



Dickinson Township  
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**BOARD OF SUPERVISORS REGULAR MEETING**  
**June 20, 2016**

**PRESENT:** TOM IMHOLTE, DENNIS STRAUB - SUPERVISORS; Larry Barrick, Manager/Zoning & Codes Enforcement Officer/Open Records Officer; Glenn Kelso, Zoning & Codes Enforcement Officer; Jennifer Luebbers, Receptionist; Solicitor Andrew J. Miller; Jason Reichard, Engineer.

**ABSENT:** Marge Metzger, Secretary/Treasurer; Don Yost, Roadmaster.

**VISITORS:** Judy Brough, Charles Breslin, Bob Line, Mike Wadel, Lorelei Coplen, Jerry Eby, Solicitor Christian Miller

**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.

**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 5<sup>th</sup> 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.
- Vice Chairman Imholte made introductions of the townships new Solicitor Andrew Miller and backup Solicitor Christian Miller, MPL Law Firm, to the attending residents.
- The Board of Supervisors held an executive session this evening from 5:34 PM to 5:52 PM to discuss The Thompson RTK Appeal.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**May 16, 2016 Regular Meeting Minutes**

A motion was made by Supervisor Straub and seconded by Vice Chairman Imholte and unanimously passed to approve the May 16, 2016 minutes, as submitted.

**CONSENT AGENDA**

A motion was made by Vice Chairman Imholte and seconded by Supervisor Straub and unanimously passed to approve the bill payments for June 20, 2016.

A motion was made by Vice Chairman Imholte and seconded by Supervisor Straub and unanimously passed to ratify the bill payments for June 6, 2016.

**CHAIRMAN'S REPORT** None

**PUBLIC HEARINGS** None

**PLAN REVIEW/CONDITIONAL USE HEARINGS**

Mike Wadel from E.L. Diffenbaugh Associates described the small lot addition plan. Larry and Glenn had no issues, all requirements by C.S. Davidson were met and the plan has been approved by the Planning Commission.

Supervisor Straub motioned to approve the James Fleniken modification request for Chapter 178-13 of the SALDO, to waive the Preliminary Plan submittal process. Vice Chairman Imholte seconded the motion and it passed unanimously.

Supervisor Straub motioned to approve the James Fleniken modification request for Chapter 178-24A of the SALDO, for a modification of the sheet size requirements. Vice Chairman Imholte seconded the motion and it passed unanimously.

Vice Chairman Imholte motioned to approve the James Fleniken final minor subdivision plan subject to payment of any fees. Supervisor Straub seconded the motion and it passed unanimously.

Michael T. Rowe Component 2 Planning Module  
Supervisor Straub motioned to approve the Planning Module and forward to DEP for final approval. Vice Chairman Imholte seconded the motion and it passed unanimously.

**GENERAL PUBLIC INPUT (non-agenda items)**

Judy Brough expressed her concerns about the Solicitor fees; she would like to see more attention paid to details on the invoices. Her concern was that the residents couldn't see where the monies are being spent.

Charles Breslin discussed the need to get a grip on legal expenses spent in the township. He talked about cost concerns for the new solicitor's spending (for example: on mileage, driving from York PA) plus in addition to meeting expenses and fees associated with RTK reviews. He also talked about Solicitor Smith on what she has charged the Township over the last several years.

Jerry Eby stated that the RTK requests are a waste of our time and very time consuming for the staff. It cost huge amounts of money; many of the people do not even bother to pick them up. Years ago there was an issue with the Supervisors and the Township, but that is not the story now.

**EMERGENCY SERVICES REPORT**     None

**NEW BUSINESS**

**1. Appointment of Interim Supervisor to fill the vacant supervisor position. The appointed Supervisor will serve until December 31, 2017.**

Vice Chairman Imholte announced appointment of Lorelei Coplen as the new supervisor. He had planned on her being part of the meeting, but due to the absence of Secretary Metzger, she could not be sworn in until Monday, June 27, 2016.

Judy Brough asked if Ms.Coplen planned on staying on the Planning Commission. Ms. Coplen said she was going to stay on the PC until they find someone else to take her place and at that time she would step down. Ms. Brough said that we should thank the others that took an interest. Manager Barrick asked Vice Chairman Imholte for a list, Vice Chairman then thanked Judy for bringing it to the township's attention.

Charles Breslin congratulated Ms. Coplen for being the first woman Supervisor. Mr. Breslin then said we should send out thank you letters for the solicitors who applied for the Solicitor's position. Manager Barrick said that had already been done.

