

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

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

**THURSDAY, AUGUST 17, 2017 at 7:30 P.M.**

- **MEETING CALLED TO ORDER AT 7:30 P.M.**
- **PUBLIC COMMENT** (FOR NON-AGENDA ITEMS)
- **APPROVAL OF MINUTES**
  - BOARD OF SUPERVISORS MEETING MINUTES: THURSDAY, AUGUST 3, 2017
- **MS-4 DISCUSSION**
  - PRP PRESENTATION
- **LAND PLANNING ENGINEER**
  - UGI PRELIMINARY/FINAL LAND DEVELOPMENT PLANS/LOT ANNEXATION PLAN:  
CONSIDERATION OF CONDITIONAL PLAN APPROVAL
- **ROADMASTER**
  - AWARD THE 2018 ROAD MATERIALS
- **POLICE DEPARTMENT**
- **SEWAGE ENFORCEMENT OFFICER**
- **TREASURER'S REPORT**
  - AUTHORIZE LIST OF BILLS
- **ZONING OFFICER**
- **SOLICITOR**
- **SUPERVISORS**
- **TOWNSHIP MANAGER/TRANSPORTATION ENGINEER**
  - MANAGERS REPORT
  - CHURCH STREET SIGNAL PERMIT UPDATE DISCUSSION
  - TOWNSHIP PARKING LOT REPAVING
  - DRAFT 'BLANKET' UGI RESTORATION AGREEMENT DISCUSSION
  - COPIER: DISCUSS PURCHASING
- **ANNOUNCEMENT:** THE NEXT BOARD OF SUPERVISORS MEETING IS SEPTEMBER 7, 2017 AT 7:30PM TO BE HELD AT THE SMOKESTOWN FIRE CO., 860 SMOKESTOWN RD., DENVER, PA 17517
- **EXECUTIVE SESSION** (IF NEEDED)
- **ADJOURN**

Please note that all meetings are recorded. The purpose of the recordings is to assist with the preparation of meeting minutes.  
Upon adoption of the meeting minutes the recordings are destroyed.

## **BOARD OF SUPERVISORS MEETING THURSDAY, AUGUST 17, 2017**

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, August 17, 2017 at 7:30 p.m., held at the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517.

### **ATTENDANCE:**

**Supervisors:** Chairman Douglas B. Mackley, Vice Chairman Alan R. Fry and Secretary Noelle B. Fortna

**Employees:** Township Manager H. Scott Russell, Zoning Officer Tony Luongo, and  
Recording Secretary Lisa A. Kashner

**Solicitor:** Thomas L. Goodman

**Land Planning Eng.:** Brent Lied, P.E.

**Reporters:** Michele Fry of the Ephrata Review and Val Laxis of the Reading Eagle

**Visitors\*:** Ken McCrea, Dino Cesarini, Dan Hibshman, David Stahovich, Robert Fogarasi,  
Romao Carrasco, Mark Heeb, Paula Leicht, Joe Swope, Timothy Cassidy, and  
Steve Brubaker

\*Only visitors who signed in are listed.

Chairman Mackley asked everyone in attendance to rise and pledge allegiance to the Flag.

**PUBLIC COMMENT (NON-AGENDA ITEMS):** None.

### **APPROVAL OF MINUTES:**

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the Thursday, August 3, 2017 Board of Supervisor meeting minutes. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**MS-4 DISCUSSION:** Mr. Russell stated that Mr. LaSala will be present at the next Board of Supervisors Meeting for adoption consideration of the NOI. There were no changes to the draft Pollution Reduction Plan. One comment was received.

