

EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING AGENDA

**HELD AT THE EAST COCALICO TOWNSHIP MUNICIPAL BUILDING
100 HILL ROAD, DENVER, PA 17517**

THURSDAY, FEBRUARY 7, 2019 at 9:00 A.M.

- 1. CALL TO ORDER AND THE PLEDGE OF ALLEGIANCE**
- 2. RECOGNITION: RETIREMENT RECOGNITION FOR JOAN FISCHER**
- 3. PAST MEETING MINUTES APPROVAL:**
 - a) THURSDAY, JANUARY 24, 2019 BOARD OF SUPERVISOR MINUTES**
- 4. DEPARTMENT REPORTS**
 - a) POLICE DEPARTMENT REPORT**
 - b) ZONING OFFICER REPORT**
 - c) ROAD MASTER REPORT**
- 5. TREASURERS REPORT**
 - a) AUTHORIZE LIST OF BILLS**
- 6. ACTION ITEMS**
 - a) LAND PLANNING:**
 - GARDEN SPOT FRAME & ALIGNMENT: RE-ACKNOWLEDGE
CONDITIONAL APPROVAL**
 - PRESIDENTIAL CABINETS: WAIVER/MODIFICATIONS**
 - HEATHERWOODS DEED FOR PHASES 4 AND 5: SIGN DEED**

- b) CONSIDERATION TO APPROVE ADVERTISEMENT FOR THE 2019 ROAD PROJECTS
- c) PA ONE CALL REQUESTS PROCLAMATION DESIGNATING APRIL AS “PENNSYLVANIA 811 SAFE DIGGING MONTH”

7. OLD BUSINESS CONTINUED DISCUSSIONS

- a)

8. NEW BUSINESS FOR DISCUSSION

- a) PROPOSED ZONING ORDINANCE TEXT AMENDMENT - MEMBERS 1ST: TO FORWARD TO ECT PLANNING COMMISSION AND LANCASTER COUNTY PLANNING COMMISSION FOR REVIEW – **ACTION REQUESTED**
- b) ADOPT AND EXECUTE THE 2019 INTERMUNICIPAL AGREEMENT AND TO PREPARE AN ENABLING ORDINANCE UPON ADOPTION OF THE AGREEMENT BY THE OTHER LISTED PARTIES
- c) ADAMSTOWN LIBRARY FUNDING
- d) MS4 UPDATE
 - 1) UPDATE
 - 2) FUNDING

9. MANAGERS REPORT

10. PUBLIC COMMENT

- a) PUBLIC COMMENT FOR NON-AGENDA ITEMS ONLY
- b) SIGN IN BEFORE MAKING PUBLIC COMMENT
- c) STATE NAME AND STREET ADDRESS IN EAST COCALICO TWP.

11. ANNOUNCEMENTS:

- a)

12. ADJORNMENT

BOARD OF SUPERVISORS MEETING THURSDAY, FEBRUARY 7, 2019

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, February 7, 2019 at 9:00 a.m., held at the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517.

ATTENDANCE:

Supervisors: Chairman Alan R. Fry, Vice Chairman Romao "RC" Carrasco, Secretary Douglas B. Mackley

Employees: Township Manager H. Scott Russell; Police Chief Keppley; Officer Kreisher, Jr.; Zoning Officer Tony Luongo; Recording Secretary Lisa A. Kashner, and the Road Crew: Chris Flory, John Enck, Daniel Tasco, Dallas Lucas, Troy Young.

Reporters: Michele Walter Fry of the Ephrata Review

Visitors:* Chad Weaver, Harvey Achey, Ken McCrea, Derek Snyder, Todd Shoaf, Andy McComsey, Barry Simpson, Chanse Firestone, Dave Meese, Rick and Joan Fischer, Suzie Mackley, Monica Craig-Fry, and Jeff Mitchell

*Only visitors who signed in are listed.

Chairman Fry asked everyone in attendance to rise and pledge allegiance to the Flag. • A video recording of this meeting will be placed on YouTube.

RECOGNITION: RETIREMENT RECOGNITION FOR JOAN FISCHER: The Supervisors publicly announced to accept with regrets the retirement of Joan Fischer. Chairman Fry acknowledges that she has first served as a Township Auditor, and in 1983 you started in the position as the East Cocalico Township Tax Collector. The Supervisors congratulated her on the retirement.

APPROVAL OF PAST MINUTES:

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to approve the Thursday, January 24, 2019 Board of Supervisors meeting minutes. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

DEPARTMENT REPORTS:

POLICE DEPARTMENT REPORT: Chief Keppley noted the full Police Report will be highlighted at the next Supervisors Meeting. Consideration to assign Police Chief Keppley the Right To Know Officer Assistant. Chief Keppley requests the old Crown Victoria and Chevy Impala vehicles on Municibid.

MOTION: Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to approve placing the old Crown Victoria and Chevy Impala vehicles on Municibid. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

ZONING OFFICERS REPORT: Mr. Luongo noted the Zoning Officer's report will be given at the next meeting.

ROAD MASTER REPORT: Chris Flory highlighted the Road Master's report.

