

EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING AGENDA

HELD AT THE STEVENS FIRE COMPANY, 91 STEVENS RD., STEVENS PA 17578

THURSDAY, SEPTEMBER 17, 2020 AT 7:00 P.M.

- 1) CALL TO ORDER - PLEDGE OF ALLEGIANCE**
- 2) ANNOUNCEMENT OF EXECUTIVE SESSIONS HELD:**
 - a)
- 3) PAST MEETING MINUTES APPROVAL:**
 - a) THURSDAY, SEPTEMBER 3, 2020 BOARD OF SUPERVISOR MEETING MINUTES
- 4) ACTION ITEMS:**
 - a) **LAND PLANNING ENGINEER:**
 - **RED RUN EXHAUST – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: TIME EXTENSION**
 - **CARRIAGE HILL PH 3&4 – PRELIMINARY/FINAL SUBDIVISION PLAN: ACKNOWLEDGE PARK & OPEN SPACE FEE IN-LIEU-OF, AUTHORIZE EXECUTION OF DOCUMENTS, AND CONSIDER REQUEST FOR LIMIT EARTH DISTURBANCE**
 - **NHT HOLDINGS, PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: FINANCIAL SECURITY**
 - b) **NEWSLETTER: PERMISSION TO SEND THE 2020 SUMMER/FALL NEWSLETTER TO THE PRINTER**
- 5) DEPARTMENT REPORTS:**
 - a) **POLICE DEPARTMENT REPORT**
 - b) **ZONING OFFICER REPORT**
 - c) **ROAD DEPARTMENT REPORT**
 - d) **FINANCIAL ADMINISTRATOR REPORT**
- 6) TREASURERS REPORT:**
 - a) **LIST OF BILLS: CONSIDERATION FOR APPROVAL**

7) OLD BUSINESS CONTINUED DISCUSSIONS:

a) MS4 DISCUSSION:

- **FISHING CREEK PARK: LAWN TO MEADOW CONVERSION**
- **ROSE HILL: DESIGN WORK ON THE RETROFIT OF THE BASIN**
- **LIVE-STAKE NURSERY: AUTHORIZATION TO PROCEED**

b) **TIMBER HARVEST ORDINANCE: PROPOSED CHANGES FROM ATTORNEY GENERAL**

c) **BRAKE RETARDERS - CHURCH ST. & N. READING RD. – UPDATE: *(previously tabled - road list)***

d) **ELECTRIC CHARGING STATION – UPDATE: *(previously tabled)***

e) **BUS SERVICE TO LOW INCOME HOUSING – HEATHERWOODS – UPDATE: *(previously tabled)***

8) NEW BUSINESS FOR DISCUSSION:

a) **CUB SCOUT PACK 60: PERMISSION TO HOLD CUBMOBILE RACE ON SATURDAY, OCTOBER 3RD**

b) **STONEY POINT PARK: DISCUSSION**

c) **TREE SERVICE PROPOSAL: REMOVE ASH TREES AT REAMSTOWN POOL**

9) MANAGERS REPORT:

a)

10) PUBLIC COMMENT:

a) **PUBLIC COMMENT: NON-AGENDA ITEMS ONLY (SIGN IN BEFORE MAKING PUBLIC COMMENT, STATE NAME AND STREET ADDRESS IN EAST COCALICO TWP.)**

11) ANNOUNCEMENTS:

a) **NEXT SUPERVISORS MEETING: THURSDAY, OCTOBER 1ST AT 9AM HELD AT THE EAST COCALICO TOWNSHIP MUNICIPAL BUILDING**

12) EXECUTIVE SESSION:

13) ADJOURNMENT

BOARD OF SUPERVISORS MEETING THURSDAY, SEPTEMBER 17, 2020

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, September 17, 2020 at 7:00 p.m., held at the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517. This is an open public meeting. This meeting was not "live" on YouTube and conference calling was not available. However, in order to ensure public safety during the COVID pandemic, attendance may be limited to ensure social distancing.

ATTENDANCE:

Supervisors: Chairman Alan R. Fry, Vice Chairman Romao "RC" Carrasco, and Secretary Jeffrey W. Mitchell

Employees: Township Manager Penny Pollick, Police Chief Keppley, Assistant Manager/Zoning Officer Tony Luongo, MS4 Technician Ken McCrea, Financial Administrator Judith Lumis, Roadmaster Bret Hoffert, and Recording Secretary Lisa A. Kashner

Engineer: Brent Lied and Casey Kerschner

Newspaper: Larry Alexander of the Ephrata Review

Visitors:* Donny Stover, Chad Weaver, Christine Letch, Doug Mackley, Suzie Mackley, June Kinback, Monica Craig-Fry, and Donald Wenger

*Only visitors who signed in are listed.

CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE: Chairman Fry asked everyone in attendance to rise and pledge allegiance to the Flag. • Chairman Fry announced that this September 17, 2020 Board of Supervisors Meeting was duly advertised and in accordance with the second-class Township code in the Ephrata Review newspaper on August 12, 2020.

EXECUTIVE SESSIONS HELD: Chairman Fry highlighted that an Executive Session was held this morning, Thursday, September 17, 2020 at 9:00 a.m. to discuss a legal matter.

PAST MEETING MINUTES APPROVAL:

MOTION: Secretary Mitchell made a motion, seconded by Vice Chairman Carrasco, to approve the Thursday, September 3, 2020 Board of Supervisors meeting minutes. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

Township Manager Penny Pollick addressed previous comments from resident Mr. Mackley. Ms. Pollick handed Mr. Mackley documentation and explained in detail answers to his questions in relation to: (1) salary of Financial Administrator, (2) salary of the previous and new Administrative Assistant, (3) salary of the Zoning Officer, (4) noted that the administration staff is under budget, (5) Mr. Flory's settlement agreement and the date(s) of the letter, checks, and mailing date of letter, (6) Township Solicitor approval of the List of Bills showing Mr. Flory's payout listed as payroll, (7) discussed that the emergency Executive Session held on March 20, 2020 was not allowed, and Ms. Pollick stated to show in these minutes the explanation of the emergency Executive Session on March 20, 2020 was in respect to shutting down the Township Municipal building due to the COVID-19 pandemic, at which time it was determined to shut the building down and send all staff home. The Township Solicitor agreed that this was an emergency and the minutes to reflect this, (8) the Township Solicitor stated that the other Executive Sessions held were permissible, however since Mr. Mackley stated that he was talking to his lawyer Ms. Pollick will not respond to this particular question since it now becomes a legal matter. Mr. Mackley was advised that documentation could be handed in stating that he no longer has an attorney at which time discussions can be held, but until that time no discussions will be held on this legal matter.

ACTION ITEMS: LAND PLANNING ENGINEER: Mr. Lied of Becker Engineering highlighted the report, and gave background information on each plan.

RED RUN EXHAUST OF REAMSTOWN – PRELIMINARY / FINAL LAND DEVELOPMENT PLAN (09-27-2020): No one was present for this plan. Mr. Lied highlighted the status of the project and indicated the project is still under review by the Planning Commission. Mr. Lied indicated that a written time extension was received from the applicant's consultant to extend the deadline for action.

**BOARD OF SUPERVISORS MEETING
THURSDAY, SEPTEMBER 17, 2020**

ACTION ITEMS: RED RUN EXHAUST OF REAMSTOWN (CONTINUED)

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to accept the written time extension offer as submitted by the applicant's consultant, dated September 1, 2020, which will extend the deadline for action on the Red Run Exhaust of Reamstown – Preliminary / Final Land Development until December 27, 2020. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

CARRIAGE HILL PHASE 3 AND 4 – PRELIMINARY/FINAL SUBDIVISION PLAN (CONDITIONALLY APPROVED): No one was present for this plan. Mr. Lied highlighted the status of the project, noting that the Township Solicitor is currently reviewing the draft Developers Agreement forwarded by the applicant's attorney. Mr. Lied noted a bond and signed IGA were received. Mr. Lied stated that the applicant has also submitted a written request to the Township requesting permission to apply for a Township Earth Disturbance Permit in order to commence limited earth disturbance activities consistent with the Conditionally Approved Final Plan and operating under the approved NPDES permit with the intent to begin grading the site and install all required erosion and sedimentation control measures. Ms. Pollick and Mr. Luongo confirmed that they had prior discussions with the applicant's representative regarding the request for limited earthwork and were supportive as long as no infrastructure is to be installed without unconditional plan approvals being in place. Mr. Lied indicated he was also not opposed to the Township authorizing limited earthwork, since the applicant has obtained an NPDES permit. Discussions continued. Based on discussions, Mr. Lied noted that he had originally prepared five motions in the Engineers Report, but based on the Board of Supervisors favorable thoughts relative to authorizing limited earthwork, he recommended that only the first three motions be considered by the Board tonight, and the remaining two motions be brought before the Board at a future meeting after additional details are worked out relative to the Developer's Agreement.

MOTION: Secretary Mitchell made a motion, seconded by Vice Chairman Carrasco, to acknowledge and authorize the applicant to apply for a Township Earth Disturbance Permit for limited earth disturbance activities consistent with the Conditionally Approved Final Plan and operating under the approved NPDES permit with the intent to begin grading the site and installing all required erosion and sedimentation control measures without the installation of any infrastructure. 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 acceptance of the Park and Open Space Fee in-lieu-of Land Dedication in the amount of \$62,475.00 as calculated and offered by the applicant in accordance with Section 194-46.B.(4) of the Subdivision and Land Development Ordinance based upon a certified appraisal, and as reviewed and confirmed to be correct by the 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 Chairman Fry, to authorize the Board of Supervisors to sign the Stormwater Maintenance and Easement Agreement (SWMEA) when signed 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).

