

EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING AGENDA

**HELD AT THE SMOKESTOWN FIRE COMPANY,
860 SMOKESTOWN ROAD, DENVER, PA 17517**

THURSDAY, AUGUST 20, 2020 AT 7:00 P.M.

- 1) **CALL TO ORDER - PLEDGE OF ALLEGIANCE**
- 2) **ANNOUNCEMENT OF EXECUTIVE SESSIONS HELD:**
 - a) THURSDAY, AUGUST 20, 2020 AT 9:00 A.M. FOR PERSONNEL MATTERS
- 3) **PAST MEETING MINUTES APPROVAL:**
 - a) THURSDAY, AUGUST 6, 2020 BOARD OF SUPERVISOR MEETING MINUTES
- 4) **ACTION ITEMS:**
 - a) **LAND PLANNING ENGINEER:**
 - **CARRIAGE HILL PHASE 3 & 4, PRELIMINARY/FINAL SUBDIVISION PLAN: TIME EXTENSION**
 - **SMALL PROJECT – 38 HAYLOFT ROAD (NIVEN): STORMWATER MANAGEMENT AND EASEMENT AGREEMENT**
 - b) **ZIMMERMAN TOWNHOUSE TRACT: DISCUSSION**
 - c) **MUNICIBID: AWARD EQUIPMENT**
 - d) **TIMBER HARVEST ORDINANCE PROPOSED CHANGES: REVIEW & ADDRESS LETTER FROM ATTORNEY GENERAL**
 - e) **LINE PAINTING: AQUA SPACE CONTROL CO. QUOTE**
- 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) **VISITOR:** EAGLE SCOUT EVAN HALDEMAN - DISCUSS EAGLE PROJECT – LOCATION OF GAGA BALL PIT
- b) **MS4 DISCUSSION:**
- **CS DATUM:** ALLOW TOWNSHIP DATA FOR RESEARCH PURPOSES
 - **FISHING CREEK PARK:** LAWN TO MEADOW CONVERSION
 - **ROSE HILL:** DESIGN WORK ON THE RETROFIT OF THE BASIN
- c) **HOLDING TANK TRANSFER AGREEMENT:** 297 REINHOLDS ROAD (STEHR)
- d) **RECREATION BOARD:** FUNDRAISING (*pending planned fundraising activities from Rec Board*)
- e) **BRAKE RETARDERS:** CHURCH ST. & N. READING RD: (*previously tabled – obtain road list to meet criteria*)
- f) **ELECTRIC CHARGING STATION:** UPDATE (*previously tabled*)
- g) **BUS SERVICE TO LOW INCOME HOUSING - HEATHERWOODS:** (*previously tabled*)

8) **NEW BUSINESS FOR DISCUSSION:**

- a)

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, SEPTEMBER 3RD AT 7PM HELD AT THE EAST COCALICO TOWNSHIP MUNICIPAL BUILDING

12) **EXECUTIVE SESSION:**

13) **ADJOURNMENT**

BOARD OF SUPERVISORS MEETING THURSDAY, AUGUST 20, 2020

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, August 20, 2020 at 7:00 p.m., held at the Smokestown Fire Company, 860 Smokestown 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, Financial Administrator Judith Lumis, MS4 Technician Ken McCrea, and Recording Secretary Lisa A. Kashner
- Engineer:** Casey Kerschner
- Newspaper:** Larry Alexander of the Ephrata Review
- Visitors:*** Barry Rehlich, Doug and Suzie Mackley, June Kinback, Chad Weaver, Brian Wise, Bill Swiernik David Miller & Assoc., and Wesley Hoover

*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 August 20, 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. • Chairman Fry announced that the remainder of the 2020 Board of Supervisors Meetings will be by alternating the locations of the meetings held at local Fire Company's once a month allowing for social distancing during COVID-19:

September 3	ECT building at 7:00 p.m.	September 17	Stevens Fire Co. at 7:00 p.m.
October 1	ECT building at 9:00 a.m.	October 15	Reamstown Fire Co. at 7:00 p.m.
November 5	ECT building at 7:00 p.m.	November 19	Smokestown Fire Co. at 7:00 p.m.
December 3	ECT building at 7:00 p.m.	December 17	Stevens Fire Co. at 7:00 p.m.

