



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING AUGUST 17, 2015

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

VISITORS: Ellen Colyer, Phil Thompson, Greg Bretzman, Mike Wadel.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Wrightstone called the meeting to order at 6:00pm and those present recited the Pledge of Allegiance.

OPENING ANNOUNCEMENTS - *More information is available on the township website.*

An executive session was held on Monday, August 17, 2015 from 5:18pm until 5:57pm to discuss potential litigation over the Goodman-Birtcher plan approval, the Breslin RTK appeal, and the Hillwood court approved plan.

A Town Hall Meeting with Representative Steven Bloom is scheduled for Wednesday, September 23, 2015 from 7pm until 8pm at the Township Building.

Cumberland County will hold a hazardous waste collection event on Saturday, August 22, 2015 from 9am until 3pm at the Cumberland County Service Center, located at 310 Allen Road in Carlisle. For more information, visit the Cumberland County website, ccpa.net.

Park & Recreation will hold their Fall Yard Sale at Stuart Park on Saturday, September 12, 2015 from 7am until 12pm. Vendor spots are \$5 each.

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. July 20, 2015 Board of Supervisors Regular Meeting Minutes

Chairman Wrightstone noted that the minutes are correct as written, but noted that the waiver request from the Stormwater Ordinance Section 170-19.A.19 to accept the design plan of the preliminary land development plan for Goodman-Logistics Center should actually be Section 170-20.A.19. Vice Chairman Barrett **motioned** to approve the June 15, 2015 Board of Supervisors regular meeting minutes with notation. The motion was seconded by Supervisor Reisinger and passed unanimously.

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 of August 3, 2015

CHAIRMAN'S REPORT

Chairman Wrightstone had no report.

PUBLIC HEARINGS – None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Revised Final Subdivision Plan for Victor and David Barrick.

Engineer Mike Wadel from E.L. Diffenbaugh Associates explained that the revision of the plan proposes the consolidation of lots 1 and 3 into a single parcel, effectively reversing the 2013 Final Subdivision Plan for Victor G. Barrick and David C. Barrick into its original configuration. Engineer Reichard stated that the only outstanding items were the signatures and seals required on the plan.

With no public comment or board comments being offered, Supervisor Reisinger **motioned** to approve the waiver of Section 178-13 (preliminary plan submittal requirements) of the Dickinson Township Subdivision and Land Development Ordinance for the revised final subdivision plan for Victor and David Barrick. The motion was seconded by Chairman Wrightstone and passed unanimously.

Supervisor Reisinger **motioned** to approve the revised final subdivision plan for Victor and David Barrick, condition upon the applicant paying in full all administration fees, inclusive of application fees, plan review and inspection charges, within 60 days following the date of written notice from the Township of any unpaid administration fees. Final plan will not be signed or released for recording until all administration fees are paid in full. The motion was seconded by Vice Chairman Barrett and passed unanimously.

PUBLIC INPUT

Phil Thompson discussed the insurance premiums in 2007 and 2008. He stated that the Township lied to him when he was denied emails regarding an investigation. Mr. Thompson questioned if the Township abused the Right-To-Know law to deny a record and wondered if the public interest outweighed the denial.

EMERGENCY SERVICES REPORT

Greg Bretzman was present, but had no report.

NEW BUSINESS

1. Kuhn Drive Deed of Dedication.

Approved by the Board of Supervisors on June 17, 2002, Resolution 02-06 accepted Kuhn Drive as part of the township road system. Although the Resolution passed and was adopted, the deed of dedication and grant of right-of-way was never finalized. Manager Masley reported that staff obtained signatures granting the deed of dedication from the impacted residents from July 21, 2015 through August 11, 2015. Once signed by the Board, the deed will be filed with the Clerk of Courts and staff will notify Penn DOT of the change for liquid fuel revenues. No motion was required.

2. Ratification of Resolution 2015-08 for plan revision for new land development (Mike Rowe).

At the July 20, 2015 Board of Supervisors' meeting, the Board unanimously approved sending the sewage planning module for Mike Rowe to the Department of Environmental Protection for their review and approval. This approval should have been completed through Resolution 2015-08. Acknowledgment of this resolution needed to be mentioned in a public meeting. The Board acknowledged the resolution.

3. Resolution 2015-09, Delegating to and authorizing Michael Masley to execute certain routine and administrative contracts and agreements.

