

EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING

AGENDA

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

THURSDAY, FEBRUARY 21, 2019 at 7:00 P.M.

- 1. CALL TO ORDER AND THE PLEDGE OF ALLEGIANCE**
- 2. HEARING: ZONING ORDINANCE AMENDMENT (GRAYBILL/ZIMMERMAN)**
- 3. PAST MEETING MINUTES APPROVAL:**
 - a) THURSDAY, FEBRUARY 7, 2019 BOARD OF SUPERVISOR MINUTES
- 4. DEPARTMENT REPORTS**
 - a) POLICE DEPARTMENT REPORT
 - b) CONSIDERATION TO APPROVE POLICE CHIEF KEPPLEY AS ASSISTANT RIGHT TO KNOW OFFICER
 - c) ZONING OFFICER REPORT
- 5. TREASURERS REPORT**
 - a) AUTHORIZE LIST OF BILLS
- 6. ACTION ITEMS**
 - a) LAND PLANNING:
 - MEMBERS 1ST PRELIMINARY/FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN: TIME EXTENSION
 - ZEISET SWM PLAN - CONDITIONAL APPROVAL
 - EARTH, TURF AND WOOD: WAIVER OF LAND DEVELOPMENT

- b) CONSIDERATION TO ADVERTISE THE ENABLING ORDINANCE (INTERMUNICIPAL AGREEMENT) PROPOSED FOR ADOPTION AT THE MARCH 7, 2019 BOARD OF SUPERVISORS MTG.
- c) MEMORANDUM OF UNDERSTANDING BETWEEN ECT AND ECTA

7. OLD BUSINESS CONTINUED DISCUSSIONS

- a) MS4 CONTINUED DISCUSSION
- b) FIRE AND EMS (STANDING DISCUSSION)

8. NEW BUSINESS FOR DISCUSSION

- a) WOODY WASTE SITE: HOURS OF OPERATION

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 21, 2019

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, February 21, 2019 at 7:00 p.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 (via telephone), and Secretary Douglas B. Mackley

Employees: Township Manager H. Scott Russell; Police Chief Keppley; Officer Kreisher, Jr.; Officer Walsh; Zoning Officer Tony Luongo; MS4 Technician Ken McCrea; and Recording Secretary Lisa A. Kashner

Reporters: Alice Hummer of the Ephrata Review

Visitors:* Matt Grant, Roy Zimmerman, Chad Weaver, Grant Wise, Brian Wise, Steve Graybill, Harvey Achey, Jeff Mitchell, Suzie Mackley, Carl Hurst, Arthur Graybill, Craig Copenhaver, Monica Craig-Fry, and Debi Matz

*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.

Chairman Fry opened the Zoning Ordinance Amendment Hearing.

HEARING: ZONING ORDINANCE AMENDMENT (GRAYBILL/ZIMMERMAN): Mr. Goodman, Township Solicitor, announced that notice of this hearing was published in the Lancaster Newspapers, properties were posted, the Zoning Officer has mailed notices to the property owners involved in this rezoning, East Cocalico Township Planning Commission and the Lancaster County Planning Commission both have reviewed this proposed amendment, a copy of the proof of publication was received, and a copy of the LCPC minutes and LCPC letter to be made as part of these minutes. Mr. Goodman turned the hearing over to Mr. Anthony Schimaneck, representative of Mr. Steve Graybill, Mr. Zimmerman, and the Church; noting he does not represent Mr. Copenhaver or Mr. Grant. Mr. Schimaneck noted this is a zoning request for a zoning ordinance change. Mr. Schimaneck gave the history, discussed the zoning request, and distributed the Declaration of Covenant to the Board of Supervisors. This is an ordinance to rezone various tracts of land: (1) Graybill tract is 56 acres, current zoning is rural/residential and suburban/residential; (2) Zimmerman tract is 75 acres, current zoning is rural/residential and suburban/residential; (3) Church tract is 4 acres, current zoning is rural/residential and suburban/residential, (4) Grant tract is 1 acre, current zoning is rural/residential; and (5) Copenhaver tract is 1 acre, current zoning is rural/residential. Discussions continued. Mr. Grant noted that his property is not primarily residential, that the property is taxed as commercial, and there are nonconforming uses on the property. Discussed nonconforming use, PPL lines, and sidewalks. Discussions continued. Action at the next Supervisors Meeting on Thursday, March 7th at 7pm, held at the Stevens Fire Hall.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to take action on the Zoning Ordinance Amendment at the next Board of Supervisors Meeting on Thursday, March 7th at 7pm, and held at the Stevens Fire Hall. 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 close the Zoning Ordinance Amendment (Graybill/Zimmerman) hearing. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

