



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 16, 2013

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

ABSENT: JONATHAN REISINGER, SUPERVISOR.

VISITORS: Jeremy Baum, Jerry Eby, A.C. Kuhn, David Liberator, Judy Brough, Charles Courtney, Chuck Stehlik, Ron Secary, Greg Bretzman, Ivan Bretzman, Ron Wolfe, Robert Line, Dan Wyrick, Larry Swartz.

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

There is a time change for the Coffee and Conversation Town Hall Meeting hosted by Representative Bloom at the Township building on September 26, 2013 from 7:00pm to 8:00am.

The Park & Recreation Committee is seeking volunteers to help plant 50 trees in Lindenwood Park on Saturday, September 28th, weather permitting. Please email the Township Treasurer at treasurer@dickinsontownship.org, if interested.

Park & Recreation is also seeking volunteers to join their Board. If interested, please email the Township Manager at manager@dickinsontownship.org. More information is available on the Township website at www.dickinsontownship.org.

There is currently a vacancy on the Planning Commission. Interested applicants should contact the Township Manager for more information.

An executive session was held on Monday, August 19, 2013 from 8:10pm until 9:20pm to discuss personnel issues and possible land acquisition.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. August 19, 2013 Board of Supervisors Meeting Minutes

Supervisor Barrett motioned to approve the August 19, 2013 Board of Supervisors regular meeting minutes as submitted. Chairman Wrightstone seconded the motion and it passed unanimously.

CONSENT AGENDA

Supervisor Barrett 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 September 3, 2013

CHAIRMAN'S REPORT

Chairman Wrightstone had no report, but publically thanked Larry Barrick for his hard work and support over the past few weeks.

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. *Review of Eimerbrink Planning Module and extension of time.*

The plan is being revised to address the review of comments from the Township Engineer. The planning module packet will be resubmitted with a revised plan. The Township SEO visited the site and was able to verify the testing locations.

PUBLIC INPUT (non-agenda items)

Jeremy Baum, Pennsy Supply Supervisor, presented a petition for review of the no trucks rule on Burnthouse Road. Mr. Baum stated that those who signed the petition are requesting to use Burnthouse Road to travel to the light at route 174 in order to turn left onto route 34. Mr. Baum explained the safety hazards associated with the weight restriction including issues with speeders and school buses. The Board stated they would add the request to a future agenda in order to allow more discussion and time for public input.

Jerry Eby asked the Board to consider sewer in the Mountainview Road and Pine Road areas. He cited the nitrate levels as a particular area of concern and felt that this was the appropriate time to consider the project. He also proposed a regional water and sewer authority between Dickinson Township, Mt. Holly Springs Borough and South Middleton Township. The Board asked Manager Portillo to add the request as an agenda item for further discussion at a future meeting.

Dan Wyrick asked for verification that the Road Master had been dismissed. He wanted to know why the dismissal occurred 46 weeks before the person's planned retirement and what the Township's plan was moving forward. Chairman Wrightstone stated that he would not discuss personnel matters in a public meeting. Mr. Wyrick said that it was inappropriate for the Board not to at least acknowledge if the Road Master had been dismissed. Chairman Wrightstone reiterated that personnel matters would not be discussed in a public meeting.

EMERGENCY SERVICES REPORT

Greg Bretzman reported that EMS responded to 7 medical assists, 6 auto accident and 4 fire calls for a total of 17 calls in August. He noted that Pennsy Supply and Hempt Brothers have requested safety training classes and that EMS is in the process of scheduling those courses. Greg Bretzman also noted that the Mt. Holly VFW will be providing a donation to the Township in order to purchase turn out coats for EMS personnel. This donation is being provided in order to comply with the requirements of the new gaming law.

Ivan Bretzman thanked the Board for taking the safety concerns of the residents seriously.

NEW BUSINESS

1. **Propane Bids for the period October 18, 2013 to October 17, 2014.**

The Township received bids for 3,600 gallons of delivered propane for the period from October 18, 2013 through October 17, 2014. Carlisle Propane was the lowest bidder with a fixed price of \$1.679 per gallon with no additional fees for delivery. Chairman Wrightstone motioned to accept the Carlisle Propane bid of \$1.679 per gallon for 3,600 gallons of propane for the period from October 18, 2013 through October 17, 2014. The motion was seconded by Supervisor Barrett and passed unanimously.

