



Dickinson Township
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BOARD OF SUPERVISORS MEETING
May 13, 2024

PRESENT: **ROBERT LINE, III, ROB KOLE, JEN DEGAETANO - SUPERVISORS;** Marjorie Bear, Assistant Manager/Secretary/Treasurer; Glenn Kelso, Public Works Director; Laci Hockenberry, Assistant Secretary/Treasurer; Matt Boyer, Solicitor.

ABSENT: Jason Reichard, Engineer

VISITORS: Cathy Little, Marty Williams, Judy Brough, Elizabeth Grant, Maddie Seiler, Dan Wyrick, Michael Wadel, Brandon Brookens, Michael Karli.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Kole called the meeting to order at 5:00 PM. The Pledge of Allegiance was recited by those in attendance.

OPENING ANNOUNCEMENTS

- The DTWP Park and Recreation Board is seeking a volunteer to serve on their Board. Please contact the Township Office at (717) 486-7424 if you are interested in serving.
- The DTWP Planning Commission is seeking a volunteer to serve on their Board. Please contact the Township Office at (717) 486-7424 if you are interested in serving.
- The Board of Supervisors held an executive session on May 6, 2024 at 4:15 PM for personnel matters.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Judy Brough pointed out that at the top of page 2, the date of April 15 should be April 1.

A motion was made by Supervisor DeGaetano and seconded by Vice Chairman Line and unanimously passed to approve the April 15, 2024 Regular meeting minutes, as amended.

CONSENT AGENDA

A motion was made by Supervisor DeGaetano and seconded by Chairman Kole and unanimously passed to ratify the bills for May 6, 2024.

CHAIRPERSON'S REPORT None

EMERGENCY SERVICES REPORT None

GENERAL PUBLIC INPUT (non-agenda items)

Judy Brough shared concerns that at the last meeting some of the General Public comments were answered and some were not. She mentioned the lawsuit in 2012 where residents were being treated unequally, and how Right-To-Know requests were being treated differently for different persons. Secondly, she submitted a Right-To-Know request on April 24th for Solicitor Boyer's invoices, contract or agreement between Salzmans Hughes and the Township, and contract or agreement between Salzmans Hughes and the Township for the FPR Coalition. On April 30th she received notice that her request was extended to 30 days to allow time for redaction, which she doesn't understand, and to allow time to get the documents from outside of the Township office, which she questioned why Township records are held off site. Thirdly, Ms. Brough mentioned that Salzmans Hughes does not have grant writing services, but that was stated as one of the reasons or qualifications for that firm to be selected as the Solicitor. The grant writing services are referred to GMS Funding Services, which is run by Bryan Salzman and his daughter. She is concerned with the amount of Township business being sent in that direction. She also mentioned that grant writing needs funded and questioned where those funds are coming from. And fourthly, Ms. Brough noted that when Salzmans Hughes was appointed to provide the Solicitor services, they submitted the lowest bid. It is not the cost per hour, but the number of hours billed. Salzmans Hughes is billing not only for Township meetings, but for Right-To-Know requests that should be straight forward, executive sessions, and ousting the Manager. There is the fee of \$10,000 to sit at the table for the FPR Coalition, but she can't factually document that because to date she hasn't received her Right-To-Know requests. She appreciates transparency and integrity and feels some of these issues should be addressed because the perception is there. Solicitor Boyer said the Right-To-Know requests are under investigation and he will respond in a timely manner. Chairman Kole said the Right-To-Know requests will be provided as soon as possible, and he offered to meet with Ms. Brough or speak on the phone to be transparent.

Marty Williams thanked the Park & Recreation Board for holding the Founder's Day / Flea Market event on April 20th. All staff were present, as well as Vice Chairman Line and she thanked staff for helping. She was there with the Friends of Barnitz and interacted with those who attended. The park looks terrific and is a nice space. She looks forward to holding the event next year and hopes it will grow. She shared a concern that at the last meeting there were comments made about some of the Township money and derelict of duty by the Manager with certain funds. She has never heard from any Supervisor that there was any kind of problem with finances. During the budget meetings there was never a concern, and she never heard any suggestions from the Supervisors that the Township should be doing something different. It is the Supervisors job to speak if they have concerns and that is something that needs to be discussed. She doesn't understand the process and how it works.

PUBLIC HEARINGS None

PLAN REVIEW/CONDITIONAL USE HEARINGS

1. Efsthimios Panagos Final Subdivision Plan

Mike Wadel was present. He stated the plan is for 801 Sandbank where there is 15 acres and a mobile home park. The subdivision is to create a new building lot for one single family dwelling. A sewage module has been submitted and there is one waiver request.

