

# **EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING AGENDA**

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

**THURSDAY, DECEMBER 20, 2018 at 7:30 P.M.**

- 1. CALL TO ORDER AND THE PLEDGE OF ALLEGIANCE**
- 2. PAST MEETING MINUTES APPROVAL:**
  - a) THURSDAY, DECEMBER 6, 2018 BOARD OF SUPERVISOR MINUTES
- 3. DEPARTMENT REPORTS**
  - a) POLICE DEPARTMENT REPORT
  - b) ZONING OFFICERS REPORT
- 4. TREASURERS REPORT**
  - a) AUTHORIZE LIST OF BILLS
- 5. ACTION ITEMS**
  - a) LAND PLANNING ENGINEER:
    - FOX BROOKE: TIME EXTENSION REQUEST
    - MEMBERS 1<sup>ST</sup>: TIME EXTENSION REQUEST
    - PAUL LANDIS: CONDITIONALLY APPROVE
    - LCSWMA: FINANCIAL SECURITY SUBSTITUTION
    - WABASH LANDING: SECURITY REDUCTION
    - STICK SWM PLAN: CONDITIONAL APPROVAL
  - b) STEPHENSON EQUIPMENT AGREEMENT: 2019 TELESKID
  - c) MANDATORY WATER CONNECTION LETTER: 165 NORTH LINE ROAD
  - d) DOCSTAR 2019: PROPOSAL CONSIDERATION

- e) TRANSFER UNENCUMBERED STATE FUND BUDGETED MONIES FROM THE ROAD RESURFACING PROJECT ACCOUNT TO THE MAINTENANCE/REPAIRS ROADS AND BRIDGES ACCOUNT
  - f) **RESOLUTION 2018-21:** PROVING NECESSARY PENSION CONTRIBUTIONS FOR THE POLICE RETIREMENT PLAN
  - g) **RESOLUTION 2018-22:** NON-UNIFORM AMENDING PENSION MMO
  - h) **RESOLUTION 2018-23:** ROLL OVER UNENCUMBERED MONIES
  - i) **RESOLUTION 2018-24:** TAX RATE FOR 2019
  - j) **RESOLUTION 2018-25:** ADOPT 2019 BUDGET
- 6. OLD BUSINESS CONTINUED DISCUSSIONS**
- a) RENTAL ORDINANCE WORKING GROUP – DISCUSSION
- 7. NEW BUSINESS FOR DISCUSSION**
- a) SEWAGE ENFORCEMENT OFFICER CHANGES: Resolution
- 8. MANAGERS REPORT**
- 9. 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.
- 10. ANNOUNCEMENTS: FIRST MEETING OF THE YEAR - ORGANIZATION MEETING HELD ON MONDAY, JANUARY 7, 2019 AT 7:30PM.**
- 11. ADJORNMENT**

## **BOARD OF SUPERVISORS MEETING THURSDAY, DECEMBER 20, 2018**

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thurs., December 20, 2018 at 7:30 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, Secretary Douglas B. Mackley

**Employees:** Township Manager H. Scott Russell, Police Chief Keppley, Officer Fisher, Officer Sizer, Officer Savage, Officer Sola, Zoning Officer Tony Luongo, Roadmaster Chris Flory, and Recording Secretary Lisa A. Kashner

**Solicitor:** Tom Goodman

**Land Planning:** Brent Lied

**Reporters:** Alice Hummer of the Ephrata Review

**Visitors:\*** Nick Kohr, Robert B. Zorhaugh, Heather Halstead, John and Dee Zimmerman, Heeldah Styer, Alec Shan, Chad Weaver, Clerk Harty, Ken McCrea, JJ Stoner, Jeff Mitchell, Brian Dilliplaine, Brian Wise, Susy Mackley, and David Hollinger

\*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.

### **DEPARTMENT REPORTS:**

**POLICE DEPARTMENT REPORT:** Chief Keppley noted that Denver Borough and the Cocalico School Board took action on the Memorandum of Understanding (MRO) for the School Resource Officer (SRO), and the MRO was before the Supervisors tonight for their signature for the SRO to start January 2, 2019. • Four Officers were presented tonight to the rank of Corporal: Officer David Fisher, Officer Gail Sizer, Officer Steven Savage, and Officer Joshua Sola. The Board of Supervisors congratulated the Corporals. Certificates were presented to the Officers. Pictures taken.

**ZONING OFFICERS REPORT:** Mr. Luongo briefly highlight his report.

### **APPROVAL OF PAST MINUTES:**

**MOTION:** Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to approve the Thurs., Dec. 6, 2018 Board of Supervisors meeting minutes. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

### **TREASURER’S REPORT: AUTHORIZE LIST OF BILLS**

**MOTION:** Secretary Mackley made a motion, seconded by Chairman Fry, to approve the December 20, 2018 list of bills: General Fund \$126,381.21; State Fund \$12,458.46; Light Fund \$13,859.80. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. Motion carried. (3/0)

### **ACTION ITEMS: LAND PLANNING ENGINEER:**

**FOX BROOKE – PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT PLAN (01-01-2019):** No one was present for this plan. Mr. Lied and Mr. Russell briefly highlighted the current status of the plan and the time extension offer received by the Township. Following the brief discussion, the following motion was made.