APPROVAL OF PAST MINUTES:

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to approve the Thursday, February 7, 2019 Board of Supervisors meeting minutes. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING
THURSDAY, FEBRUARY 21, 2019**

DEPARTMENT REPORTS:

POLICE DEPARTMENT REPORT: Chief Keppley highlighted the Police Department Report. Copies of the yearly Police Department reports were placed out. Consider Police Chief Keppley as the Right-To-Know Officer Assistant.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to appoint Chief Keppley as assistant Right-To-Know Officer. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

ZONING OFFICERS REPORT: Mr. Luongo highlighted the January 2019 Zoning Officer's report.

TREASURER'S REPORT: AUTHORIZE LIST OF BILLS

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to approve the February 21, 2019 list of bills: General Fund \$45,431.21; State Fund \$11,698.33; Traffic Impact Fund \$581.25. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

ACTION ITEMS: LAND PLANNING ENGINEER:

MEMBERS 1ST – PRELIMINARY/FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN (02/21/2019): No one was present for this plan. Mr. Russell highlighted the plan and read the following motion.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to accept the written time extension offer as submitted by the applicant's consultant dated, February 14, 2019, which will extend the deadline for action on the Members 1st – Preliminary/Final Subdivision and Land Development Plan until April 21, 2019. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

ZEISET STORMWATER MANAGEMENT PLAN – CONDITIONAL APPROVAL: No one was present for this plan. Mr. Russell highlighted the plan and read the following motions.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to conditionally approve the Zeiset Stormwater Mgmt. Plan conditioned upon the applicant addressing all items outlined in the Becker Engineering review letter dated February 19, 2019, to the satisfaction of the Township, Township Zoning Officer, 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 Chairman Fry, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) for the Zeiset Stormwater Management Plan when signed by the applicant and provided in a form acceptable to the Township and Township Solicitor along with the required financial security in an amount acceptable to the Township Engineer and 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 authorize the Board of Supervisors to sign the Stormwater Maintenance and Easement Agreement (SWMEA) related to the Zeiset Stormwater Management Plan 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 Secretary Mackley, to authorize signature of the Zeiset Stormwater Management Plan by the Board of Supervisors upon the applicant adequately resolving all conditions of plan approval to the satisfaction of the Township, Township Zoning Officer, Township Engineer and Township Solicitor. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

EARTH, TURF AND WOOD: WAIVER OF LAND DEVELOPMENT: No one was present for this plan. Mr. Russell highlighted the plan and read the following motion.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to approve the waiver of §194-11.B(1)(a) replacing the language with "exceed a gross floor area of 5,000 square feet of building footprint since May 2, 1990" conditioned upon a note being added to the plan to document that "any future building expansion shall require land development" and subject to the work mentioned in the "application for consideration of waiver" request dated 11/12/2018; conditioned upon cleaning up the "back lot" of the property. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING
THURSDAY, FEBRUARY 21, 2019**

ACTION ITEMS: *(CONTINUED)*

CONSIDERATION TO ADVERTISE THE ENABLING ORDINANCE (INTERMUNICIPAL AGREEMENT) PROPOSED FOR ADOPTION AT THE MARCH 7, 2019 BOARD OF SUPERVISORS MEETING: Mr. Russell highlighted noting that the agreement has been verbally agreed upon with all parties.