TREASURER'S REPORT: AUTHORIZE LIST OF BILLS

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to approve the February 7, 2019 list of bills: General Fund \$30,172.26; State Fund \$9,288.82. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING
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ACTION ITEMS: LAND PLANNING ENGINEER:

GARDEN SPOT FRAME & ALIGNMENT – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: Barry Simpson and Todd Shoaf with Pioneer were present for this plan. Mr. Lied and Mr. Shoaf gave a brief background, and Mr. Simpson publicly thanked Mr. Lied, Mr. Russell, and the Township as a whole.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to re-acknowledge conditional approval of the Garden Spot Frame & Alignment Preliminary/Final Land Development Plan, as previously granted on June 25, 2018, conditioned upon the applicant addressing remaining outstanding items as identified in the Becker review letter dated January 22, 2019, to the satisfaction of the Township, Township Engineer and Township Solicitor. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, authorize the Board of Supervisors to sign the updated Stormwater Maintenance and Easement Agreement (SWMEA) when executed by the applicant and submitted to the Township in a form acceptable to the Township Solicitor. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to acknowledge the required amount of the financial security to be established with the Township in the amount of \$1,145,977.22, per the approved cost opinion prepared by Pioneer Management, dated February 4, 2019. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) with accompanying financial security, when executed by the applicant and submitted to the Township in a form acceptable to the Township Solicitor, and along with the required accompanying financial security in the amount of \$1,145,977.22. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to authorize the Board of Supervisors to sign the Garden Spot Frame and Alignment Preliminary/Final Land Development Plan when appropriately signed by the applicant and presented to the Township following satisfaction of outstanding conditions. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

PRESIDENTIAL CABINETS – SKETCH PLAN: Dave Mease of Diehm and Sons was present for this plan. Mr. Lied highlighted the plan.

MOTION: Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to approve a waiver/modification of the requirements of §194-7.C.(3) and §194-9.A.(1) of the Subdivision and Land Development Ordinance related to the requirement for submission of a Preliminary Plan, to allow the applicant to submit the project for review as a combined Preliminary/Final Plan meeting the requirements of both. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to approve a deferral of the requirements of §194-25.C.(1) of the Subdivision and Land Development Ordinance related to the requirement to improve adjacent existing streets, conditioned upon appropriate notation being placed on the approved plan documenting the deferral to the satisfaction of the Township. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to approve a waiver/modification of the requirements of §194-30.M of the Subdivision and Land Development and Land Development Ordinance related to sight lighting of vehicle parking areas to authorize the use of limited building mounted lighting in the vicinity of the parking area to the satisfaction of the Township. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to approve a waiver/modification of the requirements of §194.31.H of the Subdivision and Land Development and Land Development Ordinance related to sight lighting of off-street loading areas to authorize the use of limited building mounted lighting in the vicinity of the off-street loading area to the satisfaction of the Township. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

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PRESIDENTIAL CABINETS – SKETCH PLAN: (CONTINUED)

MOTION: Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to approve a waiver/modification of the requirements of §194.30.R.(1) and §194-30.R.(4) of the Subdivision and Land Development and Land Development Ordinance related to oversized parking spaces to authorize the applicant to provide a “back-in” style space with a length of 40’ in lieu of a 70’ long pull-through space. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to approve a deferral of the requirements of §194.32.A of the Subdivision and Land Development Ordinance related to the requirement for sidewalk along the public street, conditioned upon appropriate notation being placed on the approved plan documenting the deferral to the satisfaction of the Township. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to approve a deferral of the requirements of §194.33.A of the Subdivision and Land Development Ordinance related to the requirement for concrete curbing along the public street, conditioned upon appropriate notation being placed on the approved plan documenting the deferral to the satisfaction of the Township. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

HEATHERWOODS PHASE 3 – FINANCIAL SECURITY REDUCTION: No one was present for this plan. Mr. Lied briefly highlighted the plan.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to authorize a \$1,302,370.85 reduction in the current financial security being held by the Township for the Phase 3 Final Plan for Heatherwoods, resulting in the remaining financial security being reduced to \$746,182.15. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

Mr. Lied noted that the Township Solicitor issued correspondence to the Township dated February 6, 2019 related to the deeds and property transfers between East Cocalico Township and Heatherwoods, LLC as noted on the prior approved and recorded Phase 3 Final Plan.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to authorize signature of the deeds associated with the land transfers involving the Township as identified on the prior recorded Phase 3 Final Plan, when the signed deeds and associated legal documents are provided to the Township and deemed satisfactory to the Township Solicitor. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

TWIN PINE – FINANCIAL SECURITY REDUCTION/AS BUILT PLANS: No one was present for this plan. Mr. Lied briefly highlighted the plan.