Resolution 2013-01 was unanimously approved by the Board of Supervisors at the January 7, 2013 meeting. This resolution delegated to, and authorized, Manager Laura Portillo to execute certain routine and administrative contracts and agreements on behalf of the Township. This included janitorial services, copier leases, equipment rental, equipment repair, denitrification system maintenance agreements, software support, and utility contracts. Proposed Resolution 2015-09 would replace Laura Portillo with Michael Masley and

replace all references with 2015 dates. Additionally, the proposed resolution adds equipment licensing and stormwater management facilities maintenance agreements.

Vice Chairman Barrett **motioned** to adopt Resolution 2015-09, delegating to and authorizing Michael Masley, as Manager, to execute certain routine and administrative contracts and agreements. The motion was seconded by Chairman Wrightstone and passed unanimously.

4. **Resolution 2015-IX, Intermunicipal MS4.**

Manager Masley explained that local municipalities have passed similar resolutions to form a council that will conduct a study addressing the upcoming Chesapeake Bay Municipality Separate Storm Sewer Systems (MS4) requirements and implementation. Dickinson Township has not yet received notification from the Department of Environmental Protection to comply with the requirements. However, it is expected that the directive will come in 2020 or beyond. The proposed resolution would allow Dickinson Township to join with Carlisle Borough, South Middleton Township, Mount Holly Springs Borough, North Middleton Township, the U.S. Army Barracks at Carlisle, and Cumberland County in the formation of a coordination council. Manager Masley noted that Dickinson Township would become a non-voting member at this time and that the council does not have spending authority on its own.

Chairman Wrightstone **motioned** to adopt Resolution #2015-10, authorizing Dickinson Township to join a coordinating council to conduct a study addressing the implementation of the MS4 requirements. The motion was seconded by Vice Chairman Barrett. After a brief discussion on the direction of the council and upcoming MS4 requirements, a vote was taken. Chairman Wrightstone voted yea, while Vice Chairman Barrett and Supervisor Reisinger voted nay. **The motion failed.**

5. **Resolution 2015-10, Bank signature requirements.**

Manager Masley explained that Section 708 of the Second Class Township Code directs the Board of Supervisors to designate, by resolution, a depository or depositories for township funds. Due to the change in signature cards, notification of the depositories to the public is required.

Vice Chairman Barrett **motioned** to adopt Resolution 2015-10, authorizing M&T Bank, Orrstown Bank, Pennsylvania Local Government Investment Trust, F&M Trust, and BMO-First Bank of Montreal as authorized depositories for township funds. The motion was seconded by Supervisor Reisinger and passed unanimously.

6. **Mountain Creek Distribution Center bond reduction.**

Dickinson Township received a request for a third reduction of the public improvement financial security for the land development plan for Mountain Creek Distribution Center in the amount of \$942,007.20. The original amount of the security was \$5,493,543.55. Previous reductions approved by the Board in the amount of \$3,649,635.02 have left a security amount balance of \$1,746,465.64. The Township Engineer recommended a reduction of \$137,961.39, leaving a remaining balance of \$1,608,504.25. The difference between the requested amount and the recommended amount is due to the current inability to verify completed work. When work is verified by the Township Engineer additional funds will be recommended for release.

Supervisor Reisinger **motioned** to reduce the Mountain Creek Distribution Center public improvement financial security in the amount of \$137,961.39, leaving a balance of \$1,746,465.64. The motion was seconded by Vice Chairman Barrett and passed unanimously.

7. **Adam Felix nomination for Park & Recreation Board.**

Dickinson Township resident, Adam Felix, expressed interest in joining the Parks & Recreation Board. He attended their July 2015 meeting and the Parks & Recreation Board unanimously recommended his appointment.

Supervisor Reisinger **motioned** to appoint Adam Felix to the Parks and Recreation Board, with a term expiring on December 31, 2016. The motion was seconded by Vice Chairman Barrett and passed unanimously.

8. **Authorization to advertise 2016 budget meeting dates.**

The proposed schedule for the 2016 budget meetings is October 6, October 15, October 21, and October 29, 2015. Last year 4 meetings were scheduled of which 2 were necessary. If an extra meeting is needed, the topic can be addressed at the regular Board meeting scheduled on November 2nd.

The proposed budget has to be advertised and available for public inspection for 20 days. The proposed schedule will provide time to advertise the proposed budget in late October or early November, with adoption of the budget at the November 16 or December 7, 2015 Board meeting.

Vice Chairman Barrett **motioned** to authorize advertisement of the budget meeting dates. He noted that he would be out of town on October 6, 2015. As discussions continued, the Board determined that they would need more time to review their schedules. Vice Chairman Barrett **rescinded** his motion. The Board agreed to table the item until the next meeting.