### **LAND PLANNING ENGINEER:**

**UGI PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION PLAN: CONSIDERATION FOR CONDITIONAL PLAN APPROVAL:** David Stahovich, Dino Cesarini, Robert Fogarasi, Joe Swope, Timothy Cassidy, Mark Heeb and Paula Leicht were present for this plan. Mr. Lied highlighted the current status of the project and related key outstanding items: it was noted that the applicant/applicant's consultants continue to work on obtaining the various outside agency approvals and authorizations: Lancaster Conservation District (LCCD)/DEP NPDES Permit approvals, LCCD/DEP Chapter 105 General Permits (GP's) approvals, DEP Sewage Facilities Planning Module Exemption Acknowledgment, PPL Encroachment Agreement, ECTA water and sewer service extension approvals, PennDOT Signal Permit approval for the signalized of the intersection, Highway Occupancy Permit (HOP) approval for the minimum use driveway for emergency access onto Colonel Howard Boulevard which will also serve as the temporary construction access, and PennDOT HOP's for all utility work within the PennDOT right-of-way. Discussions continued. The plan is moving forward. Mr. Heeb noted they are very close on closing each one of the outside agencies issues, and noted that they will be able to address all items within the latest Becker Engineering review letter dated August 15, 2017, with the exception of Note #12 concerning the PP&L overhead wire

**BOARD OF SUPERVISORS MEETING  
THURSDAY, AUGUST 17, 2017**

**LAND PLANNING ENGINEER:**

***(CONTINUED)***

**UGI PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION PLAN:**

issue. Ms. Leicht discussed Note 12 (on page 5 of the August 15<sup>th</sup> Becker Engineering Review Letter), highlighting that UGI proposes overhead electric service to the site along the southwest side of Colonel Howard Blvd. crossing in the vicinity of the proposed signalized intersection and then proceeding underground along Pepperidge Blvd. to the proposed building. Ms. Leicht stated that going underground with all of the wiring along this route would be a large expense, and stated they have not seen anything in the Township ordinance stating they had to go underground with the wiring. Mr. Russell and Mr. Lied clarified that the issues regarding underground electric and the coordination with the intersection improvements were previously identified in the prior Becker review dated June 23, 2017, discussed with the Planning Commission and discussed at technical review meetings with UGI and their consultants. Mr. Russell indicated that the Township was initially told UGI wanted underground electric service, but that they can't control PPL. Mr. Russell stated that it was only after the proposed overhead lines were shown on the follow-up submission and shifted to result in additional conflicts that the Township followed up again and was then told that it is a cost issue. Mr. Russell noted he had recent discussions with Benderson, and Benderson indicated their concerns with the adverse impacts of particular overhead wires and poles within the area of the signalize intersection and associated grading as depicted on Benderson's plan set. Mr. Russell explained the concerns regarding future complications associated with relocating the overhead service. Mr. Stahovich had indicated that a budget was set already for UGI, and to move the wires underground is very expensive. Secretary Fortna indicated that part of the basis of granting the LERTA was the understanding of the costs to place the wires underground and extend utilities to the site. Mr. Russell highlighted that it would be less than 1,000 feet along Colonel Howard Blvd. to place underground wires, and approximately a couple hundred feet for along Pepperidge Farm Blvd.; stating that UGI could go aerial along Pepperidge Blvd. that it would not have no impact on the intersection or on the grading at Benderson, and go underground along Colonel Howard Blvd. and swap or balance costs. Mr. Goodman stated he has reviewed other cases similar, but the cases are not applicable with UGI's situation.

The comment related to the dedication of park and open space or payment of the fee in-lieu-of park and open space land dedication was also raised by UGI and Ms. Leicht. UGI indicated they wanted to provide an on-site trail for their employees and be credited for the construction cost of the trail, but did not want to make it accessible to the general public. Ms. Leicht indicated that it was her position that the construction of private recreation facilities should count towards the Township's requirement. Mr. Lied indicated that the Township has not historically entered into agreements with applicants/developers and given any credit for private park and open spaces improvements if they are not available to the public. The Township noted that the on-site trail approach was only recently raised by the applicant and that further discussions may be possible with respect to public access and any potential credit.