Mr. Lied stated that in respect to the next motion, the bond and IGA were received and reviewed to be acceptable by the Township Solicitor.

MOTION: Secretary Mitchell made a motion, seconded by Chairman Fry, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) when signed by the applicant and submitted to the Township in a form acceptable to the Township Solicitor, and accompanied by the required financial security in the amount of \$1,888,151.96 in a form acceptable to the Township and Township Solicitor. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

NHT HOLDINGS, LLC PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FINANCIAL SECURITY REDUCTION/AS-BUILTS: No one was present for this plan. Mr. Lied highlighted that the project has been completed with the exception of several minor items as noted in an email dated September 11, 2020.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to authorize the full release of the current financial security currently being held for the NHT Holdings, LLC Preliminary/Final Land Development Plan, in the amount of \$28,000.00, upon the applicant's consultant completing the minor remaining items as highlighted in Becker's Email Correspondence dated September 11, 2020. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

BOARD OF SUPERVISORS MEETING

THURSDAY, SEPTEMBER 17, 2020

ACTION ITEMS: (CONTINUED)

NEWSLETTER - PERMISSION TO SEND THE 2020 SUMMER/FALL NEWSLETTER TO THE PRINTER: Discussions were held in respect to edits to fill in the blank page.

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to authorize sending the 2020 Summer/Fall Township Newsletter onto the printer pending final approval of the Township Manager. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

DEPARTMENT REPORTS:

POLICE DEPARTMENT REPORT: Chief Keppley highlighted the Police Departments report. No comments or questions were received.

ZONING OFFICERS REPORT: Mr. Luongo highlighted his full report; and noted the response rate for the Census increased to 80.6% (previous meeting it was 79.2%). No comments or questions were received.

ROAD MASTER REPORT: Mr. Hoffert highlighted the entire Road Master Report. Mr. Mackley stated that the stop sign located at the State Road - Wabash Road and Line Road is not at the proper height. Mr. Hoffert stated that the Road Crew Department has plenty of work, recommending that the tree service quotes be brought before the Board for consideration to take care of removal of ash trees located at 68 Ream Road. Discussions continued to get references from the quotes already received as well as reaching out to the company Messner's Tree Service.

FINANCIAL ADMINISTRATOR REPORT: Ms. Lumis noted that budget status reports through September 16, 2020, as well as the balance sheet for each fund through August 31, 2020 were laid on the table for tonight's visitors. Ms. Lumis discussed in detail. Discussions continued. Comments and questions received were answered.

TREASURER'S REPORT:

MOTION: Secretary Mitchell made a motion, seconded by Chairman Fry, to approve the list of bills with the start date of August 20, 2020, ending date of September 16, 2020 for a total of \$164,027.17: General Fund \$151,678.47; Light Fund \$12,348.70. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

OLD BUSINESS CONTINUED DISCUSSIONS:

MS4 DISCUSSION: Mr. McCrea highlighted the following items.

FISHING CREEK PARK - LAWN TO MEADOW CONVERSION: (along Church Street): Mr. McCrea stated that possibly within the next week this will start. Chairman Fry suggested when placing the bordering stakes out to use flags for easy viewing. Discussions continued. Comments and questions were asked which were answered.

ROSE HILL - DESIGN WORK ON THE RETROFIT OF THE BASIN: Mr. McCrea highlighted the increase the basins ability to cleaning up the stormwater. Cost changes to come. Sediment reduction changes is approximated at 15,000 pounds.

LIVE-STAKE NURSERY - AUTHORIZATION TO PROCEED: Mr. McCrea highlighted the project at Stoney Run located at the Municipal Township building.

MOTION: Vice Chairman Carrasco made a motion, seconded by Secretary Mitchell, to allow plantings as needed to serve as a riparian buffer as part of this live stake nursery program. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

Secretary Mitchell discussed that a farmer, did MS4 work on his farm, and is interested in adding what he has done to his land in respect to adding it as credit to the MS4 program. Discussed to use this farmer as future promotional MS4 projects. More discussions to come at a future meeting.

BOARD OF SUPERVISORS MEETING THURSDAY, SEPTEMBER 17, 2020

OLD BUSINESS CONTINUED DISCUSSIONS: (CONTINUED)

TIMBER HARVEST ORDINANCE - PROPOSED CHANGES FROM ATTORNEY GENERAL: Mr. McCrea noted that the document has gone to the Attorney whom has submitted it to the County Commission for their review. Mr. Mackley asked if the MS4 reports were submitted in time (June 30th). Mr. McCrea noted that June 30th is the end of the calendar year, and September 30th is the end of the reporting; it will be submitted on time.