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to authorize a \$405,903.10 reduction in the current financial security being held by the Township for the Stormwater Management Plan for Twin Pine Auto Group Paving Improvements, resulting in the remaining financial security being reduced to \$2,000. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

CONSIDERATION TO APPROVE ADVERTISEMENT FOR THE 2019 ROAD PROJECTS: Mr. Russell noted the 2019 Road Projects packet and its advertisement are being prepared.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to approve sending the advertisement to the newspaper for the 2019 Road Projects as it is prepared. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

PA ONE CALL REQUESTS PROCLAMATION DESIGNATING APRIL AS “PENNSYLVANIA 811 SAFE DIGGING MONTH”: Mr. Russell explained.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to the PA One Call Proclamation designating April as “Pennsylvania 811 Safe Digging Month”. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING
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OLD BUSINESS CONTINUED DISCUSSIONS: Nothing to report.

NEW BUSINESS FOR DISCUSSION:

PROPOSED ZONING ORDINANCE TEXT AMENDMENT – MEMBERS 1ST: FORWARD TO ECT PLANNING COMMISSION AND LANCASTER COUNTY PLANNING COMMISSION FOR REVIEW: Mr. Russell discussed, for consideration to forward to the appropriate people for review.

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to approve sending the proposed Zoning Ordinance Text Amendment for members 1st to the East Cocalico Township Planning Commission and Lancaster County Planning Commission for review. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

ADOPT AND EXECUTE THE 2019 INTERMUNICIPAL AGREEMENT AND TO PREPARE AN ENABLING ORDINANCE UPON ADOPTION OF THE AGREEMENT BY THE OTHER LISTED PARTIES: Mr. Russell noted that there were very minor changes with West Cocalico Township. The document was reviewed by the ECT Township Solicitor as well as the other entity Solicitors.

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to adopt and execute the 2019 Intermunicipal Agreement and to prepare an enabling ordinance upon adoption of the Agreement by the other listed parties. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

ACKNOWLEDGE RESIGNATION OF JOHN ENCK: Chairman Fry read aloud the resignation letter from Mr. Enck.

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to acknowledge with regret the resignation of John Enck from the Road Crew. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

Mr. Russell stated the Road Crew advertisement will be placed in the newspapers next week. • Mr. Russell distributed and discussed the Memorandum of Understanding agreement between the Township and Authority regarding the employment of Authority personnel by the Township for snow plowing services; although it was noted that if a water main break the Authority staff must go to the break. The Supervisors to review. • Mr. Russell discussed a rumor about the Road Master and Road Crew staff. Mr. Russell read aloud a letter that was signed by everyone on the Road Crew indicating that the rumors are false; the Road Crew does get along. Discussions continued to clear the false rumors. Mr. Flory noted the Township substitutes that plow roads are interested in taking on more work, suggesting a multi-year contract. Discussed.

MS4 UPDATE - UPDATE/FUNDING: Mr. Russell announced that Mr. Ken McCrea was given a conditional offer of employment as the Township MS4 Technician starting Monday, February 11, 2019 as part-time. The Supervisors welcomed Ken. Discussed moving some offices around. Mr. Russell continued discussing the award received from DEP to the Township for \$45,000.00. Discussions continued. Mr. Russell discussed in detail the budget he proposed last year in reference to the Pollution Reduction Plan and a fine that can be imposed; noting that it cannot be ignored, it will not go away and it cannot be deferred. Mr. Russell asked the Supervisors for reconsideration for a Stormwater Fee. Vice Chairman Carrasco noted his interpretation was based on Pennsylvania Certified Inspectors (PCI) Ralph Cross presentation from the Business Meeting Forum that MS4 can be deferred or delayed. PCI letters were read aloud. Lengthy discussions continued, and the following motion was made:

MOTION: Vice Chairman Carrasco made a motion, seconded by Secretary Mackley, that (1) Pa Certified Inspectors, Inc. (PCI) must immediately (time is of the essence) present to the Board of Supervisors a detailed plan on how to delay, defer or eliminate MS4; (2) the Township requests personnel presentation at every Township meeting as to the status of the delay, defer, or eliminate MS4; and (3) that a detailed plan must be presented to Scott Russell immediately. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

FIRE AND EMS STANDING DISCUSSION: Mr. Russell highlighted and discussed the EMS budgeted item; and for the Township to increase the funding levels to EMS.

MANAGERS REPORT: Mr. Russell highlighted his February 7, 2019 report

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PUBLIC COMMENT (NON-AGENDA ITEMS): Nothing to report.

Chairman Fry announced that two Executive Sessions were held: (1) February 1st 8:30am-10:30am for contractual and personal related; and (2) February 4th from 9am-11am for contractual and personal related.

ANNOUNCEMENT: The next Board of Supervisors Meeting is held Thursday, February 7, 2019 at 9am.

ADJOURN:

MOTION: There being no further business to come before the Board, Secretary Mackley made a motion seconded by Chairman Fry to adjourn the meeting at 10:55 a.m. Chairman Fry asked if there were any questions. There were none. Motion carried. (3/0)

Respectfully submitted,

Douglas B. Mackley
Board of Supervisor Secretary

VIEW THIS MEETING IN ITS ENTIRETY BY VISITING YOUTUBE.
PLEASE CLICK THE LINK BELOW.

[East Cocalico Township Board of Supervisors Meeting 02-07-2019 PART 1](#)
[East Cocalico Township Board of Supervisors Meeting 02-07-2019 PART 2](#)