On August 14, 2017, the Township received the Ephrata Borough sanitary sewer conveyance and treatment capacity letter and notified the applicant's consultant (BL Companies) that the DEP Postcard was available for pick-up. Mr. Heeb indicated he will take the signed DEP postcard and coordinate the submission to DEP. Mr. Stahovich stated that the PennDOT emergency access signal permit plan just needs signed by the property owner; also second red-mark comments were received from PennDOT concerning the Signal Permit Plans and the permit should be received in September. Discussions continued. As a result of the various project discussions, the Board of Supervisors passed the following motions:

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to authorize the Board of Supervisors to sign the Stormwater Maintenance and Easement Agreement (SWMEA) when executed by the applicant and submitted to the Township in a form acceptable to the Township Solicitor. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING  
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**LAND PLANNING ENGINEER:**

***(CONTINUED)***

**UGI PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION PLAN:**

**MOTION:** Vice Chairman Fry made a motion, seconded by Secretary Fortna, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) with accompanying financial security, when executed by the applicant and submitted to the Township in a form acceptable to the Township Solicitor, and along with the required accompanying financial security in an amount as determined acceptable by the Township and Township Engineer, based on the review of the Opinion of Probable Construction Cost. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to conditionally approve the UGI Corporate Headquarters Preliminary/Final Land Development Plans/Lot Annexation, dated January 25, 2017, last revised July 2, 2017, conditioned upon the applicant addressing the outstanding items outlined in the Becker Engineering review letter dated August 15, 2017 to the satisfaction of the Township, Township Solicitor and Township Engineer, including the following clarified conditions, prior to signature and release of the plans for recording, unless noted otherwise within the condition. All applicable ordinance sections are as referenced within the Becker Engineering review letter dated August 15, 2017, which is incorporated by reference herein and made a part hereof:

- (1) The applicant shall pay the required Transportation Impact Fee of \$273,672.00 in accordance with Ordinance 2011-01, prior to the Township issuance of a building permit for the project.
- (2) The applicant shall provide the Township written approval and acknowledgment from PPL pertaining to the proposed encroachments and site improvement within or adjacent to the existing electric lines and associated easement related to the subject property.
- (3) The applicant shall provide a copy of the PADEP Sewage Facilities Planning Module exemption approval for the project.
- (4) The applicant shall obtain approvals from ECTA as it relates to all aspects of the public water and sanitary sewer improvements required to service the project.
- (5) The applicant shall ensure the PCSM Plans are consistent with the Land Development Plans in all aspects and updated to address impacts associated with comments outlined within the Becker review dated August 15, 2017, and the applicant shall provide a copy of the DEP/LCCD NPDES permit approval for the full scope of the project.
- (6) The applicant shall provide copies of all required environmental encroachment permits and/or agencies authorizations, including any required Chapter 105 Permits, from LCCD/DEP and/or the Army Corps, required for the installation of the proposed site improvements depicted on the plans.
- (7) The applicant shall ensure the Erosion and Sedimentation Control Plans are consistent with the Land Development Plans in all aspects and updated to address impacts associated with comments outlined within the Becker review dated August 15, 2017, and the applicant shall provide a copy of the LCCD acknowledgement confirming adequacy of the Erosion and Sedimentation Control Plan, per applicable Chapter 102 regulations.
- (8) The applicant shall pay the required fee in-lieu-of the dedication of land for park and open space equal to \$109,590.00 per Section 194-46.
- (9) The applicant shall provide a copy of the PennDOT minimum use driveway permit for the proposed construction access and emergency access connecting to Colonel Howard Boulevard.
- (10) The applicant shall provide copies of all the PennDOT utility occupancy permits for all utility service improvements supporting the project that impact PennDOT's existing right-of-way.
- (11) The applicant shall obtain and provide a PennDOT Signal Permit and any associated PennDOT Highway Occupancy Permit(s) for the proposed signalization of Colonel Howard Boulevard and Pepperidge Boulevard. All proposed improvements related to the required signal and associated features as detailed on the Signal Permit Plans and Signal Construction Plans shall be as deemed acceptable to the Township and PennDOT.