**BOARD OF SUPERVISORS MEETING  
THURSDAY, DECEMBER 20, 2018**

**LAND PLANNING ENGINEER: FOX BROOKE – (CONTINUED)**

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to accept the 90-day time extension offer as submitted by the applicant's attorney dated December 20, 2018, which will extend the deadline for action on the Fox Brooke Preliminary Subdivision and Land Development Plan until April 1, 2019. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. Motion carried. (3/0)

**MEMBERS 1ST – FINAL MINOR SUBDIVISION AND LAND DEVELOPMENT PLAN (12-21-2018):** No one was present for this plan. Mr. Lied highlighted the status of the plan, ZHB decision, agency reviews and read the recommended motion related to the recent time extension offer received by the Township.

**MOTION:** Vice Chairman Carrasco made a motion, seconded by Secretary Mackley, to accept the time extension submitted by the applicant's consultant dated December 11, 2018, which will extend the deadline for action on the Members 1<sup>st</sup> Final Minor Subdivision and Land Development Plan until February 21, 2019. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. Motion carried. (3/0)

**PAUL J. LANDIS – MINOR SUBDIVISION PLAN (CONDITIONALLY APPROVED):** No one was present for this plan. Mr. Lied highlighted the status of the plan and read the recommended motions.

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) for the Paul Landis Minor Subdivision Plan as signed and submitted by the applicant and prepared by the Township Solicitor along with the required financial security in the amount of \$44,261.50. 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 Stormwater Maintenance and Easement Agreement (SWMEA) related to the Paul Landis Minor Subdivision Plan as prepared by the Township Solicitor when executed and submitted by the applicant. 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 signature of the Paul Landis Minor Subdivision Plan by the Board of Supervisors. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**LCSWMA/KASUN & ASSOCIATES, LLC – FINANCIAL SECURITY SUBSTITUTION:** Mr. Lied provided a brief background related to the prior approved and recorded Kasun & Associates Preliminary/Final Land Development Plan and the current financial security being held by the Township. Mr. Lied also noted that the subject property was recently acquired by LCSWMA, who intends to pursue the development of a transfer station on the site. As a result, Mr. Lied explained that LCSWMA is requesting authorization to provide a substitute letter of credit to serve as a replacement to the prior letter of credit and financial security established by Kasun, so that the original financial security could be returned to Kasun. Robert B. Zorhaugh and Nick Kohr were present on behalf of LCSWMA and introduced themselves and provided additional details relative to their plans for the site and the associated timeframes they anticipate for securing the required DEP permits and various land use approvals. Following the discussions, the following motion was made:

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to authorize a substitution related to the current financial security being held by the Township associated with the prior approved and recorded Preliminary/Final Land Development Plan for Kasun Associates, by accepting the new Standby Letter of Credit issued on behalf of LCSWMA by Fulton Bank N.A., dated December 19, 2018, (Standby Letter of Credit No. STB73), and authorize the release of the prior Letter of Credit issued on behalf of Kasun and Associates, LLC by Fulton Bank, (Letter of Credit No. D005256), both in the amount of \$287,013.32. 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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**LAND PLANNING ENGINEER: WABASH LANDING – (CONTINUED)**

**WABASH LANDING - FINAL PHASE 1 SUBDIVISION AND LOT ADD-ON PLAN:** No one was present for this plan. Mr. Lied highlighted the status of the project and read the recommended motion.

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to authorize a \$1,042,572.15 reduction in the current financial security being held by the Township for Wabash Landing - Final Phase 1 Subdivision and Lot Add-On Plan, resulting in the remaining financial security being reduced to \$703,873.10. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**STICK – STORMWATER MANAGEMENT PLAN:** Mr. Lied provided a brief background regarding the project and recommended the following motions: Mr. Abraham was present for this plan.

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to conditionally approve the Stick Stormwater Management Plan conditioned upon the applicant addressing all items outlined in the Becker Engineering, LLC. review email dated December 11, 2018 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:** Vice Chairman Carrasco made a motion, seconded by Secretary Mackley, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) for the Stick 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:** Secretary Mackley 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 Stick 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 Vice Chairman Carrasco, to authorize signature of the Stick 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)

**STEPHENSON EQUIPMENT AGREEMENT – 2019 TELESKID:** Mr. Russell highlighted the agreement, noting that assuming the 2019 budget is approved, this will be purchased in 2019.

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to approve the Stephenson Equipment Agreement for the purchase of the budgeted 219 Teleskid with billing to occur in 2019 subject to the adoption of the 2019 budget. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**MANDATORY WATER CONNECTION LETTER – 165 NORTH LINE ROAD:**

**MOTION:** Secretary Mackley made a motion, seconded by Vice Chairman Carrasco to approve the Chairman to send a letter requiring connection to public water by a residence along North Line Road. Residence is now within 150-feet of the public water system. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. Motion carried. (3/0)

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**DOCSTAR 2019 – PROPOSAL CONSIDERATION:** Mr. Russell highlighted, noting that the contract will be revised from seven users to three users.

