



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING SEPTEMBER 21, 2015

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

ABSENT: **SUPERVISOR JONATHAN REISINGER.**

VISITORS: Judy Brough, Ellen Colyer, Michael Wadel, Chuck Stehlik, Ron Secary, Charlie Courtney, Brian Kobularcik, Tom Imholte, Greg Bretzman, Ivan Bretzman.

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 September 21, 2015 from 5:42pm to 5:57pm to discuss potential litigation, personnel and the Breslin Litigation.

An executive session was held on Tuesday, September 8, 2015 from 5:29pm until 5:58pm to discuss personnel matters and Breslin litigation.

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

Park & Recreation will hold a free Family Harvest Festival at Stuart Park on Saturday, October 24, 2015 from 2:00pm until 4:00pm.

Over 460 residences are required to have their septic tanks pumped this year. Reminder letters will be sent to homeowners at the end of September.

Dickinson Township Newsletter Volume 15, Issue 2 is being published and is expected to be mailed the 1st week of October. Copies will also be located at the Township building.

Local Fire Department and EMS are in need of volunteer support. Volunteers are needed to serve as both first responders and administrative staff. Contact the Township Manager or your local Fire or EMS for more information.

Trick-or-Treat Night will be held on Thursday, October 29, 2015 from 6:00pm until 8:00pm.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. September 8, 2015 Board of Supervisors Regular Meeting Minutes

Vice Chairman Barrett **motioned** to approve the September 8, 2015 Board of Supervisors regular meeting minutes as submitted. The motion was seconded by Chairman Wrightstone and passed unanimously.

CONSENT AGENDA

Vice Chairman Barrett **motioned** to approve the consent agenda as submitted. Chairman Wrightstone seconded the motion and it passed unanimously with the following item approved:

1. Pay Bills

CHAIRMAN'S REPORT

Chairman Wrightstone stated that Denise Gembusia tendered her resignation as Secretary/Treasurer and the Board thanked her for her service.

PUBLIC HEARINGS – None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Time Extension – Planning Module for Scott Eimerbrink to December 31, 2015.

Zoning Officer Barrick said that Mr. Eimerbrink was out of the country and now has returned. Vice Chairman Barrett **motioned** to approve the time extension for the Scott Eimerbrink planning module to December 31, 2015. The motion was seconded by Chairman Wrightstone and passed unanimously.

2. Time Extension – Subdivision Plan for Scott Eimerbrink to December 31, 2015.

Vice Chairman Barrett **motioned** to approve the time extension for the Scott Eimerbrink subdivision plan to December 31, 2015. The motion was seconded by Chairman Wrightstone and passed unanimously.

3. Final Subdivision Plan for Victor and David Barrick.

4. Plan Waiver and Non-Building Declaration for Victor and David Barrick.

Engineer Mike Wadel explained that the plan was the follow-up to the one shown to the Board two weeks ago regarding a subdivision along Montsera Road. It was noted that there are two items still outstanding; the owner's notarized signature and the seal and signature of the land surveyor. Also, the new lot will create an \$800 Park & Recreation fee.

Vice Chairman Barrett **motioned** to waive the preliminary plan requirements of SALDO Chapter 178-13 for the Victor and David Barrick final subdivision plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

Vice Chairman Barrett **motioned** to approve the application for a planning waiver and non-building declaration for the Victor and David Barrick final subdivision plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

Vice Chairman Barrett **motioned** to approve the final subdivision plan for Victor and David Barrick, subject to the applicant setting at least one concrete monument on a property corner, the payment of the \$800 Park & Recreation fee, and that the applicant pay in full all administrative fees, inclusive of application fees, plan review and inspection charges within 60 days following written notice from the Township of any administrative fees. Final plans are not to be signed or released for recording until all fees are paid in full. The motion was seconded by Chairman Wrightstone and passed unanimously.

5. Final Subdivision Plan for Wilbur and Margaret Wolf.

6. Plan Waiver and Non-Building Declaration for Wilbur and Margaret Wolf.

No plan representative was present. Zoning Officer Barrick provided an overview of the plan and noted that the placement of a concrete monument at the eastern property corner was still outstanding.

Vice Chairman Barrett **motioned** to waive the preliminary plan requirements of SADLO Chapter 178-13 for the Wilbur and Margaret Wolf final subdivision plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

Vice Chairman Barrett **motioned** to approve the modification of SALDO Chapter 178-21A (scale from 1"=100' to 1"=200') for the Wilbur and Margaret Wolf final subdivision plan. The motion was seconded by Chairman Wrightstone and passed unanimously.

Vice Chairman Barrett **motioned** to approve the application for a planning waiver and non-building declaration for Wilbur and Margaret Wolf. The motion was seconded by Chairman Wrightstone and passed unanimously.

Vice Chairman Barrett **motioned** to approve the Wilbur and Margaret Wolf final subdivision plan, subject to the placement of a concrete monument at the eastern property corner common with both lot 1 and lot 3, satisfaction of all conditions outlined in the C.S. Davidson review letter dated September 14, 2015, and condition upon the applicant paying in full all administrative fees, inclusive of application fees, plan review and inspection charges within 60 days following written notice from the Township of any administrative fees. Final plans are not to be signed or released for recording until all fees are paid in full. The motion was seconded by Chairman Wrightstone and passed unanimously.