EXECUTIVE SESSIONS HELD: Chairman Fry highlighted that an Executive Session was held at 9:00 a.m. this morning to discuss personnel and legal matters; directives given to the Township Manager.

PAST MEETING MINUTES APPROVAL:

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to approve the Thursday, August 6, 2020 Board of Supervisors meeting minutes. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

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

CARRIAGE HILL PHASE 3 AND 4 - PRELIMINARY/FINAL SUBDIVISION PLAN: No one was present for this plan. Mr. Kerschner highlighted the plan.

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to accept the written time extension offer as submitted by the applicant's via e-mail correspondence dated August 13, 2020, which will extend the deadline for action on the Carriage Hill Phase 3 and 4 Preliminary/Final Subdivision Plan until October 27, 2020. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

BOARD OF SUPERVISORS MEETING THURSDAY, AUGUST 20, 2020

ACTION ITEMS: LAND PLANNING ENGINEER - CARRIAGE HILL PH 3 &4

(CONTINUED)

Mr. Kerschner noted that as previously discussed with the Board of Supervisors and as outlined in the most recent prior Becker Engineering review letter, there are several remaining outstanding items to be discussed between the applicant and the Township. Becker noted that they were recently contacted by Landmark who noted that they were willing to accept the requirements to establish an HOA and would appreciate the Board of Supervisors considering conditional approval of the plan tonight, as previously recommended by the Planning Commission. Discussions continued and resulted in the Board of Supervisors passing the following motion taking action on the plan, which eliminated the need for the previous motion to accept the written time extension offer.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to grant conditional approval of the Carriage Hill Phase 3 and 4 - Preliminary/Final Subdivision Plan, conditioned upon the applicant resolving all remaining items as outlined in the Becker Engineering LLC Review letter, dated July 31, 2020, to the satisfaction of the Township, Township Zoning Officer, Township Solicitor, and the Township Engineer, including the preparation of the required Homeowners Association (HOA) documents, and signature of any required agreement pertaining to the required use of a temporary construction access and preservation and restoration of the Township roadways to the satisfaction of the Township and Township Solicitor. Chairman Fry asked if there were any comments or questions; there was a question concerning the HOA having strong language, that question was answered. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

38 HAYLOFT ROAD (NIVEN RESIDENCE) - STORMWATER MANAGEMENT SMALL PROJECT APPLICATION SWMEA:

No one was present for this plan. Mr. Kerschner highlighted the plan.

MOTION: Secretary Mitchell made a motion, seconded by Chairman Fry, to authorize the Board of Supervisors to sign the Stormwater Management and Easement Agreement (SWMEA) related to the 38 Hayloft Road - Stormwater Management Small Project Application, as prepared by the Township Solicitor, when executed by the applicant, and submitted to the Township. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

Ms. Pollick noted that the Right-of-Way (ROW) Agreement needs approval for signature.

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to authorize the execution of the August 13, 2020 Right-Of-Way Agreement between Peter E. & Sheri L. Niven at 38 Hayloft Road, granting temporary right of way access to their rear yard through Old Homestead Village Park. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

GARDEN SPOT FRAME & ALIGNMENT – NPDES NOTICE OF TERMINATION (NOT): Mr. Kerschner highlighted that in light of recent information provided to Becker Engineering by Pioneer Management that included an NPDES NOT, and based on subsequent discussions with the Township Zoning Officer, the Township may proceed with releasing the remaining Financial Security for the Garden Spot Frame & Alignment project. Mr. Kerschner noted that the Board previously approved a motion on July 16th authorizing the full release of the current financial security being held by the Township, conditioned upon the completion of the minor remaining items as highlighted in the Becker Engineering e-mail dated July 2, 2020, which have since been completed or deemed satisfactory by the Township.