Zoning/Codes Enforcement Officer Kelso said there were minor comments between the Township, engineer and county that have been addressed and a revised signed plan has been submitted. Vice Chairman Line stated everything with the plan looked good to the Planning Commission and they had no issues with the plan. Solicitor Boyer said nothing pops out to him.

A motion was made by Vice Chairman Line and seconded by Supervisor DeGaetano and unanimously passed to approve the request for modification of Chapter 178-55 of the SALDO, which requires plans to provide a carbonate assessment of the area.

A motion was made by Chairman Kole and seconded by Vice Chairman Line and unanimously passed to approve the Efsthimios Panagos Final Subdivision Plan with the conditions as outlined in Zoning/Codes Enforcement Officer Kelso's memorandum dated May 9, 2024.

NEW BUSINESS

1. Approval of Township Manager Resignation / Separation Agreement

Dan Wyrick questioned if the Separation Agreement is a private personnel issue or if it is public and can requested through a Right-To-Know. Chairman Kole said it is public and can be a Right-To-Know request.

Judy Brough and Brandon Brookens approached the front table to speak. Ms. Brough said it is disturbing that the agenda item lists a resignation because it is her understanding Mr. Barrick did not resign. Mr. Brookens stated on April 8th at 8:00 AM Supervisor DeGaetano came into the township office with another individual and Mr. Barrick was told it was his last day and he would not be working for the Township anymore and then was escorted out of the building. Ms. Brough mentioned that Supervisor DeGaetano brought a box along for Mr. Barrick's belongings and escorted him out of the building, which is ousting and that was the last he was in the township building. She contacted Mr. Barrick who said he can't discuss it or talk about it. Why couldn't he discuss it if he resigned? Obviously, he was ousted. If Mr. Barrick was fired, there had to be some kind of decision made in executive session, which there were a lot of them on personnel issues. The Sunshine law states if a decision is made then at the following meeting there must be a ratification of the vote or decision. That would have been April 15th and nothing was said at that meeting. Chairman Kole said the Board could not comment on the status because it was an on-going matter and that additional information would be available in the future. Ms. Brough said if it was on-going then it doesn't sound like a resignation and the Board is still talking about it but Mr. Barrick is not able to talk about it. What condition was given to his resignation? Then today there is a surprise meeting and it is listed as a resignation with separation agreement. Resignation is inaccurate. Mr. Brookens agreed. Ms. Brough was concerned with a violation of the Sunshine Act and some kind of story made up about Mr. Barrick. A lot of people came to the last meeting with a lot of input and they want to know what is going on. Mr. Brookens said staff was kept in the dark and were instructed to tell people Mr. Barrick was taking a leave of absence and that was not what happened. It was inappropriate to Mr. Barrick who was very dedicated and cared for this Township. He cares for the residents. Ms. Brough mentioned a posting on social media about Mr. Brookens getting another job with higher salary and that is fact. Mr. Brookens stated he did not agree with the way it was handled with Mr. Barrick and the Board told staff to have faith and trust. Supervisor DeGaetano mentioned Mr. Brookens resignation that was turned in a week prior to April 8th. Mr. Brookens stated the Board didn't know he resigned until the morning the Board was here firing Mr. Barrick. Chairman Kole said the Board found out about Mr. Brookens resignation after a week. Mr. Brookens said the driving force of his resignation were the comments made about the staff benefits, which was one of the reasons for his resignation.

Chairman Kole stated the Board will make their individual comments. When employees separate there is multiple options. There was nothing finalized until tonight. He can't control what anyone was told by employees or what you heard. There are options such as retirement, resignation, termination, and mutual agreements. The Board signed a resignation that was mutually agreed upon between the Board and Mr. Barrick. The agreement of separation includes 1.5 months of severance. He will be as transparent as possible. Legally each party has a certain number of things to consider. That is why public action couldn't be taken until tonight. The agreement was just signed and the Board is now taking action and will disclose as much as we can. We are limited on what we can say. There was a process and the Board couldn't say anything on April 15th. We met with staff and they understood.

Ms. Brough said the Board had to have made a decision prior to April 8th and that is how Mr. Barrick was ousted. Chairman Kole said there was an executive session on personnel matters and from April 8th – 15th Mr. Barrick was on a leave of absence. Mr. Wyrick questioned if it was paid leave or not. Chairman Kole said Mr. Barrick resigned on April 8th, that the agreement was retroactive to that date. Mr. Wyrick asked if the six week severance is for time of service and Chairman Kole replied yes.

Cathy Little asked if a Right-To-Know request for the agreement is submitted how long will it take to get it. Chairman Kole said the agreement must be executed by both parties and then made available.