2. **Reduction Letter of Credit – Woods of Barnitz.**

The Township received a request for the reduction of the public improvement financial security for the land development plan for Woods of Barnitz. The original amount of the security was \$865,697.25. The developer is requesting a reduction of \$44,841.50, but the Township Engineer is recommending \$40,765.00. Supervisor Barrett asked why the Engineer did not recommend a reduction in the 10% contingency amount. Engineer Reichard stated that he prefers to maintain that amount until the project is further along in the completion process. Supervisor Barrett motioned to reduce the public improvement financial security for the land development plan for the Woods of Barnitz by \$40,765.00 as per the Engineer's recommendation. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. **Enck's Mill Road permanent easement agreement for additional road right-of-way.**

The Pennsylvania Fish and Boat Commission (PFBC) has agreed to allow a pull-off/parking area for fishermen to use while fishing near the bridge in lieu of the Township having to pay for an easement. The pull-off would be paid for and installed by the County along with the bridge and roadwork. The Township would only be required to perform routine maintenance and upkeep on an as-needed basis. The Solicitor reviewed the proposed agreement and did not have any concerns. Chairman Wrightstone motioned to agree to enter into the easement agreement with the Pennsylvania Fish and Boat Commission. Supervisor Barrett seconded the motion and it passed unanimously.

4. **Approval of the Minimum Municipal Obligation (MMO) for the Dickinson Township Pension Plan (21-012-5N) for the Plan Year 2014.**

Chairman Wrightstone explained that the MMO estimate is 10% of the prior years' wages plus an administrative fee, which was projected at \$28,498 for the 2014 plan year. Supervisor Barrett motioned to approve the minimum municipal obligation at \$28,498 for the Dickinson Township pension plan for the plan year 2014. The motion was seconded by Chairman Wrightstone and passed unanimously.

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

The Township received notification of approval of the second Tree Vitalize Grant submitted for 50 trees in Lindenwood Park. The grant was awarded in the amount of \$4,844, while the remaining funds for the project coming from the Park & Recreation Fund. Supervisor Barrett motioned to accept and approve the second Tree Vitalize Grant in the amount of \$4,844. The motion was seconded by Chairman Wrightstone and passed unanimously.

6. **Acceptance of Rob Robinson's resignation from Park & Rec, effective immediately.**
Chairman Wrightstone explained that the Township received Rob Robinson's resignation from the Park & Recreation Committee. Chairman Wrightstone thanked Mr. Robinson for his service and noted that he will be sorely missed. Manager Portillo will follow-up with a thank you letter.

7. **Authorization of Manager Portillo relating to administration of the Zoning Ordinance.**
Manager Portillo explained that Larry Barrick is currently the only zoning officer for the Township. In order to continue to service the residents without interruption with reduced and reassigned staff, Manager Portillo requested that the Board authorize her to serve in the appointed capacity of the Zoning Officer in the event of his extended absence or disability up to a period of one month. This appointment would also allow her to provide routine information and assistance to the public relating to the zoning ordinance. The authorization would not include zoning complaints, zoning enforcement or substantive interpretations of the zoning ordinance. Solicitor Smith noted that the appointment of a zoning officer is required by a municipality with a zoning ordinance and that a back-up or assistant is allowed per those requirements. Supervisor Barrett motioned to authorize Manager Portillo to serve in the appointed capacity of the Zoning Officer pursuant to the item discussed and listed in her memorandum. The motion was seconded by Chairman Wrightstone and passed unanimously.

OLD BUSINESS

1. **Zoning/Saldo Draft Ordinances – task force progress.**
Chairman Wrightstone said that his group has met 4 or 5 times and is making progress. Supervisor Barrett said that his group has held 2 meetings to date and is about 2/3 of the way through Article 4.