**MOTION:** Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to approve the DocStar 2019 Agreement and Servicing Contract as budgeted in 2019 with billing to occur in 2019 subject to the adoption of the 2019 budget. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. Motion carried. (3/0)

**TRANSFER UNENCUMBERED STATE FUND BUDGETED MONIES FROM THE ROAD RESURFACING PROJECT ACCOUNT TO THE MAINTENANCE/REPAIRS ROADS AND BRIDGES ACCOUNT:** Mr. Russell highlighted, noting this is needed for the Liquid Fuels.

**MOTION:** Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to transfer unencumbered State Fund budgeted monies from the Road Resurfacing Project account #35.439.00.0 in the amount of \$106,600.00 to the Maintenance/Repairs Road and Bridges Account #35.438.00.0. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**RESOLUTION 2018-21, PROVING NECESSARY PENSION CONTRIBUTIONS FOR THE POLICE RETIREMENT PLAN:**

**MOTION:** Vice Chairman Carrasco made a motion, seconded by Secretary Mackley, to adopt Resolution 2018-21 proving necessary pension contributions for the Police Retirement Plan. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**RESOLUTION 2018-22, NON-UNIFORM AMENDING THE PENSION MMO:**

**MOTION:** Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to adopt Resolution 2018-22 Non-Uniform amending pension MMO. Chairman Fry asked if there were any comments or questions. There were none. Motion carried. (3/0)

**RESOLUTION 2018-23, ROLL OVER OF UNENCUMBERED MONIES:**

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to adopt Resolution 2018-23 roll-over of unencumbered monies. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. There were no other comments or questions. Motion carried. (3/0)

**RESOLUTION 2018-24, TAX RATE FOR 2019:** Discussed the 2019 budget expenditures and the Stormwater Fee. Lengthy discussions were held. A recess occurred at 8:55pm for budget revisions to reflect 1.733 mills and a 5.3% increase. The Township Manager Scott Russell, Financial Administrator Elizabeth Dorneman, and Township Solicitor Tom Goodman left the meeting, and returned at 9:22pm. Discussions continued noting the revisions to reflect 1.733 mills; a 5.3% increase. Mr. Russell noted that Resolution 2018-24 results in a balanced budget with a 5.3% property tax increase.

**MOTION:** Secretary Mackley made a motion, seconded by Vice Chairman Carrasco, to transfer individual Capital Reserves totaling \$509,721.52 to one unrestricted Capital Reserve account in the amount of \$509,721.52. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. There were no other comments or questions. Motion carried. (3/0)

**MOTION:** Chairman Fry made a motion, seconded by Secretary Mackley, to transfer from Capital Reserve into the General Fund in the amount of \$183,240.00. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. There were no other comments or questions. Motion carried. (3/0)

**MOTION:** Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to adopt Resolution 2018-24 for fixing the tax rates for year 2019: (1) The tax rate for general purposes, the sum of 1.733 mills. The rate of taxation in dollars and cents on each one thousand dollars of assessed valuation of taxable property is equal one dollar and 73 cents (\$1.73); (2) For street lighting purposes, the sum of one dollar per frontage foot; (3) For hydrant purposes, the sum of .12 mills.

## **BOARD OF SUPERVISORS MEETING THURSDAY, DECEMBER 20, 2018**

The rate of taxation in dollars and cents on each one thousand dollars of assessed valuation of taxable property is equal to zero dollars and twelve cents (\$0.12). Chairman Fry asked if there were any comments or questions. There were some questions which were answered. There were no other comments or questions. Motion carried. (3/0)

### **RESOLUTION 2018-25, ADOPT THE 2019 BUDGET:**

**MOTION:** Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to adopt Resolution 2018-25, to adopt the 2019 budget. Chairman Fry asked if there were any comments or questions. There were some questions which were answered. There were no other comments or questions. Motion carried. (3/0)

**OLD BUSINESS CONTINUED DISCUSSIONS:** Mr. Russell tabled the rental ordinance working group discussions.

**NEW BUSINESS FOR DISCUSSION:** Mr. Russell highlighted the Sewer Enforcement Officer action item for the Organization Meeting resulting in a revised fee schedule and scope of work. A draft resolution was presented to the Supervisors for review. Discussions continued.

**MANAGERS REPORT:** No Manager's report tonight. Mr. Russell highlighted and displayed on the big screen the CivicPlus website provider and their mock up work.

**PUBLIC COMMENT (NON-AGENDA ITEMS):** Chief Keppley publicly announced that the article in the newspaper stating that "Denver Borough pays for each call made to the school." Chief Keppley noted that this is incorrect and explained that they are charge a straight fee.

**ANNOUNCEMENT:** The first meeting of the year is the Organization Meeting, and is held on Monday, January 7, 2019 at 7:30pm.

### **ADJOURN:**

**MOTION:** There being no further business to come before the Board, Vice Chairman Carrasco made a motion seconded by Secretary Mackley to adjourn the meeting at 9:56 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 12-20-2018 \(3 Parts\)](#)