Marty Williams questioned how it could be a resignation, with the facts of the disruptive way it appears to have gone, and how can the resident's understand that. Chairman Kole said it is a personnel matter. We are not here to air dirty laundry. When you run a business you have to make decisions that you can't always talk about even if you

want to. The public can draw their own conclusions, look at the agreement and go from there. Chairman Kole said staff was talked to, and Mr. Brookens has shared and he thinks everyone has heard what was needed to be heard. Ms. Williams said Mr. Barrick being told this is your last day and being ousted, and a resignation, a decision had to have been made. Chairman Kole said that is here say, you don't know exactly what was said. Supervisor DeGaetano said she did have a conversation with Mr. Barrick and he was given options to review. We just talked about the agreement he signed on Friday.

Vice Chairman Line said it is a very difficult situation. Larry Barrick is a friend and did a lot of good things. He was fair with the residents and kept us out of a lot of trouble. He was a great asset to the Township. He hopes the next person we hire will do as good of a job as Mr. Barrick did.

Supervisor DeGaetano said as a Supervisor, it is our job to make decisions we feel will be in the best interest of our residents. I was voted in by an overwhelming majority who wants to see change. This is not the dark days of the Township any longer and time to leave the past in the past. I'm confident we will find a manager that can work collaboratively with Supervisors and move forward with the priorities we lay out.

Marty Williams said people say move forward but she doesn't hear any ideas. Chairman Kole said he wants to move on. It is not time for debate. There can be more time and discussion but there are more things on the agenda. He said we as a Township should not be afraid of change. It means a stronger future and to make it better. In his two years he has heard that is not the way we always did it. It is necessary to fix problems. For two years he has been very vocal about problems. He mentioned the \$800,000 deficit in the budget that was only partially fixed with the tax increase. Mr. Line is against tax increase. We committed to look more carefully at expenses and that has not been done. We should look at employees benefits. Barnitz Mill is a cherished site and has been ignored for so long that now it is in danger of collapsing. Money was spent on a plan to construct Lindenwood Park without a financial plan on how to do it. Salzman Hughes is very good at getting grant money. He spoke to other Townships who said Salzman Hughes helped them with grants. The Township has a \$60,000 lost revenue over the past 12 months with poor investment strategy and he asked on numerous dates through emails with staff about this. He agrees it is a shared responsibility but we have staff that should look at sound investments and that cost the Township \$60,000 of lost revenue for the taxpayers but public hasn't talked about that. Chairman Kole said the salaries and benefit costs and paid holidays are well above all the surrounding Townships according to a survey that was provided at budget time. Prior to him being in office we had no action for the FPR issue. Five years ago the room was full and the Township did nothing. We joined the Coalition and have been thanked by multiple residents. That cost will be shared. We need change in order to address those problems. He doesn't see the Township going back to the dark days just because there is a handful talking. We have a bright future ahead of us and we will embrace changes and make the Township better than ever.

A motion was made by Chairman Kole and seconded by Supervisor DeGaetano and by majority vote passed to approve the Township Manager Resignation / Separation Agreement. Vice Chairman Line abstained from voting.

2. Trash & Recycling RFP & Ordinance Update.

Public Works Director Kelso gave an overview of the proposed Ordinance and outlined the options to include bi-weekly recycling pick-up, two sizes of totes for trash, getting rid of the bag/tag option, and increasing the number of bags/tags to 12 to spread out the cost. The Ordinance must be adopted first and then that will be incorporated with the bid package. The exemptions were discussed and the Board agreed to include the various types of exemptions and to allow for extenuating circumstances. The Solicitor needs to review the Ordinance and then it will be prepared for a final review and then the Board will authorize the advertisement for adoption. This must be completed before the bid package can be released.

3. Resolution 2024-05 Fund Transfer from General Fund Checking to F&M ICS Money Market Account.

Vice Chairman Line said the onus is on the Supervisors to make sure the money is where it needs to be and to make the most money. We now have the real estate tax coming in during the spring. We may have to adjust our ways of moving money around to make the most of it. Years back the interest rates were not as good but now we need decisions like this. Chairman Kole suggested looking at PLGIT. He would like to see the interest rate closer to 5%.

A motion was made by Chairman Kole and seconded by Supervisor DeGaetano and unanimously passed to adopt Resolution 2024-05, which transfers \$900,000 from the General Fund to the F&M money market account.

4. Resolution for Plan Revision for New Land Development – Efthimios Panagos

A motion was made by Vice Chairman Line and seconded by Supervisor DeGaetano and unanimously passed to adopt Resolution 2024-06, which is the Sewage Planning Module to be forwarded to DEP for Efthimios Panagos.

5. Appointment of Planning Commission member

A motion was made by Chairman Kole and seconded by Vice Chairman Line and unanimously passed to appoint Mark Hockley to serve on the Planning Commission through 12/31/2027.