2. **Goodman Birtcher application to amend Zoning Map and Zoning Ordinance.**
Attorney Charles Courtney stated that the amendment application was resubmitted to the Planning Commission at their last meeting. However, there is a timing concern with the proposed text amendment and zoning map change. West Pennsboro and Carlisle have forwarded their text amendment to the County Planning Commission for their review. The County Planning Commission would like to be able to review each amendment as one municipality's gives context to the next. Attorney Courtney requested that the Board process the amendment application, forward it to the County and schedule a hearing date. There are two pieces to the application; the zoning map amendment from Business-Recreation (BR) to Business-Industrial (BI) and the application for a series of text amendment that address standards for the use. The applicant has separated these into two documents and requested the Board send them both to the County for their review. The rezoning has not changed and text amendment is the redline version provided to the Planning Commission at their September 11, 2013 meeting.

Manager Portillo stated that staff had not received the two documents prior to the meeting. She expressed her discomfort in asking the Board to forward the application to County without staff or the Board's review.

Supervisor Barrett asked for clarification if the application was asking for the entire BR zone to be rezoned to BI or if they were asking for only the specific parcel to be rezoned. Attorney Courtney confirmed that the request is only for the specific parcel to be rezoned.

Solicitor Smith explained that sending the application to the County Planning Commission for a 30-day review would start the official process. During this time, the Dickinson Township

Planning Commission would still have time to provide comments to the Board. By forwarding the application, the Board would also need to set a public hearing date.

Additional discussion ensued regarding when, and if, the Dickinson Township Planning Commission will be able to review the application.

Bob Line stated that he disagreed with Attorney Courtney's assessment of the results of the West Pennsboro meetings regarding this issue. He said that he attended the meetings and that West Pennsboro was at the same point as Dickinson Township. He asked for due diligence. Attorney Courtney disagreed and stated that the planning decision regarding the rezoning is at the County level but the text changes are still being discussed.

Dan Wyrick offered hypothetical situations in which the Dickinson Township Planning Commission might recommend the BI rezoning and might not recommend the rezoning. He questioned if the Board would be disingenuous to the community or public if they forward the application to the County.

Chairman Wrightstone clarified with Solicitor Smith that the Board will have to forward the application to the County regardless of their position on the matter or any recommendations from the Dickinson Township Planning Commission. The applicant is assuming a time constraint risk if the comments provided from either Planning Commission force a new 30-day review for a revised text amendment based on those comments.

Chairman Wrightstone motioned to forward the Goodman Birtcher application to amend the zoning map and zoning ordinance to the County Planning Commission. Supervisor Barrett seconded the motion and it passed unanimously. The Board agreed to set a public hearing date at the October 21, 2013 Board of Supervisors' meeting.

3. **Bank transfer.**

Manager Portillo continues to collect information regarding banking options and will report back to the Board at an upcoming meeting.

4. **Server Upgrade.**

Treasurer Gembusia said she met with Mr. Bob Line as per the Board's request and, with his guidance, was able to create a 4-phased IT solution. The Board asked Mr. Line if he agreed with Treasurer Gembusia's assessment and if the prices were appropriate. Mr. Line stated that the approach was acceptable and that the pricing was reasonable. Chairman Wrightstone motioned to approve Phase 1 of the IT implementation plan by purchasing a Barracuda 190 back up device, Essential Upgrades and a 5-year on-line backup service subscription at an approximated cost of \$3,800.60. The motion was seconded by Supervisor Barrett and passed unanimously.

5. **DTMA Dissolve.**

There was nothing new to report on this item.

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

There was nothing new to report on this item.

MANAGER'S REPORT

Manager Portillo asked for an executive session after adjournment of the meeting to discuss personnel matters.

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 report was submitted without any additions or questions.

SOLICITOR'S REPORT

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

SUPERVISORS' REPORTS

No reports were submitted by the Supervisors.

ADJOURNMENT

Chairman Wrightstone motioned to adjourn the meeting at 7:23pm. Supervisor Barrett seconded the motion and it passed unanimously.

Respectfully submitted,



Denise Gembusia
Secretary/Treasurer