7. Final Subdivision and Land Development Plan for Goodman Logistics – discussion only.

Engineer Reichard noted that there are 13 items in his comment letter and Engineer Ron Secary offered to discuss each of them with the Board. Chairman Wrightstone expressed concern over having at least 13 items outstanding with the Board's approval. Vice Chairman Barrett echoed the Chairman's concerns and shared his concern over the fact that financial security has not been posted for the proposed improvements. Engineer Reichard began to review his comment letter dated September 17, 2015. The applicant received an email from the Bretzman's regarding compliance with fire regulations and expects to receive an email from Bobby Pine regarding EMS compliance. The lot line revisions have been updated on sheet 3, but there applicant did not bring a copy of the new plans to the meeting. Engineer Reichard noted that the details on the stormwater comments were being worked out and asked if the additional improvements agreed to in the traffic assessment additional evaluation meeting would be included as a note on the plan.

Engineer Reichard questioned if the applicant had reports regarding the fire water line and flow analysis. Engineer Secary did not have the reports at the time of the meeting, but offered that a water tank and pump house would be constructed to provide a private fire suppression system.

Zoning Officer Barrick said he had not seen any Best Management Practices (BMP) agreement regarding the provisions of the stormwater maintenance. Attorney Courtney said he had a form and that the modifications could be done at the time of execution. Zoning Officer Barrick asked for a summary statement from the applicant in response to Cumberland County Planning Commission's comment letter dated September 8, 2015.

The Board expressed the desire to follow the recommendations of the Planning Commission and return the plan to them for discussion at their next meeting. A discussion ensued regarding how to proceed. Solicitor Smith noted that a conversation should be held with South Middleton Township regarding who will handle the inspections. Zoning Officer Barrick said he would ask SMT Engineer Brian O'Neill for a letter of intent. Brian Kobularcik asked the Board to reconsider sending the plan back to the Planning Commission. The Board stated that the plan would be sent back to the Planning Commission.

PUBLIC INPUT

Ellen Colyer and Judy Brough asked if a news article titled "Dickinson Township Faces Open Government Questions" was true and accurate. Solicitor Smith stated that the Board does not comment on a media article and that the issue is in litigation. However, the Office of Open Records documents are available on-line. Ms. Brough and Ms. Colyer felt that the perception was something was awry and questioned why the township was spending money on an appeal. Solicitor Smith said that the request was for records of a search from a prior right-to-know

request and the Township took an appeal since they felt the decision was unclear. Ms. Brough and Ms. Colyer thanked the Board for addressing their concerns.

EMERGENCY SERVICES REPORT

Greg Bretzman thanked the Board for including the note on the need for volunteers during the opening announcements. He provided the Board with the July and August reports and reminded them that he would provide an end-of-year summary report.

NEW BUSINESS

1. **Resolution 2015-01X: Application, Review and Inspection Administrative Fees.**

Manager Masley reviewed the proposed changes to the fee schedule with the Board.

Tom Imholte asked when the fee schedule was last updated and was told it was originally approved in February of 2015. Solicitor Smith noted three edits which included bolding a line, removing an asterisk, and inserting a (1) in a code reference.

Chairman Wrightstone **motioned** to approve Resolution 2015-11: Application, Review and Inspection Administrative Fees with the noted edits. The motion was seconded by Vice Chairman Barrett and passed unanimously.

2. **Resolution 2015-02X: Appointment of Zelenkofske Axelrod as Township Auditors for 2015.**

After receiving five quotes for CPA services, Zelenkofske Axelrod provided the lowest quote and was perceived as the best value from the Manager's evaluation. Action will occur at a future meeting after advertising requirements have been met.

3. **Mountain Creek Distribution Center Land Development Bond Reduction Request.**

The township received a request for a reduction of the public improvement financial security for the land development plan for Mountain Creek Distribution Center in the amount of \$804,045.81. The original amount of the security was \$5,493,543.55. Previous reductions approved by the Board in the amount of \$3,885,039.30 have left a security amount balance of \$1,608,504.25. The Township Engineer recommended a reduction of \$639,272.45, leaving a remaining balance of \$969,231.80.

Vice Chairman Barrett **motioned** to approve the reduction of the public improvement financial security for the land development plan for Mountain Creek Distribution Center in the amount of \$639,272.45, as recommended by the Township Engineer. The motion was seconded by Chairman Wrightstone and passed unanimously.

4. **Final application for road improvement contract #2, payment of \$180,371.62.**

The application for the final payment in the road contracts for 2015 was received from Conewago Enterprises in the amount of \$180,371.62. Vice Chairman Barrett **motioned** to approve the payment of \$180,371.62 from the General Fund in order to satisfy the final payment and close-out in Contract #2 of the 2015 road improvements. The motion was seconded by Chairman Wrightstone and passed unanimously.

OLD BUSINESS

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

Chairman Wrightstone wanted to wait to discuss the item when all Supervisors were present.

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.

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 and discussed the Commonwealth Court's decision on zoning and regulation of use.

TREASURER'S REPORT

Treasurer Gembusia's report was submitted without any additions. She stated that she would miss serving the residents of Dickinson Township.

ROADMASTER'S REPORT

No report was submitted.

ENGINEER'S REPORT

No report was submitted.

SUPERVISORS' REPORTS

No reports were submitted.


ADJOURNMENT

Chairman Wrightstone **motioned** to adjourn the meeting at 7:24pm. Vice Chairman Barrett seconded the motion and it passed unanimously.

Respectfully submitted,

Prepared by Denise Gembusia
Secretary/Treasurer

Approved by the Board of Supervisors on October 19, 2015

Marjorie E. Metzger 
Secretary/Treasurer