**BOARD OF SUPERVISORS MEETING  
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**LAND PLANNING ENGINEER:**

***(CONTINUED)***

**UGI PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION PLAN:**

- (12) The applicant shall develop a written construction traffic control plan which is evaluated and determined to be acceptable to the Township to clarify how construction traffic will be routed to and from the site until the proposed primary access onto Pepperidge Boulevard is established and functioning. Any traffic control plan shall address impacts to existing Township roadways to the satisfaction of the Township, and the Township shall be provided copies of any agreements related to authorizing the use of any access drives or roadways owned by private parties.
- (13) The applicant shall install the proposed electric and similar associated utilities along Colonel Howard Boulevard underground to service the proposed UGI project site and associated intersection signalization improvements per Sections 194-24.D., 194-14.D.(4), 194-14.E.(13), 194-2 and 194-25.A.(3).
- (14) The applicant shall provide the Township with a USB drive(s) containing complete electronic copies of all project related information as outlined in the Becker letter dated August 15, 2017, comment 2 under General on page 11, and in the formats identified.
- (15) The applicant shall acknowledge the acceptance of the conditions of approval by signing and submitting a copy of Appendix No. 8, "Acceptance of Conditions Upon Approval of Subdivision and/or Land Development" of the East Cocalico Township Subdivision and Land Development Ordinance, within the time frames outlined within Section 194-10.K.(3).

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to authorize the Board of Supervisors to sign the plans when updated to resolve conditions of approval, executed and certified by all necessary parties and submitted to the Township in a form acceptable to the Township and Township Solicitor along with all other associated required legal documents. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

Mr. Lied noted that within these conditions, UGI should sign and return the Appendix No. 8, Acceptance of Conditions Upon Approval of Subdivision and/or Land Development to the Township by September 8, 2017.

**ROADMASTER: 2018 ROAD MATERIALS QUOTES:** 20 Tons Cold Patch Asphalt, 100 Tons 19 mm HMA Binder Course Asphalt, 175 Tons 9.5 mm HMA Wearing Course Asphalt, 100 Tons 25 mm HMA Base Course Asphalt, 3,900 Tons Aggregate consisting of: 1,500 ton #2 anti-skid, 250 ton R-5 Rip-Rap, 150 ton #8 aggregate, 250 ton #57 aggregate, 250 ton #2RC aggregate, 1000 ton #2A aggregate, 250 ton #3 aggregate, 250 ton #4 aggregate.

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, approved the cold patch to the H&K Group and all remaining aggregates and bituminous to New Enterprise Stone & Lime Co. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**POLICE DEPARTMENT:** Chief Arment will highlighted the Police Dept. report at the next meeting.

**SEWAGE ENFORCEMENT OFFICER (SEO):** Nothing to report.

**TREASURER'S REPORT:**

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the 8/17/17 list of bills as presented: General Fund \$19,351.16; State Fund \$10,724.47; Denver Road Bridge Project/State Fund \$5,114.29. Some bill items were questioned, which the Board of Supervisors explained. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

