



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 SEPTEMBER 15, 2014

PRESENT: J.R. BARRETT, JONATHAN REISINGER- SUPERVISORS; Laura Portillo, Manager; Denise Gembusia, Secretary/Treasurer; Susan Smith, Solicitor; Rick Barrick, Road Master.

ABSENT: Bob Wrightstone, Chairman; Jason Reichard, Engineer; Larry Barrick, Assistant Manager/Zoning & Codes Enforcement Officer.

VISITORS: Ellen Colyer, Bob Line, Dan Wyrick, Bob Reisinger.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chairman Barrett 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.

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. Vice Chairman Barrett seconded the motion and it passed unanimously.

APPROVAL OF MINUTES

1. August 18, 2014 BOS Meeting Minutes

Vice Chairman Barrett motioned to approve the August 18, 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 items approved:

1. Pay Bills
2. Ratify bill payments from September 2, 2014
3. Proclamation Halloween Night – Thursday, October 30, 2014 from 6pm to 8pm.

CHAIRMAN'S REPORT - No report was submitted.

PUBLIC HEARINGS

1. Solid Waste Recycling Ordinance 2014-03 Public Hearing

Vice Chairman Barrett opened the Solid Waste Recycling Ordinance hearing at 6:03pm. No public comment was offered. Vice Chairman Barrett closed the Solid Waste Recycling Ordinance hearing at 6:04pm.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. *Time extension – Planning Module for Scott Eimerbrink to December 31, 2014.*
2. *Time extension – Subdivision Plan for Scott Eimerbrink to December 31, 2014.*

Manager Portillo noted that the posted agenda reflected a typo, stating that the extension request was until December 31, 2014 and not September 30, 2014. The typo was noted and Supervisor Reisinger **motioned** to accept the time extension for the Planning Module and the Subdivision Plan for Scott Eimerbrink until December 31, 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

No representative was present.

NEW BUSINESS

1. *Solid waste recycling ordinance #2014-03 (discussion and vote).*

Vice Chairman Barrett asked why the plastics #1 through #7 were specified on the ordinance. Manager Portillo stated that the wording “at a minimum” was added. This was to accommodate for a hauler that might have the ability to recycle higher number plastics, but still keep the legal language required to cover the requirements of Act 101.

Dan Wyrick noted that Ordinance was numbered incorrectly and the last Section should be 23, not 19. Vice Chairman Barrett **motioned** to approve the Solid Waste Recycling Ordinance, Ordinance # 2014-03, with the renumbered Section. The motion was seconded by Supervisor Reisinger and passed unanimously.

2. *Proposed contract for single hauler.*

A true contract was drafted by the Township Solicitor, which will serve as the official document between the successful bidder for the Township wide waste and recycling collection and the Township. The original contract, which was drafted four years ago, did not outline the day-to-day administrative activities required from the successful bidder. It also served as the bidding document. The bidding specifications have been separated from the contract and are now under a separate document.

Vice Chairman Barrett wanted to add language to Section 1, Scope of Work to include subsection (iiii), which would insure that all work is performed in a manner which prevents damage to public property and roadways. Solicitor Smith said she would be able to add that section.

Vice Chairman Barrett questioned the calculations for the fuel adjustment. Manager Portillo clarified the section and reviewed the arithmetic. He then asked what provisions were put in place to ensure action on customer service issues. Manager Portillo pointed out Section 13 and Section 15, which requires specific actions from the hauler regarding missed service calls and complaints.

Vice Chairman Barrett **motioned** to approve the agreement for residential solid waste and recyclables collection and disposal with the inclusion of the new language for Section 1, subsection (iiii), as discussed. The motion was seconded by Supervisor Reisinger and passed unanimously.

3. *Authorization to bid solid waste single hauler service.*

Manager Portillo asked for authorization to bid the single trash hauler contract to begin April 1, 2015 for a three year period, with two one-year extension options for a maximum term of 5 years. Bids for the contract would be due on October 15, 2014 at 2:00pm and opened at 2:15pm for award at the Board meeting of October 20, 2014.

Dan Wyrick asked if January 1, 2015 would be the start date if a new hauler was awarded the bid. Vice Chairman Barrett explained that the contract would begin on April 1, 2015.

Supervisor Reisinger **motioned** to authorize Manager Portillo to advertise and bid the single trash hauler contract, to begin April 1, 2015 for a three year period, with two one-year extension options for a maximum term of 5 years. The motion was seconded by Vice Chairman Barrett and passed unanimously.

