



Dickinson Township
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BOARD OF SUPERVISORS REGULAR MEETING
July 18, 2016

PRESENT: TOM IMHOLTE, DENNIS STRAUB, LORELEI COPLEN - SUPERVISORS; Larry Barrick, Manager; Glenn Kelso, Zoning & Codes Enforcement Officer; Marge Metzger, Secretary/Treasurer; Andrew Miller, Solicitor ; Jason Reichard, Engineer; Don Yost, Roadmaster.

ABSENT:

VISITORS: Judy Brough, Ellen Colyer, Jennifer Deibler, Peggy & Jim Bower, J.R. Barrett.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chairman Imholte called the meeting to order at 6:00 PM. Those present recited the Pledge of Allegiance.

NOMINATE & ELECTION OF CHAIRMAN & VICE CHAIRMAN OF THE BOARD OF SUPERVISORS

A motion was made by Supervisor Straub and seconded by Supervisor Coplen and unanimously passed to nominate Tom Imholte as Chairman of the Board of Supervisors for the remainder of 2016.

A motion was made by Supervisor Straub and seconded by Chairman Imholte and unanimously passed to nominate Lorelei Coplen as Vice-Chairwoman of the Board of Supervisors for the remainder of 2016.

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

- Parks & Recreation is seeking a volunteer to join their Board. If interested, please email Township Manager.
- Parks & Rec Board will be holding their 5th Annual Ice Cream Social on Thursday, July 28, 2016 from 6:00 PM to 8:00 PM. The Event will be held at the Township Building.
- Parks & Rec Board will be holding their 1st Crafters Festival on Saturday, September 3, 2016 from 8:00 AM to 4:00 PM at Stuart Park.
- An Executive Session was held on Monday, June 20, 2016 from 7:28 -7:47 PM to discuss the Thompson RTK Appeal.

APPROVAL OF AGENDA

A motion was made by Supervisor Straub and seconded by Vice Chairwoman Coplen and unanimously passed to approve the agenda.

APPROVAL OF MINUTES

June 20, 2016 Regular Meeting Minutes

A motion was made by Supervisor Straub and seconded by Vice Chairwoman Coplen and unanimously passed to approve the June 20, 2016 minutes, as submitted.

CONSENT AGENDA

A motion was made by Supervisor Straub and seconded by Vice Chairwoman Coplen and unanimously passed to approve the bill payments for July 18, 2016.

A motion was made by Supervisor Straub and seconded by Vice Chairwoman Coplen and unanimously passed to ratify the bill payments for July 5, 2016.

Judy Brough mentioned the Solicitor invoices for Susan Smith and provided a list of numbers she prepared on the Solicitor invoices for the months of January, February, and March 2016. She questioned how the invoices could be so high for the RTK appeal and Breslin litigation when Solicitor Smith had very little to do with the matter. It is difficult to determine costs when looking at the redacted invoices. She questioned who scrutinizes the bills. Chairman Imholte said the Supervisors look at the bills prior to signing the checks, and raise questions if there are any discrepancies. The invoices submitted by Sue Smith are valid.

CHAIRMAN'S REPORT

Chairman Imholte stated the RTK Appeal with Thompson was discussed at the last meeting. Prior to the meeting Solicitor Miller was told he would be kept out of the appeal. When the discussion occurred during the meeting, and with there being a new member on the Board, the Board decided it made sense for Solicitor Miller to take a look at the matter and provide input. That is why there was an executive session. We are trying to be responsive to the residents of the township. Solicitor Miller agreed there was potential for some of the redacted information so we agreed to move forward to file the appeal. Chairman Imholte stands behind his statement to do what is needed to protect the township. We put our faith in the staff and professionals. He didn't think it would be a popular decision to move forward, but it was in the best interest of the township to do so.

PUBLIC HEARINGS None

PLAN REVIEW/CONDITIONAL USE HEARINGS None

GENERAL PUBLIC INPUT (non-agenda items)

Phil Thompson provided a general observation to Solicitor Miller and suggested there are options other than intimidation, denying bogus claims, redaction of legal services, and fighting. The new Solicitor is in a position to stand back and look for middle ground, which would be a welcome role for the Solicitor if given the opportunity to do so. Mr. Thompson asked the Board to request a return payment from Jonathan Reisinger for 2015, as he had a terrible attendance record as a Supervisor. Mr. Thompson stated Mr. Reisinger was under investigation by the Ethics Commission while he was running for the Board of Supervisors. The money could be used for the township roads, parks, and mill restoration. Mr. Thompson also asked the Board to request a return payment from Susan Smith for overage charges for the Breslin litigation. Mr. Thompson suggested the Board do away with the time limit on public input at meetings. Mr. Thompson welcomed Lorelei Coplen to the Board of Supervisors. Chairman Imholte thanked Mr. Thompson for his comments.