MANAGER'S REPORT Nothing to report

ASSISTANT MANAGER'S REPORT

Assistant Manager Bear reported she attended the WCCOG meeting earlier today and Representative Gleim provided the first draft of two pieces of legislation for FPRs which she will circulate.

TREASURER'S REPORT Nothing additional to report

ZONING OFFICER'S REPORT

Zoning/Codes Enforcement Officer Kelso thanked the residents for their patience. We are running a little behind on permit applications until a replacement is hired.

PUBLIC WORKS

Public Works Director Kelso said the crew is working on the Peach Glen road project.

Chairman Kole thanked the staff for their time. He knows we are running short and he thanked them for their patience and mentioned the additional information that was shared tonight.

ENGINEER'S REPORT Nothing to report

SOLICITOR'S REPORT Nothing to report

SUPERVISOR'S REPORT Nothing to report

OLD BUSINESS

1. Food Processing Residuals (FPRs) and Biosolids Update

Supervisor DeGaetano mentioned the draft legislation. She mentioned pushing for additional testing. Marty Williams questioned the impact of the Coalition and what they are asking for that is not in the draft legislation. Supervisor DeGaetano said the Coalition is working on the Townships' behalf with legislation, DEP and Department of Agriculture to make sure the language is truly representing our residents and the impact on the community and to make sure they have a hand in the process as it moves forward. Chairman Kole mentioned the Townships that have joined so far to include Dickinson, South Middleton, Penn, and West Penn. The Coalition is based in Cumberland County. Ms. Williams questioned if the Coalition has minutes or if it is all back door stuff. Supervisor DeGaetano said the Coalition is having conversations with the legislators and organizations involved. There is also an FPR organization in Harrisburg who is sitting at the table and giving information and pieces of the puzzle and the Coalition is in communication with that group. Chairman Kole said the Coalition is working toward an outcome to alleviate the concerns of the residents with FPRs with regard to being a nuisance and safety issue. Supervisor DeGaetano said the Coalition is also for education to make sure FPRs are understood and the impact on the community. The Coalition is getting the information out there and what things need to be looked at as the revamping of regulations are worked on. Ms. Williams mentioned the various items posted on Representative

Gleim’s website as it is a complicated issue. She likes that Dickinson is involved but feels we are paying Salzman Hughes to be a lobbyist on the Township’s behalf. Supervisor DeGaetano said they are working for a unified front for Cumberland County for what we want and don’t want to see. Ms. Williams suggested inviting the legislators to a meeting to get their input. Supervisor DeGaetano agreed to reach out to them.

Cathy Little questioned the \$10,000 fee and asked who will be auditing the books. Chairman Kole said that was the cost if there were only three Townships participating. Supervisor DeGaetano said the Township has not been billed yet. South Middleton is in charge of overseeing the account since they are the founding member. There are also other groups being funded and working on this issue. Ms. Little questioned where the money is coming from. Chairman Kole said we are gaining money on interest and there are other ideas to help free up money. The budget is a working document and planning for the upcoming year. The road project bids came in with a couple \$100,000 savings and there is over \$1 million in reserve. Ms. Little said the residents have lived through a lot of shenanigans. Chairman Kole said he wants to be transparent as possible without going into a Right-To-Know request.

Dan Wyrick questioned if the draft legislation is available to the public. Supervisor DeGaetano said she would have to check with Representative Gleim because some information is sensitive and they don’t want it out if it is not ready.

Michael Karli asked for the Coalition mission statement and was in favor of stopping FPRs from being spread in the state. Supervisor DeGaetano said there are good and bad FPRs, plant and animal waste. The goal is not to stop it but to do what is best for the Township.

2. Future of Barnitz Mill Discussion

Elizabeth Grant said the group is working to build out an element design and business plan, identifying funding sources and looking at potential costs for the foundation. The next meeting is May 29th. Beth Kikla is willing to help build out a synopsis of what has been done to date. Chairman Kole said the Township owns the mill. He has been attending the meetings with the Friends of Barnitz.

3. Discussion to begin Enforcement of the “No Parking Zone” on Old State Road in Hunters Run – No update

4. Recordings of Meetings & Posting of Draft Minutes

Chairman Kole said this is an item for a workshop to discuss with other committee members.

5. Multi-factor Authentication

Vice Chairman Line said the one the Township has is the most restrictive one. Normally licensing for the office suite is an increased fee so he suggested watching the bills for this service but did not feel this needs to be carried on the agenda moving forward. Chairman Kole said he has the multi-factor authentication with his business 365 program and it didn’t cost anything additional.

ADJOURNMENT

A motion was made by Supervisor DeGaetano and seconded by Chairman Kole and passed unanimously to adjourn at 6:18 PM.

Respectfully submitted,

Marjorie E. Bear

Marjorie E. Bear
Asst Manager/Secretary/Treasurer

