the words "at a minimum" were added to encourage recycling.
- Previous Article 15 (C) was moved to Section 6 (D) and reporting period was changed to annually
- Section 7- 6 months was added to Section 7 (A) 2.
- Section 9 (2) – Minimum requirement of tags was changed from 12 to 6 tags
- Section 9 (C) was re-written to clarify compliance for Apartment Houses, Townhouse Complexes, Condominium Complexes, Mobile Home Parks and Similar Complexes
- Previous Article 9 (I) was deleted in its entirety
- Previous Article 15 (A) 1, 2, 3, Article 15 (B), Article 15 (4), Article 18 (C), and Article 18 (F)– deleted in their entirety
- Previous Article 15 (B) will be added to contract
- Section 18 (A) - the words "Except as provided herein" were added to the beginning of the section.
- Section 19 (B) – Enforcement was restricted to Township Manager and Codes Enforcement Officer

If the Board chooses to move forward with the draft ordinance, a hearing date will need to be determined and staff will need authorization to advertise the public hearing in accordance with the requirements set forth in the Second Class Township Code, Section 1601. Staff recommends a hearing be set for the BOS meeting of September 15, 2014.

Chairman Wrightstone **motioned** to set the solid waste ordinance hearing date to September 15th at the Board of Supervisors meeting. The motion was seconded by Supervisor Reisinger and passed unanimously.

3. **Request from Mountain Creek Distribution Center for approval to modify the existing Intermunicipal Agreement date June 25, 2008, with South Middleton Township and its Authority to allow for the treatment and conveyance of 1,694 additional gallons per day of sewer flow to the existing building.**

Mountain Creek Distribution Center is requesting approval to modify the existing Intermunicipal Agreement dated June 25, 2008 with South Middleton Township and its Authority. The agreement currently allows for 1,356 gallons per day (GPD) of average daily sewer flow to the existing building. The requested modification would be for the treatment and conveyance of 1,694 additional GPD, for a total for 3,050 GPD. The costs associated with the additional GPD would be paid by Mountain Creek Distribution Center, as well as any legal costs associated with the amendment to the agreement. The request would have to be approved by all four entities on the Intermunicipal Agreement. The additional capacity came from South Middleton Township Municipal Authority reserve through Carlisle Borough.

Jim Hughes explained that the South Middleton Township Authority has already approved the request. The Board of Supervisors **concurred with the request.**

4. **Request from Mountain Creek Distribution Center for allocation of 7,625 gallons per day of water.**

Mountain Creek Distribution Center is requesting a water allocation of 7,625 gallons per day. This would not require an amendment to the Intermunicipal Agreement for water with South Middleton Township and South Middleton Township Authority since Dickinson Township already has water conveyance of 25,000 gallons per day. The request would, however, need to be approved by the Dickinson Township Board of Supervisors and the Dickinson Township Municipal Authority.

Solicitor Smith noted that an administrative fee has been set which will relay back to the Township without action from the Board of Supervisors. This administration fee is a percentage of usage which helps offset the original \$72,000 purchase of the conveyance. The Board of Supervisors **concurred with the request.**

5. **Authorization to advertise Budget meeting dates.**

The proposed meeting dates to discuss the 2015 budget are as follows:

- Tuesday, October 7, 2014 at 5:30pm
- Monday, October 13, 2014 at 5:30pm
- Wednesday, October 22, 2014 at 5:30pm
- Tuesday, October 28, 2014 at 5:30pm

If an extra meeting is needed, discussions may resume at the regular Board of Supervisors' meeting of November 3, 2014. The proposed budget has to be advertised and available for public inspection for 20 days. The proposed meeting dates will give ample time to advertise the budget in late October or early November, with adoption of the budget at the November 17th or December 15th Board of Supervisors' meeting.

Chairman Wrightstone **motioned** to set and advertise the budget meeting dates as discussed. The motion was seconded by Supervisor Reisinger and passed unanimously.

6. **Borough of Carlisle's request for contribution to the 2015 Summerfair fireworks display.**

The Carlisle Borough Mayor, Tim Scott, submitted a request to the Township for a donation toward the annual Summerfair fireworks display. Dickinson Township donated \$1,000 in 2009 and \$500 in 2012. No money was allocated in the 2014 budget for the expenditure.

Both Supervisors discussed the roadways and how funds should go to preservation and reconstruction of those roads. No contribution will be given toward the fireworks display.

7. **Approval of the Minimum Municipal Obligation (MMO) for the Dickinson Township Pension Plan (21-012-5N) for the plan year 2015.**

Act 205 of 1984, as amended, governs the funding requirements for all municipal pension plans. The law requires the Chief Administrative Officer of each municipal pension plan to inform the governing body of the

municipality of the plan's expected financial obligation for the coming year by the last business day in September. The calculation of the 2015 plan cost, or the MMO, required an estimate of the 2015 W-2 wages of the employees covered by the plan. The estimated MMO for the 2015 plan year is \$28,999.00. This obligation must be met with the general fund monies or with any General State Aid to Municipal Pensions to which Dickinson Township may be entitled to under Act 205.

Supervisor Reisinger **motioned** to approve the Minimum Municipal Obligation (MMO) for the Dickinson Township Pension Plan (21-012-5N) for the plan year 2015 at \$28,999.00. The motion was seconded by Chairman Wrightstone and passed unanimously.

8. **Parks & Recreation plan for well and restroom facilities at Stuart Park.**

Jane Mitchell, Park and Recreation Chairwoman, presented a plan to the Board regarding the installation of potable water and restroom facilities at Stuart Park. The septic site location would need to be determined first in order to determine the isolation distance for the proposed well. Estimates would need to be secured for the well drilling after the location has been determined. Zoning Officer Barrick explained that he spoke with Township SEO, Gilbert Picarelli, who suggested putting in a holding tank first to monitor the usage. The holding tank can become part of the septic system if the use is high enough to warrant a complete system.

Gerald Eby reminded the Board that the school district offered to provide connection to their septic and water system for development of Lindenwood Park.

Supervisor Reisinger **motioned** to perform soil testing and drill a potable well, paid for out of Park & Recreation Fund. The motion was seconded by Chairman Wrightstone and passed unanimously.

At this time, pictures of a sinkhole on Kuhn Drive were shown to the Board. The Road Master reported that the sinkhole was approximately 11 feet deep and was filled with flowable fill. The fill should be dry in the morning and the hole will then be backfilled.

OLD BUSINESS

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

Both Supervisors still need to submit their notes to the Manager.

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.

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 reviewed his report with the Board of Supervisors, noting that Montsera Road was paved earlier that day. There was a lengthy discussion over roadway conditions, progress, maintenance and construction.

ENGINEER'S REPORT

The Engineer submitted his report without any additions.

SOLICITOR'S REPORT

Solicitor Smith gave an update on the Wolf Land Use Appeal. She noted that new counsel was assigned in the Breslin I and Breslin II litigation. Lastly, Solicitor Smith discussed recent decisions in the Right-To-Know Law which can require prepayment for any request that will cost over \$100.00.

SUPERVISORS' REPORTS

Supervisor Reisinger asked Manager Portillo to reply to the letter received from Mrs. Janet Yaw regarding the repair plans for West Yellow Breeches Road.

ADJOURNMENT

Chairman Wrightstone motioned to adjourn the meeting at 7:09pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