ZIMMERMAN TOWNHOUSE TRACT - DISCUSSION: Mr. Swiernik was present to discuss the tract and asked for the Supervisors thoughts on the proposed townhouse development at this location to move forward. Chairman Fry discussed that the concept plan as previously presented does not fit the ordinance requirements relative to the Village Overlay Zone, raises traffic issues, and with only one access can hinder emergency services access. Mr. Swiernik discussed the possibility of two accesses, noting they could comply with the access requirement; and could work with the Township relative to the underlying zoning section of the Village Overlay Ordinance or R-3 District. Lengthy discussions continued. The Supervisors generally agreed that the Concept Plan as presented for the townhouse development was not acceptable considering the deviations required from the current ordinance and Village Overlay Zone requirements.

BOARD OF SUPERVISORS MEETING

THURSDAY, AUGUST 20, 2020

ACTION ITEMS:

(CONTINUED)

MUNICIPAL - AWARD EQUIPMENT: Ms. Pollick highlighted that the bidding has ended this morning with a high bidder of \$2,100.00 for the John Deere tractor attachments.

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to except the bid of Dennis Dougherty in the amount of \$2,100.00 for the used tractor attachments as advertised. Chairman Fry asked if there were any comments or questions; there were none, motion carried (3/0).

TIMBER HARVEST ORDINANCE PROPOSED CHANGES - REVIEW AND ADDRESS LETTER FROM ATTORNEY GENERAL: Mr. McCrea noted that a complaint was received recently from the Attorney General's office concerning a law - Agricultural and Communities and Rural Environments. Municipalities not allowed to place any regulations within a timber harvest ordinance that are more restrictive than in the State regulations. Mr. McCrea discussed the model ordinance, highlighting the proposed revisions to the ordinance. Discussions continued. Mr. McCrea recommends following through with the model ordinance. The Supervisors and Manager thanked Mr. McCrea for his research work on this. The Supervisors approved and authorized Mr. McCrea to proceed with the revisions to the Timber Harvesting ordinance.

LINE PAINTING - AQUA SPACE CONTROL COMPANY QUOTE ESTIMATE: Ms. Pollick highlighted the Alpha Space Control CO., Inc. estimate received dated 8/14/2020 for line painting Township roads for \$39,683.71 (budgeted amount was \$36,500.00).

MOTION: Vice Chairman Carrasco made a motion, seconded by Secretary Mitchell, to accept the proposal submitted by Alpha Space Control for line painting in the amount of \$39,683.71. Chairman Fry asked if there were any comments or questions. Ms. Kinback asked if line painting includes Rose Hill; it was answered that it does not. Ms. Pollick to get a list of the line painting roads to Ms. Kinback. This estimate includes stop bars. Chairman Fry asked if there were any other questions. There were none, motion carried (3/0).

DEPARTMENT REPORTS:

POLICE DEPARTMENT REPORT: Chief Keppley highlighted the Police Departments report: (1) speed details continued, (2) police radios to stay encrypted, (3) preliminary budget meeting, (4) civil training continued, (5) Denver Borough public safety meeting, (6) attended West Earl at District Attorney Office for a meeting, (7) School Resource Officer (SRO) starts on Tuesday, August 25th. Some questions were received, which were answered.

ZONING OFFICERS REPORT: Mr. Luongo highlighted his report dated July 2020. No comments or questions were received.

ROAD MASTER REPORT: Mr. Luongo highlighted the Road Master Report dated August 2020. Ms. Pollick stated that the Road Master (Mr. Bret Hoffert) could not be in attendance tonight, but stated that he would like any comments or changes to his report. Ms. Kinback thanked Ms. Pollick for her e-mail stating that the Road Master makes \$30/hr. Ms. Kinback would also like to know the certifications the Road Master has. Discussions continued. Ms. Pollick to gather this information and notify Ms. Kinback.

FINANCIAL ADMINISTRATOR REPORT: Ms. Lumis highlighted the previously distributed ledgers and the 2021 Budget schedule. Ms. Kinback asked if the Township has any outstanding debts that could possibly be looked into to refinance since the interest rates are so low. Discussed and determined there are no outstanding debts to look into.

