

**EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS  
TOWNSHIP BUILDING  
100 HILL ROAD, DENVER, PA  
THURSDAY, JANURAY 18, 2024, 7:00 PM**

**CALL TO ORDER** by Chair Bonura at 7:00 PM.

**ATTENDANCE**

|                           |     |
|---------------------------|-----|
| Lorenzo Bonura, Chair     | [X] |
| Jeff Mitchell, Vice Chair | [X] |
| Daniel Burton, Jr.        | [X] |

**ANNOUNCEMENTS**

- Mr. Burton led the meeting with a prayer.
- Chair Bonura noted this evening's meeting is being recorded for rebroadcast.
- Chair Bonura announced the Board of Supervisors met in Executive Session on January 15, 2024 to discuss a personnel matter, in specific the Township Manager agreement, and a matter of potential litigation, regarding professional services.

**PUBLIC COMMENT, AGENDA ITEMS**

- Ken McCrea, East Cocalico Township, commented on the proposed public comment policy.
- Doug Mackley, East Cocalico Township, commented on the proposed public comment policy, and on public comment afforded at a previous meeting.

**ACTION ITEMS**

meeting minutes – Chair Bonura made a motion to approve the January 2 Meeting minutes as presented. The motion was seconded by Mr. Mitchell.

By unanimous vote the motion was approved.

Tax Collector payments – Matt Creme, Township Solicitor, commented on correspondence received from the East Cocalico Township Tax Collector, as to certain payments received by the Tax Collector. Mr. Creme noted the Tax Collector was invited to attend this evening's meeting so to discuss this matter. The Tax Collector was not in attendance.

Finance Director ratification – Chair Bonura made a motion to ratify the hire of Deborah Beury, Finance Director, subject to the terms set forth in a conditional offer of employment dated December 26, 2023. The motion was seconded by Mr. Burton.

By unanimous vote the motion was approved.

Resolution 2024-05 – Chair Bonura made a motion to approve Resolution 2024-05, to authorize depository permissions. The motion was seconded by Mr. Burton.

By unanimous vote the motion was approved.

Resolution 2024-06 – Chair Bonura commented on public comment policy and limits set in 2016, and noted the proposed public comment policy to be considered this evening increases the time allowed for public comment, and eliminates a cap that may be enacted on the total time allowed for public comment during one meeting.

Chair Bonura made a motion to approve 2024-06, to establish public a comment period policy at meetings of the Board of Supervisors. The motion was seconded by Mr. Mitchell.

By unanimous vote the motion was approved.

waiver of land development – Tommy Ryan, Township Manager, provided an overview of a request for a waiver of land development for a proposed roof extension at the Reinholds VFW.

Mr. Burton made a motion to approve a waiver of the land development to permit the construction of a roof over an existing accessway at the Reinholds VFW, 250 Brunner Grove Road. The motion was seconded by Mr. Mitchell.

By unanimous vote the motion was approved.

900 Dogwood – security release – Mr. Ryan provided an overview of a request to release security for improvements not constructed at 900 Dogwood Drive.

Mr. Burton made a motion to approve the release, in full, of security posted for proposed improvements at 900 Dogwood Drive, in the amount of \$51,940.90, conditioned upon the Applicant's agreement to extinguish and forever forfeit all approvals granted for the plan for the Martin Tract, prepared by Pioneer Management LLC, drawing 06-0100-03-A, as last revised on November 3, 2006. The motion was seconded by Mr. Mitchell.

By unanimous vote the motion was approved.

right-of-way grant – Matt Creme, Township Solicitor, commented on additional right-of-way required for the Culvert Replacement Project.

Mr. Burton made a motion to direct the Township Manager, Township Solicitor, and Township Engineer to take the necessary action, by acceptance of dedication, negotiated purchase or condemnation, to acquire the necessary rights-of-way, permanent and temporary construction easements in or adjacent to White Oak Road (T840) and Hill Road (T846), for the replacement of stormwater culverts. The motion was seconded by Chair Bonura.

By unanimous vote the motion was approved.

Reamstown Pool management agreement – Chair Bonura made a motion to approve an agreement for management services for the 2024 pool season with the Ephrata Recreation Center. The motion was seconded by Mr. Mitchell.

By unanimous vote the motion was approved.

Reamstown Pool concession stand agreement – Chair Bonura made a motion to approve an agreement for concession stand operations for the 2024 pool season with Kim Porter. The motion was seconded by Mr. Burton.

By unanimous vote the motion was approved.

Township Manager agreement – Chair Bonura made a motion to approve an agreement for Township Manager services through January 5, 2026 with Tommy Ryan. The motion was seconded by Mr. Burton.

By unanimous vote the motion was approved.

interfund transfers, bill lists & payroll – Mr. Mitchell made a motion to approve a check payment for the General Fund Bank Account list of bills in the amount of \$314,590.47, for the week of January 9, 2024. The motion was seconded by Chair Bonura.

Mr. Mackley commented on engineering services for the Culvert Replacement Project.

By unanimous vote the motion was approved.

Mr. Mitchell made a motion to approve the Electronic Payment list of bills in the amounts of \$82,285.84, for the pay period from December 17, 2023 to December 30, 2023; and, \$81,787.75, for the pay period from December 31, 2023 to January 13, 2024. The motion was seconded by Chair Bonura.