Supervisor Straub motion to accept Lorelei Coplen as the new Supervisor. Vice Chairman Imholte seconded the motion and it passed unanimously.

**2. Ratification of the Executive Session Vote to file a Petition to appeal the Thompson RTK Appeal decision.**

Vice Chairman Imholte stated that based on the information given to them by their solicitor they felt that they needed to move forward with the appeal. He then gave a brief description as to why they were going to move forward with the petition for the Thompson right to know Appeal. He explained there were inconsistencies in the ruling of the appeal information; some of the information was redacted partially and some fully because they were related to litigation. We want to retain the information; we do not want to give information that could be used against us in, the ongoing litigation. Since, we completely redacted the invoices they now want everything and we aren't going to do that.

Charles Breslin recommended holding off on the petition to appeal the Thompson RTK Appeal. He stated that Mr. Thompson pulled him out of the meeting, and the he is going to contest the appeal. He also, stated that the township paid him a \$5000 settlement for a RTK appeal that he had started in June (2015) with the township.

Judy Brough talked about RTK costs and stated that what we are looking for is checks and balances from the solicitor and we are absolutely against any kind of money being spent on the RTK appeal.

Mr. Breslin told the board that they have time for the new attorney to look at this appeal.

Solicitor Miller said they haven't looked at anything for the Thompson RTK Appeal. He then stated it could be ratified and then withdrawn if he determines that it is not valid. He recommended proceeding as planned and his firm will look at it and provide a recommendation before the July 14, 2016 deadline.

Mr. Breslin stated that he would be satisfied with the appeal if the new solicitor reviewed and recommended moving forward with it. Ms. Brough concurred.

A motion was made by Supervisor Straub and seconded by Vice Chairman Imholte and passed unanimously to ratify the petition to appeal the Thompson RTK Appeal, after Solicitor Miller looks it over and provides a recommendation.

**3. Ratification of the appointment of MPL Law Firm to fill the Township Solicitor Position.**

Vice Chairman Imholte stated that they received 12 RFQ responses and narrowed it down to 6, then down to 2 firms after further reviews, before making their final decision. Vice Chairman talked about some of the terms with MPL Law Firm, only charging one half (1/2) of an hour of travel time, \$125 for legal fees and \$85 per hour for paralegal time.

Vice Chairman Imholte motioned to ratify appointment of MPL Law Firm to fill the Township's Solicitor position. Supervisor Straub seconded the motion and it passed unanimously.

**4. Resolution 2016-06 for Michael T. Rowe Planning Module**

Supervisor Straub motioned to accept resolution 2016-06. Vice Chairman Imholte seconded the motion and it passed unanimously.

**OLD BUSINESS**

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

Plan to work on the draft zoning map.

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

Nothing to report.

**MANAGER'S REPORT**

Manager Barrick added there was a delay in the Alexander Springs Road reconstruction project, because of sub surface clay and poor sub grade conditions. He stated that Hillwood would be responsible for the additional base repairs.

Supervisor Straub asked about water lines, Larry replied that Glace, is supposed to be monitoring and inspecting the installation of the water lines.

**ZONING OFFICER'S REPORT**

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

Ms. Brough said she has gotten good reports from friends and they have expressed their appreciation of Glenn and Larry.

**TREASURER'S REPORT**

Treasurer Metzger's report was submitted without any additions. .

**ROADMASTER'S REPORT**

Manager Barrick added that we planned on replacing a dump truck, backhoe and would like to purchase a grader; the estimated cost for the grader will be about \$120,000. It was then briefly discussed about sharing a grader with another township.

**ENGINEER'S REPORT**

Engineer Reichard did not have a written report to submit, but gave a verbal accounting of roads that have been completed; Green Mountain Road, N. Dickinson School Road and Chestnut Ridge intersection and Yellow Breches culvert.

Peach Glen Road will be completed in July; Alexander Spring Road construction is still ongoing. Engineer Reichard is working with Roadmaster Yost to determine what base repairs will be needed on Peach Glen Road. The Micro Surfacing work will start in July. He mentioned they were \$10,000 under budget.

**SOLICITOR'S REPORT**

No Report.

**SUPERVISORS' REPORTS**

No Report

**ADJOURNMENT**

**A motion was made by Supervisor Straub and seconded by Vice Chairman Imholte and unanimously passed to adjourn the meeting at 7:23 PM.**

Respectfully submitted,



Jennifer Luebbers  
Receptionist