TREASURER'S REPORT:

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, approved the list of bills dated August 20, 2020 for a total of \$201,116.44: General Fund \$59,713.40; Light Fund \$12,306.71; State Fund \$129,096.33. Ms. Kinback asked what the Sidney Gold & Associates for \$19,246.53 was for, and The Supervisors answered this was for legal fees associated with a personnel settlement agreement. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

BOARD OF SUPERVISORS MEETING

THURSDAY, AUGUST 20, 2020

OLD BUSINESS CONTINUED DISCUSSIONS:

EAGLE SCOUT EVAN HALDEMAN - DISCUSS EAGLE PROJECT LOCATION OF GAGA PIT: Ms. Pollick highlighted that this was previously approved to be installed at Stoney Pointe Park, however just checking if the Supervisors are still interested in keeping the Gaga Pit installation at Stoney Pointe Park or another park location. After some discussion, the Supervisors agreed to keep the installation of the Gaga Pit at Stoney Pointe Park, and as previously approved the building permit fees are to be waived. Ms. Pollick to communicate this information to the Recreation Board.

MS4 DISCUSSION: Mr. McCrea highlighted the following items.

CS DATUM - ALLOW TOWNSHIP DATA FOR RESEARCH PURPOSES: Mr. McCrea indicated that an interim for the Penn State Agriculture and Environment Center is working on a project to better estimate at a smaller spatial scale and sediment loadings, and what the interim is looking for is the Township's MS4 mapping of the storm sewer systems (inlets, pipes, outlets, delineated sewer sheds). This allows for better determination of urban-influenced loadings from the landscape. The data will be kept confidential and only be used for research purposes. The Supervisors discussed. Mr. McCrea stated it's hopeful to obtain their conclusions after completion.

MOTION: Vice Chairman Carrasco made a motion, seconded by Secretary Mitchell, to authorize the sharing of East Cocalico Township's MS4 Stormwater Mapping with Penn State Agriculture and Environment Center for the purposes of better determining urban-influenced loadings from the landscapes. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

FISHING CREEK PARK - LAWN TO MEADOW CONVERSION (along Church Street): Mr. McCrea the sketch proposed at the park, most of the costs are being taken care of, looking for volunteers with the possibility of Scouts. Mr. McCrea discusses the goals, strategy, and the MS4 credits. The areas being changed are areas that are not being used. Smaller trees will be placed in tubes for protecting them. Discussions, comments and questions were asked, which were answered.

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to authorize Mr. McCrea to proceed with the lawn to wildflower meadow conversion plan at Fishing Creek Park. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

ROSE HILL - DESIGN WORK ON THE RETROFIT OF THE BASIN: Mr. McCrea highlighted the increase the basins ability to cleaning up the stormwater. MS4 credits to be received. A proposal was received from Land Studies to move forward with the preliminary retrofit design for the Rose Hill basin for a cost of \$3,850. Discussions continued.

MOTION: Chairman Fry made a motion, seconded by Vice Chairman Carrasco, to authorize Land Studies to proceed with the Rose Hill basin retrofit preliminary design submitted by Land Studies (dated May 20, 2020) in the amount of \$3,850. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

Mr. McCrea discussed a number of small ordinance changes, the mowing ordinance - mowing right up to the stream banks. Discussions held. The Supervisors directed Mr. McCrea to do research in contacting other Municipalities for their information.

Mr. McCrea noted that he now has three volunteers to work on the water sampling project, and hope to start monthly water sampling in September 2020.

HOLDING TANK TRANSFER AGREEMENT - 297 REINHOLDS ROAD (STHR): Ms. Pollick discussed.

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to authorize the execution of the August 12, 2020 Holding Tank Transfer Maintenance Agreement with Laura Stehr at 297 Reinholds Road, Denver, PA. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

RECREATION BOARD - FUNDRAISING: Tabled.