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to approve sending the advertisement for the enabling ordinance for the intermunicipal agreement to the newspaper for action on March 7, 2019. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN ECT AND ECTA: Mr. Russell highlighted.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to approve the Memorandum of Understanding between ECT and ECTA. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

OLD BUSINESS CONTINUED DISCUSSIONS:

MS4 CONTINUED DISCUSSION: Mr. McCrea was welcomed as the MS4 Technician who started this week. The Supervisors office and the Zoning office will be moved around this week. Mr. Russell discussed the new permitting software, and future MS4 meetings/agendas.

Telephone conference with Vice Chairman Carrasco ended.

MOTION: Secretary Mackley made a motion, seconded by Chairman Fry, to authorize the purchase of permitting software as discussed for a first year fee of \$16,000.00 Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (2/0)

FIRE AND EMS (STANDING DISCUSSION): Mr. Russell highlighted, noting that consultant services are being discussed for the fire companies.

NEW BUSINESS FOR DISCUSSION:

WOODY WASTE SITE - HOURS OF OPERATION: Mr. Russell highlighted the Woody Waste site hours of operation; noting that now that there is control of the site through the access cards, the hours of operation could be looked at changing to be open daily from dusk to dawn.

MOTION: Chairman Fry made a motion, seconded by Secretary Mackley, to approve setting the Woody waste hours of operation to “open dawn to dusk, 7 days a week”. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (2/0)

Vice Chairman Carrasco was present again by telephone.

MANAGERS REPORT: Mr. Russell highlighted his February 21, 2019 report; highlighting the zoning ordinance concerning video gaming terminals. Consideration to update the Township’s Zoning Ordinance with a text amendment addressing this issue, as well as previously “flexible parking requirements”, eliminating the special exception requirements for home business to be replaced with a simple permit process through the zoning office, and small cell tower sites. Mr. Russell requests that the zoning hearing board be tasked with making recommendations to the Township concerning these topics and any other changes that they feel need to be incorporated into the ordinances.

MOTION: Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to proceed with the zoning ordinance concerning video gaming terminals and the Township Zoning Hearing Board being tasked with making recommendations to the Township concerning video gaming terminals and any other changes they feel need to be incorporated into the ordinances. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

Mr. Russell noted a qualified applicant was received for the Road Crew position. Snow plowing activities highlighted.

**BOARD OF SUPERVISORS MEETING
THURSDAY, FEBRUARY 21, 2019**

PUBLIC COMMENT (NON-AGENDA ITEMS): Officer Kreisher of the East Cocalico Township Police Association was present to discuss a rumor he and others have been hearing; the rumor is the Township Supervisors are looking to eliminate the East Cocalico Township Police Department. Officer Kreisher asked each Supervisor if there is any truth to this rumor. Chairman Fry, Vice Chairman Carrasco, Secretary Mackley all stated there is no truth to this rumor. That this is something they have never even considered. Officer Kreisher stated that there was someone who went to other Municipalities seeking outside Police pricing and contract items. Officer Kreisher asked Republican Candidate, Mr. Jeffrey Mitchell, the same question. Mr. Mitchell stated he knows nothing about this rumor, and does not think the Police Department should be eliminated. This is strictly rumor.

ANNOUNCEMENT: Nothing to report.

EXECUTIVE SESSION: Chairman Fry announced the Board will be going into Executive Session.

MOTION: Secretary Mackley made a motion seconded by Vice Chairman Carrasco to adjourn this meeting at 8:10 p.m. and go into Executive Session. Chairman Fry asked if there were any questions. There were none. Motion carried. (3/0)

Chairman Fry called the regular meeting back to order at 8:55 p.m.; discussions were held on personnel matters. There were no decisions or motions made.

ADJOURN:

MOTION: There being no further business to come before the Board, Secretary Mackley made a motion seconded by Vice Chairman Carrasco to adjourn the meeting at 8:56 p.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 02-21-2019 PART 1](#)
[East Cocalico Township Board of Supervisors Meeting 02-21-2019 PART 2](#)