4. **Act 537 Phase I and authorization to advertise for 30 day public comment.**

At the March 3, 2014 meeting, the Board approved to proceed with the completion of the Act 537 Phase I plan via connection to the Carlisle Borough's existing system. Manager Portillo noted that final draft is complete after almost 10 years. The Board will need to refer the proposed Act 537 Plan to the County and Township Planning Commissions, as well as the County Board of Health, for review and comment for a period of 60 days.

The Board must also advertise the proposed Act 537 Plan one time and allow for a 30 day public comment period. After public comments are received and addressed, the Board would, by resolution, adopt the Act 537 Plan. The Township would then submit the Act 537 Plan to DEP for approval. After DEP approval of the Phase 1 Act 537 Plan, the Township needs to prepare the 537 plan for the rest of the Township (Phase 2) within 3 years.

Bob Reisinger from Glace Associates stated that the draft was not complete and still needed changes since there are mapping errors and flow calculation problems. Vice Chairman Barrett **motioned** to table the Act 537 plan until the final draft is completed. The motion was seconded by Supervisor Reisinger and passed unanimously.

Solicitor Smith reminded the Board that the Act 537 plan must be considered in conjunction with the zoning ordinance and zoning map. The Department of Environmental Protection might require an explanation why there would be any deviation.

Dan Wyrick asked questions about the Act 537 plan and the zoning map, which were clarified by Vice Chairman Barrett.

5. **Iron Cross Bicycle Race use permission.**

The Outdoor Experience Organization has scheduled their yearly Iron Cross Bicycle Race. This organized event goes through Dickinson Township. The only Township road they use is Cold Spring Road. All other roads are either DCNR or state roads. They are seeking permission to use Cold Spring Road on October 5, 2014. The Outdoor Experience Organization and race volunteers will remove any signage used during the event within 24 hours and will not leave any trace of their presence. Traffic marshals will be in place at any dangerous intersections. Dickinson Township is included on the event release form, and The Outdoor Experience Organization has provided a copy of the insurance certificate naming Dickinson Township as additional insured for the event.

Vice Chairman Barrett **motioned** to authorize use of Cold Spring Road for the Iron Cross Bicycle Race on October 5, 2014, and approved the Manager to sign the authorization form on the Board's behalf. The motion was seconded by Supervisor Reisinger and passed unanimously.

6. **Authorization to participate on CPEC contract.**

Dickinson Township has been participating in the Central Pennsylvania Energy Consortium (CPEC) power purchase program to purchase electricity for several years. This has allowed the Township to secure a reduced electric rate.

CPEC is making changes to their contracting process to obtain power pricing for 2015 and 2016. The summer has kept temperatures well below normal across the Midwest and Northeast, reducing cooling demand. Natural Gas storage injection volumes have increased proportionally. The gas market, earlier fearful of inadequate gas in storage for the coming winter, now sees inadequate demand as the dominant price feature. As a result, natural gas prices, which in turn drive electricity prices, have been on a downward trend

in recent weeks. Due to these trends and the direction of prices in the market, it is CPEC's intention to conduct this year's electricity procurement exercise in the mid-October timeframe.

Since the price of electricity can swing so rapidly in a very short amount of time, CPEC is requesting pre-approval to sign the transaction confirmation (TC) and possibly a new base agreement for its members. CPEC can provide an estimated range of prices and terms as well as negotiated agreements for all suppliers. They are also considering holding a reverse auction for this contract since suppliers can view other suppliers' bids, which can possibly reduce the overall cost of electricity for the contract. The changes in the bidding process require the TC and base agreement to be signed in less than an hour.

Staff seeks the Board's approval to participate in the CPEC power purchase program and authorization for CPEC to sign the transaction confirmation and base agreement on Dickinson Township's behalf.

Vice Chairman Barrett **motioned** to participate in the CPEC power purchase program and authorized CPEC to sign the transaction confirmation and base agreement on Dickinson Township's behalf. The motion was seconded by Supervisor Reisinger and passed unanimously.

7. Propane bids for the period October 18, 2014 to October 17, 2015.

Telephone calls were made and written bids were received for propane to be delivered to the Township Building. The bids were based on approximately 3,600 gallons of propane for the period of October 18, 2014 through October 17, 2015. The written results are as follows:

- Carlisle Propane – Fixed price \$1.679/gallon and no additional fees.
- Amerigas – Fixed price \$1.69/gallon and no additional fees.
- Aero Energy – Fixed price \$1.849/gallon and no additional fees.
- Heller's Gas – Fixed price of \$1.79/gallon plus \$9.50 hazmat fee per delivery.
- Suburban Propane – Fixed price \$1.84/gallon plus \$10.62 safety delivery fee and \$1.75 fuel surcharge per delivery.
- Shipley Energy – Fixed price of \$2.059/gallon plus \$5.97 Regulatory compliance fee per invoice.
- Tanner Home & Energy – Fixed price through 4/30/15 of \$2.18/gallon, then variable based on market.