## **BOARD OF SUPERVISORS MEETING THURSDAY, AUGUST 17, 2017**

**ZONING OFFICER:** Mr. Luongo highlighted the Zoning Officer's Report for July 2017: 34 applications, 27 permits issued, 13 in review, and 15 for pickup. Certificates of Occupancy: 27. Alarm Ordinance Enforcement: 11 False Alarm Violations. ZONING HEARING BOARD: June: 310 N. Ridge Rd. requests a Special Exception seeking approval to operate a one chair hair salon as a home occupation. Granted with conditions. July: (1) 521 Harolds Hill requests a Special exception seeking approval to erect ECHO Housing on the property. Granted with conditions. (2) 746 White Oak Rd requests special exception for approval to operate a Landscaping Business. CODE ENFORCEMENT: (1) 285 Reinholds Rd., violation concerning non-permitting of a Home Occupation. (2) 320 Brunnersgrove Rd., violation concerning excavation within the riparian buffer zone without permitting. (3) 745 N. Reading Rd., violation concerning impervious area additions without stormwater management plan or approved earth disturbance permit. OTHER ITEMS: (1) 2194 N. Reading Rd., Citgo Station, issued a notice to repair two light poles onsite. (2) 2 Denver Rd., Turkey Hill, applied for a transfer of liquor license from Black Horse. (3) 2595 N. Reading rd, discuss renovations and maintenance of existing stormwater facilities. (4) Letter issued to two residents concerning the countywide reassessment of properties. (5) Zoning Officer attended meeting of Lancaster County Zoning and Building Permit Officials. (6) 1 W. Church St., met with owner to discuss repairs of apartment house. • Mr. Mitchell noted that there is an auction scheduled for Saturday across the corner from Weaver's Market and heard they might be expecting a large crowd. Mr. Mitchell inquired if the Township has heard anything from the Auction House concerning traffic and parking. Mr. Luongo stated he will look into this and alert the Police Chief.

**SOLICITOR:** Nothing to report.

**SUPERVISORS:** Chairman Mackley recommended donating to the Historical Society of Cocalico Valley.

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve donating \$75.00 to the Historical Society of Cocalico Valley. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**TOWNSHIP MANAGER:** Mr. Russell highlighted the 8/3/17 through 8/16/17 Manager's Report. The Church Street signal permit update and discussions held concerning the emergency pre-emption: North Reading Road (SR 0272) and West Church Street (SR 1051). Rettew submitted their scope of services for the (1) Traffic Signal warrant Study (Phase 651), (2) Traffic Signal Design (Phase 652), (3) Highway Occupancy Permit (HOP) Plans (Phase 659), and (4) Topographic Survey (Phase 901).

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve Rettew proposal for the traffic signal upgrade project at N. Reading Rd. and W. Church St. for a total of \$26,100.00. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

Police Department Township parking lot repaving quote received from Martin Paving. The Highway Department will do all of the pavement and stone removal.

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to accept the Martin Paving Inc. proposal for the patching of the Police Department Township parking lot for \$6,905.00. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

Consideration to purchase a new copier from Conestoga.

**MOTION:** Vice Chairman Fry made a motion, seconded by Secretary Fortna, to accept the proposal from Conestoga Business Solutions for a 2016 showroom demo model: Xerox 7845i with a five year warranty for \$5,995.00. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

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**TOWNSHIP MANAGER:**                      ***(CONTINUED)***

The Denver Road Bridge schedule is pushed back by about one month with the estimated bridge opening moving to the end of November or the first week of December. • August 15<sup>th</sup> Recreation Board Meeting was cancelled. The Cocalico Youth Soccer Club will be in attendance at the September meeting. • Mr. Russell highlighted the May thru July 2016 vs. May thru July 2017 revenues and expenses. • Pool working group meeting was held August 14<sup>th</sup> to review the 2017 pool season. • Mr. Russell discussed the draft 'blanket' UGI restoration agreement. It was noted that UGI has utilized with other municipalities the same thing. Becker Engineering has completed their review of the gas installation plans and comments were discussed in a recent meeting with UGI. The agreement will be reviewed with the Solicitor and will be ready for consideration at the September 7<sup>th</sup> meeting. • Mr. Russell highlighted the remainder of his report. Some discussions and questions were received concerning the pool, which the Board of Supervisors explained.

Chairman Mackley announced that the next Board of Supervisors Meeting is September 7, 2017 at 7:30pm and held at the Smokestown Fire Co., 860 Smokestown Rd., Denver, PA 17517.

**EXECUTIVE SESSION:** None.

**ADJOURN:**

**MOTION:** There being no further business to come before the Board, Secretary Fortna made a motion seconded by Vice Chairman Fry to adjourn the meeting at 9:44 p.m. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

Respectfully submitted,

Noelle B. Fortna  
Board of Supervisor Secretary