By unanimous vote the motion was approved.

## **DEPARTMENT REPORTS**

Police – Chief Savage commented on certain calls received and Department activities for the prior month. A written report of call activity for East Cocalico Township and Denver Borough for December 2023 was provided.

Finance – A written report of receipts and expenditures for Township funds through December 2023 was provided.

Public Works – A written report of roads, bridge, parks, and equipment maintenance activities for December 2023 was provided.

Building, Zoning & SEO – A written report of permits issued, applications considered by the Zoning Hearing Board, and sewage enforcement activities for December 2023 was provided.

## **NEW BUSINESS**

- Mr. Mitchell noted funding included in the 2024 Budget to assist with the current volunteer fire department merger discussions. There was general discussion with Donny Stover, Fire Chief, Smokestown Fire Company, regarding emergency dispatch in the Township. Mr. Ryan will contact a consultant to inquire about services that may be available to assist in the current volunteer fire department merger discussions.

## **OLD BUSINESS**

- Chair Bonura provided an update on the Stony Run Riparian Corridor Project, scheduled to begin in March.

## **PUBLIC COMMENT, NON-AGENDA ITEMS**

- There was no public comment on non-agenda items at this evening's meeting.

## **ANNOUNCEMENTS**

- Chair Bonura announced the Board of Supervisors will next meet on Thursday, February 1, at 7:00 PM, at the Township Building.

## **ADJOURNMENT**

There being no further business, at 7:51 PM Chair Bonura made a motion to adjourn the meeting. The motion was seconded by Mr. Mitchell.

By unanimous vote the motion was approved.

Respectfully Submitted:

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Tommy Ryan  
Township Manager

**SIDE LETTER AGREEMENT BETWEEN EAST COCALICO TOWNSHIP AND  
EAST COCALICO TOWNSHIP POLICE OFFICERS' ASSOCIATION**

**WHEREAS**, this is a Side Letter Agreement ("Agreement") entered into this 15<sup>th</sup> day of January, 2024, by and among the East Cocalico Township (the "Township") and the East Cocalico Township Police Officers Association (the "Association"), the certified bargaining representative for all paid police officers who are employed by the Township (collectively, the "Parties"), and

**WHEREAS**, the Association and the Township are parties to a collective bargaining agreement ("CBA") entered into in accordance with Act 111, effective January 2017 through December 31, 2025, and have agreed to amend the CBA in exchange for the modification of ranking officers' titles found in Section 19, subsections (A), (B), (C), and (E), to their mutual benefit and in consideration of the promises made here, and

**WHEREAS**, the Association is the exclusive, recognized bargaining agent for the unit consisting of police employees of the Township pursuant to Act 111 of 1968 and the Pennsylvania Labor Relations Act, and

**WHEREAS**, the Township is the employer of those police officers in accordance with Act 111 and the Pennsylvania Labor Relations Act, and

**WHEREAS**, the Parties wish to eliminate the title of Corporal, and add the title of Lieutenant. In doing so, all current Corporals shall have their titles changed to Sergeant, and the current Sergeant shall have his title changed to Lieutenant. It is further agreed to by the Parties this modification is not a promotion, and does not affect the current salary of any officer whose title is changed under this agreement. Going forward, the rank of Corporal shall be replaced with the rank of Sergeant, and the current rank of Sergeant shall be replaced with Lieutenant.

**WHEREAS**, the Parties wish to memorialize the agreement reached and hereby amend the (CBA) in accordance with the terms of this Side Letter Agreement.

**NOW, THEREFORE**, intending to be legally bound to this Side Letter Agreement, the Parties agree as follows:

1. The agreement shall be appended to the CBA and shall have the same force and effect of any provision thereof.
2. The Parties agree that the provisions of this Agreement are unique and therefore shall not represent nor operate as precedent regarding any other members of the Association, present, or future, involved in a similar situation and shall not prejudice any party with respect to any position taken in the future. Specifically, the Parties agree that no party shall be prejudiced as to its ability to negotiate regarding any of the issues set forth herein in any negotiations over a successor contract to the current collective bargaining agreement.
3. This agreement shall be governed by and construed under the laws of the Commonwealth of Pennsylvania.
4. Other than set forth in this Agreement, there shall be no other changes or amendments to any of the terms of the current CBA. This agreement may only be amended by a subsequent written agreement between the Parties.
5. If any term, condition, clause or provision of this Agreement shall be determined by a court of competent jurisdiction to be void or invalid at law, or for any other reason, then only that term, condition, clause, or provision as is determined to be void or invalid shall be stricken from this Agreement, and this Agreement shall remain in full force and effect in all other respects. This Agreement may be executed in any number of counterparts which taken together, shall constitute one and the same agreement.
6. The effective date of the Agreement shall be the date upon which it is executed by the Township following any formal approval as required by law.

**IN WITNESS WHEREOF**, intending to be legally bound by this Side Letter Agreement to the Collective Bargaining Agreement, the Parties have executed this document on the dates indicated.

\_\_\_\_\_  
East Cocalico Township

Steve Kelle      PRESIDENT  
\_\_\_\_\_  
East Cocalico Township Police Officers'  
Association

Date: \_\_\_\_\_

Date: 01/15/2024