J.R. Barrett commended the Board for moving forward with the RTK appeal. It is not a negative interest of all the people of the township. The Board of Supervisors has changed. The Manager has changed. The Solicitor has changed. What remains the same are the elevated Solicitor bills due to the litigation the township is connected to, which also affects insurance rates. The township has made a lot of progress with the staff, roads, and emergency services, which has been recognized by the township citizens. He would like to see the township move on, but issues are rehashed each time there is a new Board, new manager, and new solicitor. The township can't move forward because some people won't let us and that is where the solicitor money is going. If they are concerned about the township, maybe they could do something different on their side. The township has good people on their staff and Board.

Chairman Imholte said with the time constraint on public input, the Board can only listen and not respond. The Board may think about changing the policy, but we are also not in favor of 3 hour meetings without agenda items. He hopes people continue to attend the open sessions, which are not official meetings, but concerns and questions can be shared.

EMERGENCY SERVICES REPORT None

NEW BUSINESS

1. Final Approval to Purchase a John Deere Backhoe for the Township Road Crew

A motion was made by Vice Chairwoman Coplen and seconded by Supervisor Straub and unanimously passed to purchase the John Deere 310SL backhoe from Plasterer Equipment Company, Inc. for a price of \$77,400.00, as outlined in the Manager's memo dated July 14, 2016.

The Board directed the Manager to look into the cost of purchasing a trailer to haul the backhoe, and to provide information on how often it is driven from one side of the township to the other, how often tires are replaced, and consideration of the need for a Class A license.

2. & 3. Appointment of Ivan Bretzman as Emergency Services Administrator and Justin "Bubba" Bretzman as Assistant Emergency Services Administrator

This agenda item was tabled.

4. Dirt & Gravel Roads Grant Approval

Manager Barrick announced the township received approval of the Dirt & Gravel Roads grant in the amount of \$44,462.75, which will be used on Phase I of the Cold Springs Road reconstruction project. Twenty-three pipes will be replaced/installed, and 6" of fill material will be installed over 3500 linear foot of the road.

OLD BUSINESS

1. Zoning/Saldo Draft Ordinances.

Discussion will continue on August 1, 2016, with a full Board.

2. Master Storm water Feasibility Study – Mountain View Road Drainage.

Nothing to report.

MANAGER'S REPORT

Manager Barrick mentioned the response letter received from DEP (Department of Environmental Protection) stating Dickinson Township is not designated as an MS4 area. This corrects their position from 2015 when there was an error in their mapping. The township is good at least until 2021. Ellen Colyer questioned the designation. Manager Barrick said MS4 deals with the Chesapeake Bay and storm water runoff, which will be costly for the township. The Township has been pro-active with fixing storm water issues because eventually we will be held accountable and will receive the MS4 designation. Engineer Reichard said the population would have to increase, but the township is in the clear at least until 2021.

Supervisor Straub mentioned the pavement seems to be lower than before the reconstruction on Alexander Spring Road. After a rain there was ponding in the driveway area of 627 and the driveway across the street. Engineer Reichard will check into this concern.

Chairman Imholte asked if there is any contingency put in for paving at the driveways. Engineer Reichard said there would be accommodations, but this project was limited because it was existing. The financial security is being held so a final adjustment can be made.

ZONING OFFICER'S REPORT

Zoning Officer Kelso's report was submitted without any additions.

TREASURER'S REPORT

Treasurer Metzger's report was submitted without any additions.

ROADMASTER'S REPORT

Roadmaster Yost's report was submitted without any additions. Roadmaster Yost gave credit to the road crew who are getting a lot of work done and staying ahead of the projects.

ENGINEER'S REPORT

Engineer Reichard's report was submitted. Engineer Reichard said the project is coming in under budget so the additional work on Peach Glen can be done. We have met in the field and marked the limits of work, which will take care of the bulk of sections in bad shape.

A motion was made by Chairman Imholte and seconded by Supervisor Straub and unanimously passed to authorize the first payment to Shiloh Paving & Excavating, Inc. in the amount of \$344,409.67 for the road improvements project.

Engineer Reichard said the micro surfacing is scheduled to begin on August 1 and will take about 7 days to complete. Roads will be closed at times. There will be road closed signs and a flagger present. A door hanger will be distributed 48 hours in advance and a posting at the end of each road. It is also posted on the township website.

SOLICITOR'S REPORT

Solicitor Miller's report was submitted.

Chairman Imholte mentioned the updating of the zoning ordinance and asked about deed restrictions and how they relate to the zoning ordinance if rezoning a property. Solicitor Miller said a deed generally trumps the zoning ordinance as long as the restriction is not obsolete. If deed restrictions have not been enforced then the standards change and they are no longer applicable. There are limits how zoning amendments can be changed to impact the uses. There is a time limit on a use when it is established and if it is not used for over a year then that use is gone.

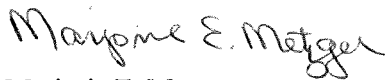
SUPERVISORS' REPORTS

Vice Chairwoman Coplen pointed out that volunteers are needed to serve on the Planning Commission to replace her. Manager Barrick said he has one application that will be shared with the Planning Commission for a recommendation.

ADJOURNMENT

A motion was made by Chairman Imholte and seconded by Supervisor Straub and unanimously passed to adjourn the meeting at 7:04 PM.

Respectfully submitted,



Marjorie E. Metzger
Secretary/Treasurer