BRAKE RETARDERS - CHURCH ST. & N. READING RD.: Ms. Pollick highlighted noting that a request needs to be submitted to PennDOT, have an active ordinance, and then enforcement can be done by the Township Police. There are six different criteria to meet approval, a list of roads needs to be submitted. Ms. Pollick suggested to keep this item on the agenda for now; and to get look into at a later date.

ELECTRIC CHARGING STATION - UPDATE: Ms. Pollick noted that there are five electric charging stations within close proximity of East Cocalico Township. Ms. Pollick discussed, noting that since electric charging stations are close, one is not needed at the Township. Discussions and comments were received which were answered. Ms. Pollick suggested to pull this item from the agenda. The Board agreed.

BUS SERVICE TO LOW INCOME HOUSEING - HEATHERWOODS: Ms. Pollick noted that this was looked into, stating that the Township's request for the Heatherwoods Development was placed on Red Rose's agenda for August 2020, but with COVID-19 the meetings were delayed; and that our request will remain on Red Rose's agenda. Ms. Pollick suggested to pull this item from the agenda. The Board agreed.

NEW BUSINESS FOR DISCUSSION:

CUB SCOUT PACK 60 - PERMISSION TO HOLD CUBMOBILE RACE ON SATURDAY, OCTOBER 3RD: Ms. Pollick highlighted; if approved notification to be sent to Scott Achey.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to authorize the closing of Ebersole Road on Saturday, October 3, 2020, from 8:00 a.m. to 1:00 p.m. for the Cub Scout Pack 60 soap box derby. this authorization also encompasses use of the special fire police and fire departments to assist in traffic control measures as needed. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

Ms. Pollick requested a motion for termination of employment. The Supervisors acknowledged and thank Ms. Farlow for her 12½ years of dedicated service to the Township.

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to terminate the employment of Paula Farlow effective September 9, 2020. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

MANAGERS REPORT: Nothing at this time.

PUBLIC COMMENT (NON-AGENDA ITEMS): Ms. Pollick discussed that to answer questions accurately during public comment, and to the fullest extent, some of the questions may be deferred until a later date so as to be respond accurately and to have any necessary documentation in the Board's hands for review.

Mr. Mackley asked who is responsible for Colonel Howard Blvd. with debris and weeds; and this was answered that the Township is responsible. Mr. Mackley asked if the Township have a certified pesticide employee for spraying. Mr. Hoffert stated that in talking with PennState recently, a pesticide application will be sent to him within the next weeks. • Mr. Mackley asked about a meeting back held in February 2020 concerning a business in a barn, Mr. Luongo answered his question noting they received approval from the Zoning Hearing Board. • Mr. Mackley noted that the Recreation Board is an advisory Board and fundraising ideas need to be approved by the Supervisors; Ms. Pollick discussed noting that the Recreation Board is a recommending Board. Vice Chairman Carrasco stated that the Recreation Board previously asked permission but needs to give the Supervisors a scope of their fundraising. • Ms. Kinback asked about Trick-or-Treat night. Ms. Pollick noted that Trick-or-Treat night is Friday, October 29th. • Ms. Kinback asked whom determined that Rose Hill does not need to be resurfaced, and Ms. Pollick stated this was verbally noted by the Transportation Engineer. This was discussed at a previous public meeting and does not need to be revisited at this time. • Mr. Mackley asked about the Allan Myers quote for \$30,000. Ms. Pollick explained that the crack seal was put in place by the Road Crew but the wrong type of crack seal was used, therefore resulting to a higher quote for that particular road. • Ms. Fry thanked all Emergency Services for their quick response and compassion to a recent accident on Reamstown Road that she was involved in.

**BOARD OF SUPERVISORS MEETING
THURSDAY, SEPTEMBER 17, 2020**

ANNOUNCEMENT: The next Board of Supervisors Meeting is scheduled for Thursday, October 1, 2020 at 9:00 a.m. held at the East Cocalico Township Municipal Building.

EXECUTIVE SESSION: None.

ADJOURN:

MOTION: There being no further business to come before the Board, Secretary Mitchell made a motion seconded by Vice Chairman Carrasco to adjourn the meeting at 8:19 p.m. Chairman Fry asked if there were any questions. There were none. Motion carried. (3/0)

Respectfully submitted,

Lisa A. Kashner
Township Recording Secretary

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

[East Cocalico Township Board of Supervisor Meeting 09-17-2020, Part 1 of 2](#)

[East Cocalico Township Board of Supervisor Meeting 09-17-2020, Part 2 of 2](#)