**BOARD OF SUPERVISORS MEETING
THURSDAY, AUGUST 20, 2020**

OLD BUSINESS CONTINUED DISCUSSIONS: (CONTINUED)

BRAKE RETARDERS - CHURCH ST. & N. READING RD.: Tabled.

ELECTRIC CHARGING STATION - UPDATE: Tabled.

BUS SERVICE TO LOW INCOME HOUSEING - HEATHERWOODS: Tabled.

NEW BUSINESS FOR DISCUSSION: Nothing to report.

MANAGERS REPORT: Ms. Pollick noted that the TD Ameritrade point of contact needs updated.

MOTION: Chairman Fry made a motion, seconded by Secretary Mitchell, to appoint Vice Chairman Carrasco as the point of contact/trustee to the TD Ameritrade Police Uniformed Pension Plan. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

Ms. Pollick highlighted the updates for the restroom at the Highway Department Shed, discussed to hold off on this for now. ~ Ms. Pollick highlighted the August 17, 2020 Emergency Service Working Group meeting; the meeting notes are before the Supervisors. Items discussed were: (1) Assistance in grant writing for air packs since the air packs are set to expire this year.

MOTION: Vice Chairman Carrasco made a motion, seconded by Chairman Fry, to approve hiring John Sly for the grant writing of the air packs for the three Fire Companies. Chairman Fry asked if there were any other comments or questions; there were none, motion carried (3/0).

(2) Looking to develop a committee with Reamstown, Reinholds and Five Pointville, consisting of one representative from each Municipality. Lengthy discussions continued. Comments and questions were received, which were answered. The Supervisors gave directives to Ms. Pollick to follow through, and contacting the other Municipalities. (3) The Township gives donations, and donation monies record keeping was suggested to keep track of. (4) Discussed that when plans are approved the Fire Companies need to be informed, suggesting that they would like a digital snapshot overview of the entire plan. (5) False alarm fees were discussed noting the fees go into the Township's General Fund. (6) Ms. Pollick highlighted the framework on various items. Ms. Pollick noted she is reporting daily to the Supervisors. No comments or questions were received.

Secretary Mitchell discussed the possibility of the Township Newsletters to include a page on Fire Companies with information they would like to have in print. Discussions continued. The Supervisors agreed to start with the winter newsletter and to keep the articles with the Township's local fire companies (Stevens, Reamstown, Smokestown), and gave directives to Ms. Kashner to follow through on this.

PUBLIC COMMENT (NON-AGENDA ITEMS): Mr. Wise stated that two weeks ago a massive tree came down and fell onto their house, and noted that everyone was safe, however Mr. Wise publicly thanked everyone with the Reamstown Fire Company, Smokestown Fire Company, Mr. Luongo, and everyone involved in helping to restore the house so they could stay in it. ~ Mr. Mackley asked about the new Road Master/Public Works director position and what his duties are, and how long the Road Master has to receive the one certification needed. Discussions continued. The time to get qualified was discussed, indicating that with COVID things may be backlogged. It was noted that there is no pay increase with the impending certification that is needed. ~ Ms. Kinback asked what the Supervisors get paid, it was answered \$3,250/yr. (Vice Chairman Carrasco noted he did not get paid for the first year and a half per his request), the Township Manager salary is \$105,000/yr., the Township Zoning Officer salary is \$80,000/yr.

ANNOUNCEMENT: The next Board of Supervisors Meeting is scheduled for Thursday, September 3, 2020 at 7:00 p.m. held at the East Cocalico Township Municipal Building.

EXECUTIVE SESSION: None.

**BOARD OF SUPERVISORS MEETING
THURSDAY, AUGUST 20, 2020**

ADJOURN:

MOTION: There being no further business to come before the Board, Vice Chairman Carrasco made a motion seconded by Chairman Fry to adjourn the meeting at 9:18 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 08-20-2020, Part 1 of 3](#)

[East Cocalico Township Board of Supervisor Meeting 08-20-2020, Part 2 of 3](#)

[East Cocalico Township Board of Supervisor Meeting 08-20-2020, Part 3 of 3](#)