9. **Proposal received for the sale of equipment.**

The Board granted permission to advertise three pieces of equipment for sale at their July 15, 2015 meeting. Adverts were placed in the paper and proposals were opened on Friday, August 14, 2015 at 3:00pm. The results from the proposal openings are as follows:

◆ **2001 Ford F450 Super Duty Truck (2 proposals received)**

1. Shawn Lafferty - \$1,255
2. David Cassatt - \$5,777

Staff recommends selling the equipment to Mr. Cassatt.

◆ **2009 Versa Flail Mower Head (1 proposal received)**

1. David Cassatt - \$177

Staff recommends not selling the equipment, as the minimum bid was set at \$4,000. A resolution adopting a procedure by which property may be sold without further action of the Board of Supervisors will need to be developed.

◆ **Ultra Mount 9.5 foot V-Plow (1 proposal received)**

1. David Cassatt - \$577

Staff recommends selling the equipment to Mr. Cassatt, despite not having met the minimum bid of \$800.

Vice Chairman Barrett **motioned** to sell David Cassatt the 2001 Ford F450 Super Duty Truck at his proposed amount of \$5,777 and to sell David Cassatt the Ultra Mount 9.5 foot V-Plow as his proposed amount of \$577. The motion was seconded by Supervisor Reisinger, with discussion. Manager Masley was asked how he planned to dispose of the flail mower, to which he responded he was reviewing options such as selling the equipment at an auction. The motion passed unanimously.

At this time, the Board decided to move Reports before the Old Business. This was done to dismiss the Engineer before beginning discussions on the Draft Zoning Ordinance.

ENGINEER'S REPORT

The contractor has completed full depth reclamation and placement of bituminous pavement on Myerstown Road and Montsera Road. All work associated with shoulder reclamation and driveway tie-ins have been completed. All base repair, binder repair, milling and placement of bituminous pavement have been completed on East

Yellow Breeches Road. Microsurfacing treatments are scheduled on August 19th and 20th, with substantial completion on August 21, 2015.

Additionally, a request for final payment on Contract #1 (AFP#2) in the amount of \$4,973.75 was received from Recon Construction. Engineer Reichard recommended approval of the payment, which accounts for all retainage currently being withheld. Vice Chairman Barrett **motioned** to authorize payment of \$4,973.75 to Recon Construction on Contract #1 (AFP#2). The motion was seconded by Chairman Wrightstone and passed unanimously.

A request for payment in the amount of \$460,969.98 for Contract #2 was received from Conewago Enterprises. The Engineer recommended approval of the payment, noting that \$24,261.58 is still being held as the 5% retainage. Vice Chairman Barrett **motioned** to authorize payment of \$460,969.98 to Conewago Enterprises with a 5% retainage of \$24,261.58 still outstanding. Supervisor Reisinger seconded the motion and it passed unanimously. The Board asked that these types of items be presented under New Business in the future, even though payment had been previously authorized in public as part of the contract bid award.

Lastly, Engineer Reichard explained that a stormwater evaluation report was provided as directed by the Board at their April 20, 2015 meeting. The report gives an assessment of existing conditions and recommendations for improvements to address stormwater runoff at Heritage Valley/Charles Barry property.

MANAGER'S REPORT

Manager Masley's report was submitted without any additions.

ZONING OFFICER'S REPORT

Zoning Officer Barrick submitted his report without any additions.

SOLICITOR'S REPORT

Solicitor Smith submitted her report without any additions.

TREASURER'S REPORT

Treasurer Gembusia's report was submitted. She noted the 100th anniversary of the Cumberland County Association of Township Officials convention. This year it will be held in the evening on October 1, 2015. Treasurer Gembusia asked the Board for their RSVPs as soon as possible.

ROADMASTER'S REPORT - No report was submitted.

SUPERVISORS' REPORTS - No reports were submitted.

A five minute recess took place at 6:53pm.

OLD BUSINESS

1. **Zoning/Saldo Draft Ordinances.**

The Supervisor's reviewed the draft Zoning Ordinance and provided the Secretary with the changes. Supervisor Reisinger said that he will have the following ready to address at the September 8, 2015 meeting:

- An updated zoning map with the changes that were discussed,
- A policy statement on the Agricultural Zone,
- Comments regarding Article 3, and
- Changes regarding Article 2, Section 210.

2. **Regional Municipal Authority.**

There was nothing new to report on the item.

3. **Master Stormwater Feasibility Study – Mountain View Road Drainage.**

There was nothing new to report on the item.

ADJOURNMENT

Vice Chairman Barrett **motioned** to adjourn the meeting at 8:12pm. Supervisor Reisinger seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