Dan Wyrick asked for the amount of the lowest bidder, which was Carlisle Propane at \$1.679 per gallon.

Vice Chairman Barrett **motioned** to approve and accept the Carlisle Propane bid at \$1.679 per gallon for the period from October 18, 2014 through October 17, 2015. The motion was seconded by Supervisor Reisinger and passed unanimously.

8. Appointment of ASA committee members.

The Agricultural Security Area (ASA) program requires the establishment of an Agricultural Security Area Advisory Committee, consisting of three active farmers, each representing a different private or corporate farm, one citizen residing within the Township, and one member of the Board of Supervisors, who shall serve as the chairman of the Committee. The members of the Committee have to be appointed by the Board of Supervisors. The Committee advises the Board of Supervisors and works with the Planning Commission in relation to the proposed establishment, modification, and termination of an ASA.

The following residents have expressed interest in being part of the ASA Committee.

- Lynn Hoover- active farmer
- David Walton- active farmer
- Denny Calaman- active farmer
- Robert Line- resident

Bob Line stated that he thought he would represent as a farmer. Manager Portillo explained that his letter of interest was received after three active farmers had already expressed interest in joining the committee. Although he would be serving as the resident member, he still was able to bring information and thoughts to the committee as a farmer. Supervisor Reisinger offered to be the Chairman of the committee.

Vice Chairman Barrett **motioned** to appoint Lynn Hoover, David Walton, Denny Calaman and Robert Line to the ASA Committee, with Supervisor Reisinger as Chairman. The motion was seconded by Supervisor Reisinger and passed unanimously.

9. **Clean Water Act letter.**

There is a proposed bill before the Federal Congress to make changes to the Clean Water Act that would amend the definition of "waters of the U.S.", which has the potential to expand the range of water bodies that fall under federal jurisdiction. Solicitor Smith discussed the implications of the proposed definition change, but noted that the House introduced a stay-action on the bill that would be voted on later in the week.

Vice Chairman Barrett asked Solicitor Smith to keep the Board updated on any legal changes regarding the proposed bill. Supervisor Reisinger asked Solicitor Smith and Manager Portillo to draft a letter asking legislators to support the exclusions to the definition and to consider the costs associated with the proposed change. This was supported by Vice Chairman Barrett. Manager Portillo confirmed she would draft the letter.

OLD BUSINESS

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

Supervisor Reisinger is in the process of submitting his notes to the Manager. Vice Chairman Barrett has already submitted his notes to Manager Portillo.

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 and noted that she, Zoning Officer Barrick and Engineer Reichard attended the PennDOT Goodman-Birtcher traffic impact study scoping meeting at District 8 where Dickinson Township's concerns and request for additional intersections to be studied were discussed. Due to these discussions, PennDOT requested from the developer a complete traffic impact study, adding multiple intersections, and a second study of intersections that are considered outside the scope.

TREASURER'S REPORT

Treasurer Gembusia submitted her report and noted that the newsletter should be in mailboxes by October 1, 2014.

ZONING OFFICER'S REPORT

Zoning Officer Barrick's report was submitted. Manager Portillo added that the second set of septic pumping reminder letters would be mailed on September 22, 2014.

ROADMASTER'S REPORT

Road Master Barrick reviewed his report with the Board of Supervisors, noting that Ball Park Drive and Montsera road are now complete. Later this week, West Yellow Breeches Road, between Stuart Road and Montsera Road, will be skim patched. Vice Chairman Barrett asked how the road projects are coming along. Manager Portillo and Road Master Barrick stated that Contract #1 is now complete and the second contract should be started and completed within the week.

Dan Wyrick provided the Board with pictures of a stop sign on the ground at Alexander Spring Road and asked that the traffic light timing be changed to a shorter wait time. Manager Portillo said that the intersection of Alexander Spring Road and Allen Road is now part of the traffic impact study and that PennDOT has been contacted regarding the light timing.

ENGINEER'S REPORT

The Engineer's report was submitted.

SOLICITOR'S REPORT

Solicitor Smith submitted her report and discussed the Uniform Construction Code.

SUPERVISORS' REPORTS

No reports were provided.

ADJOURNMENT

Supervisor Reisinger motioned to adjourn the meeting at 7:22pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer