



Dickinson Township
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BOARD OF SUPERVISORS MEETING

November 20, 2023

PRESENT: **LORELEI COPLEN, ROBERT LINE, III, ROB KOLE - SUPERVISORS;** Marjorie Bear, Assistant Manager/Secretary/Treasurer; Glenn Kelso, Public Works Director/Zoning/Codes Enforcement Officer; Brandon Brookens, Assistant Zoning/Codes Enforcement Officer; Christian Miller, Solicitor.

ABSENT: Jason Reichard, Engineer; Larry Barrick, Manager.

VISITORS: Pete & Sandra Altman, Jen DeGaetano, Mike Kennedy, Dan Carroll, Charles Kim, Ron & Melissa Kuhn, Mike Wadel, Crystal Alwood and Mark Staszko.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairwoman Coplen called the meeting to order at 6:00 P.M. The Pledge of Allegiance was recited by those present.

OPENING ANNOUNCEMENTS

- There will be multiple positions opening up for 2024 for the various Township Boards. Residents are encouraged to apply.
 - Park and Recreation Board has two positions open to apply.
 - Planning Commission has two positions open to apply.
 - Municipal Authority has two positions open to apply.
 - Zoning Hearing Board has one position open to apply.
 - Zoning Hearing Board has one position for an Alternate open to apply.
- The Board of Supervisors held an executive session this evening from 5:45 PM to 5:52 PM to discuss personnel issues.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to approve the October 16, 2023 meeting minutes.

CONSENT AGENDA

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to ratify the bills for November 6, 2023.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to pay the bills for November 20, 2023.

CHAIRPERSON'S REPORT

Chairwoman Coplen congratulated Jen DeGaetano on being elected to sit on the Board of Supervisors beginning in January 2024.

Chairwoman Coplen mentioned that Manager Barrick is absent due to illness.

Chairwoman Coplen directed staff to front load the December 4th agenda so that cancellation of the December 18th meeting can be considered.

Chairwoman Coplen stated this may be her last meeting as a Supervisor. She has been very proud to serve the Township. She was appointed for her first year prior to being elected and has served for seven years. She is proud of promoting the rural character of the Township, and for re-zoning to limit warehouses. This Board developed a regular stream of income to make up for the reduction of income from warehouses. This Board has worked with various municipalities, the county, and state representatives on the FPR and bio-solids matters. She stated that FPR's and the newly enacted tax are not related to each other. She is proud of the way that the Board managed the ARP funding which allowed for several projects and road related work. The most important thing she is proud of is for keeping a civil discord with the Township meetings by adopting a policy for public meeting procedures. Chairwoman Coplen thanked the Board members, staff and residents. It has been an honor and privilege to serve and she looks forward to being considered for a position on the Park & Recreation Board.

Vice Chairman Line thanked Chairwoman Coplen for her strong leadership and commitment to the Township. He greatly appreciates her service.

EMERGENCY SERVICES REPORT No report provided

GENERAL PUBLIC INPUT (non-agenda items) None

PUBLIC HEARINGS None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Final Subdivision Plan for Ronald Kuhn II

Mike Wadel was present on behalf of the plan. Assistant Zoning/Codes Enforcement Officer Brookens stated the plan is to consolidate three separate lots that are owned by the same person which will free up some of the setback requirements. The outstanding comments have been addressed other than signatures.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to approve the two waiver requests for the Ronald Kuhn II final subdivision plan, as outlined in the memorandum dated October 12, 2023 from Zoning/Codes Enforcement Officer Kelso.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to approve the Ronald Kuhn II final subdivision plan contingent upon the conditions as outlined in the memorandum dated October 12, 2023 from Zoning/Codes Enforcement Officer Kelso being satisfied.

NEW BUSINESS

1 & 2 Adoption of the 2024 General Fund Budget to include the Liquid Fuels Budget, Fire Tax Budget, Capital Savings Budget, and ARPA budget; Resolution 2023-11.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to adopt Resolution 2023-11, establishing the General Fund Real Estate Tax effective January 1, 2024, at a Millage Rate of 0.75 Mills, establishing the Fire Real Estate Tax effective January 1, 2024, at a Millage Rate of 0.25 mills on assessed valuation and an Earned Income Tax or Net Profit Tax at a rate of one percent; and approving the 2024 General Fund budget, Liquid Fuels Budget, Fire Tax Budget, Capital Savings Budget, and ARPA Budget.

3. Approval of Meeting Calendar for 2024 and authorization to advertise.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to approve the meeting calendar for 2024 and to authorize the advertisement.

4. Appointment of Michael L. Shenk to the Park and Recreation Board, Term to expire December 31, 2026.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line to appoint Michael Shenk to the Park and Recreation Board but was not voted on.

Supervisor Kole requested an interview with Mr. Shenk before appointing him. Vice Chairman Line mentioned it is hard getting people to serve on the Boards and he doesn't want to make it more difficult, but was not opposed to Supervisor Kole doing the interview.

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and unanimously passed to table the appointment of Michael Shenk. Supervisor Kole will contact Mr. Shenk.

5. Discussion to begin Enforcement of the "No Parking Zone" on Old State Road in Hunters Run.

Chairwoman Coplen mentioned the road is only so wide and state law requires a specific width for it to be legal for two way traffic. Residents are parking on the side of the road and the Township must decide whether to do nothing, enforce the ordinance as written, or make a section of Old State Road a one-way street.

Mr. Atwood said there is no room to park on his property. He has been there since 2016 and parking on the side of the road is how it has been done. He has to use the neighbors yard to access his back yard because of how the buildings on his property are placed so close to the property lines. He has three vehicles. There are two of the neighbors who have a shared driveway. He questioned if the road can be widened on the other side.

Public Works Director Kelso explained the option of making a section of the road one way, starting at Kuntz Drive to a stop sign at Pine Grove Road. Signs would have to be erected, an engineering study is required, and PennDOT approval is needed. An approximate cost for the study would be \$4,500 and then the cost of signs and labor to complete the project along with updating the ordinance would bring the estimate to around \$7,500 to make the conversion to a one-way section of road.

Supervisor Kole mentioned the impact of a one way road for snow plowing and Public Works Director Kelso said there would be no impact. The small truck is used on that road, or the large truck is extremely tight. Supervisor Kole said widening the road would be ideal, barring the cost. Public Works Director Kelso said to widen the road and place the shoulders would take it outside the right-of-way. Chairwoman Coplen said the eminent domain process is avoided for many reasons. Supervisor Kole questioned if the road crew could do any of the study to reduce costs and Public Works Director Kelso said he could check with the engineer.

Chairwoman Coplen said the approximate cost of \$7,500 would benefit three residents for their parking issue. Vice Chairman Line mentioned the homes have been there for 100 years. The Township should take its time to work through the issue because there are other roads in the Township with the same scenario where the roads were not built that long ago to meet today's standards. He is not in favor of making a decision that would burden the residents. Supervisor Kole said it comes down to planning, which was not done when the road was designed because there is no place to go. He feels some version of the one-way street option is probably the way to go. Public Works Director will continue to work on the issue and provide additional information for the December meeting.

MANAGER's REPORT Nothing additional to report

ASSISTANT MANAGER'S REPORT Nothing additional to report

TREASURER'S REPORT Nothing additional to report

ZONING OFFICER'S REPORT

Assistant Zoning/Codes Enforcement Officer Brookens mentioned the owners of Cherokee Campground have located two new spots for a septic system and are still in the planning mode. The Summit he attended provided good safety information. He mentioned the issue of people letting dogs off leashes at the public parks, which is a violation of the local ordinance and state law.

PUBLIC WORKS

Public Works Director Kelso stated the stop bars, which are reflective strips, have been installed at the intersection of Burnt House Road and Ritner Highway; Burnt House Road and Old York Road; and Pine School Road. The strips are a way to catch the drivers eye and is a part of the improvements being made to these intersections. The stop bar gives the driver an idea of how far to pull up at the stop sign to see properly before proceeding.

ENGINEER'S REPORT Nothing to report

SOLICITOR'S REPORT Nothing to report

SUPERVISOR'S REPORT Nothing to report

OLD BUSINESS

1. Park & Rec and Carlisle School District vacant lot discussion – Nothing to report
2. Future of Barnitz Mill Discussion – Public Works Director reported that the on-site visit was made with the Friends of Barnitz Mill and some of their professionals who evaluated some of the structure and the historical value. The price tag they provided was hefty and suggested what is there is not worth much because prior improvements were not done with salvageable wood. Chairwoman Coplen said the Mill was moved at least once and the renovations that were done to re-enforce the structure to save it actually decreased its value.
3. Food Processing Residuals (FPRs) and Biosolids update

Pete Altman was very concerned with the smell that permeates the entire neighborhood. He questioned who is responsible, where it comes from, and what can be done. Chairwoman Coplen said there are three types of nutrient management which include manure, bio-solids, and FPR's. The Township has asked the state to change the laws. The farmers are regulated by the state that is using regulations that are 30 years old. The operation is inspected and regulated and reports must be submitted, but the state does not have to share that information unless a Right-To-Know request is submitted. Mr. Altman thanked the Board for giving the residents the time to share concerns.

Solicitor Miller said the FPR process is regulated by DEP and even if the Township wanted to put regulations in place, it doesn't have that jurisdiction. He suggested the resident's submit Right-To-Know requests to the state, and to contact their state legislators because they are responsible to their electorate. The Township is not equipped to handle this issue, which has been a hot topic for several years. The Township has partnered with other municipalities, the county, and state. Chairwomen Coplen mentioned the topic of FPR's was discussed at the Cumberland County convention held in October. There have been people come to the Township to talk with us. She suggested the residents journal information because that becomes record. She suggested residents get their water tested to get a base line established and then re-test annually.

Zoning/Codes Enforcement Officer Kelso said there is a link on the Township website on the news and announcements page for the complaint form for residents to fill out and submit to their state representatives and DEP.

Mike Kennedy said the smell is terrible and there is no smell meter. He can't invite friends over and must live with it for many weeks of the year. The farmer spreads an area, and spreads the same area a week later. It is not neighborly. It affects a lot of families in a negative fashion. What has been done has not been effective and it is a big deal. Chairwoman Coplen said the Township is doing what they can and everything has been done that we can legally do at this time.

Dan Carroll agreed with the comments already shared by other residents. He questioned if there are regulations that require the materials to be buried. Chairwoman Coplen said it depends on the land and soil types and nutrient levels and so on. One of the largest farmers in the area has purchased the injector system equipment and uses it where he can but not all areas allow for it. Mr. Carroll was concerned with the manure that is left on the roads, which makes it difficult to ride his motorcycle.

Charles Kim said over the past 4-5 years the smell has expeditiously went up and it is all the time. The dynamics have changed and the smell lingers and stays.

Mark Staszko said the smell is out of control. He is 400 yards from an open pit that he smells 365 days a year. It has affected his health and he must take medication due to infections. The doctor has told him to move. He has put his heart and soul into his property and can't go outside. He has four air filters and his windows are taped shut. It has affected his wife mentally and physically. The farmer has no regard for the neighbors. The farmer has invaded his space and his home. The materials are brought in from out of state and the farms are being used as a landfill. He said the Supervisors must grab the bull by the horns and pass an ordinance. Chairwoman Coplen said the state would sue the Township.

Solicitor Miller said there are performance standards and the Right to Farm Act that states as long as they are within the regulations, a farmer can't be sued.

Vice Chairman Line said this has been an on-going issue in the Township and is not good for the Township. The Township has been working within our means to alleviate the issue but movement is needed at a higher level. Chairwoman Coplen mentioned the state representatives hearing from the residents is what will get it moving because the legislators must answer to the residents. Solicitor Miller suggested the residents get organized and request a meeting with the state representatives.

Supervisor Kole thanked the residents for coming and said he shares their concerns. The smell has changed over the years. FPR's is waste product from factories and is coming from other states. This process is banned in 48 states. He took time to meet with the state and DEP is unable to verify the accuracy of the reports. We as a Township can and should be doing more. The residents should be organized and continue to attend the meetings. He is trying to put ideas on the table of what can be done and to hold the Township accountable to do it. The matter is spreading to other municipalities and is a state issue. We have to do something one way or the other and he is committed to that over the next year.

Chairwoman Coplen reviewed the options for the residents to include contacting the state representatives; requesting a Right-To-Know from DEP; journal and documentation; well testing; videos and pictures.

Sandra Altman asked if there is anything that can be added to the pits to mitigate the smell. Chairwoman Coplen said the rules are 30 years old. DEP belongs to the state. The state legislators must push for change because it is state policy.

Jen DeGaetano mentioned Barb Gleim is no longer the representative for Dickinson Township. She urged residents to contact Greg Rothman and continue to push.

ADJOURNMENT

A motion was made by Chairwoman Coplen and seconded by Vice Chairman Line and passed unanimously to adjourn at 7:26 PM.

Respectfully submitted,

Marjorie E. Bear
Asst Manager/Secretary/Treasurer