

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

## **AGENDA**

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

**THURSDAY, SEPTEMBER 7, 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 17, 2017
- **MS-4 DISCUSSION:** MIKE LASALA PRESENTATION - CONSIDER ADOPTION OF THE POLLUTION REDUCTION PLAN, RESOLUTION 2017-14
- **ROADMASTER**
  - AUGUST 2017 ROADMASTER REPORT
- **POLICE DEPARTMENT**
- **SEWAGE ENFORCEMENT OFFICER**
- **TREASURER'S REPORT**
  - AUTHORIZE LIST OF BILLS
- **ZONING OFFICER**
- **SOLICITOR**
- **LAND PLANNING ENGINEER**
  - UGI HEADQUARTERS: REQUEST TO RECONSIDER CONDITIONS OF APPROVAL #8 AND #13
  - HEATHERWOODS PH 3, 4 AND 5: DEP SEWER PLANNING EXEMPTION
  - COCALICO MENNONITE CHURCH: SECURITY RELEASE
  - COCALICO COMMUNITY CHURCH: CONDITIONAL SWM PLAN APPROVAL
- **TRANSPORTATION ENGINEER**
- **SUPERVISORS**
  - CONSIDERATION TO CONDITIONALLY HIRE HIGHWAY DEPARTMENT EQUIPMENT OPERATOR
- **TOWNSHIP MANAGER**
  - MANAGERS REPORT
- **EXECUTIVE SESSION** (IF NEEDED)
- **ADJOURN**

## **BOARD OF SUPERVISORS MEETING THURSDAY, SEPTEMBER 7, 2017**

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, September 7, 2017 at 7:30 p.m., held at the Smokestown Fire Company, 860 Smokestown Rd., 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,  
Assistant Road Master Chris Flory, and Recording Secretary Lisa A. Kashner

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

**Reporters:** Alice Hummer of the Ephrata Review and Val Laxis of the Reading Eagle

**Visitors\*:** Donny Stover, Randy Fox, Romao Carrasco, Wesley Hoover, Mike LaSala, Mark Stanley,  
Brian Wise, Brian Auker, Jeff Mitchell, Daniel Hibshman, Jane Webber, Harvey Achey,  
Monica Craig-Fry, Adeline Hibshman, Caraline Young, David Stahovich,  
Paula Leicht, Robert Fogarasi, and Joe Swope

\*Only visitors who signed in are listed.

Chairman Mackley asked everyone in attendance to rise and pledge allegiance to the Flag. • Mr. Mackley announced that an Executive Session was held tonight before this meeting for personnel discussion. No motions were made.

**PUBLIC COMMENT (NON-AGENDA ITEMS):** Nothing to report.

### **APPROVAL OF MINUTES:**

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the Thursday, August 17, 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 / RESOLUTION 2017-14:** Mr. LaSala of Land Studies was present. Resolution 2017-14 was before the Supervisors for the Nutrients/Sediment Pollutant Reduction Plan (PRP) and Chesapeake Bay Pollutant Reduction Plan (CBPRP). Mr. Russell noted that the draft was on display for public comment, and one comment was received relative to farming practices. Adoption of this resolution allows the Township to complete the Notice of Intent (NOI) application for the next MS4 permitting cycle. The NOI is due next week.

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to adopt Resolution 2017-14 the East Cocalico Township Nutrients/Sediment Pollutant Reduction Plan (PRP) and Chesapeake Bay Pollutant Reduction Plan (CBPRP). Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**ROADMASTER:** Assistant Roadmaster Chris Flory was present to highlight the August 2017 Roadmaster report: Ralumac was completed and the lines were painted on S. Reamstown Rd. • Repaired drain boxes on Cardinal, Trost, Industrial Way and Pepperidge Blvd. • Mowing park lands, the pool and started doing Heatherwoods since the contractor is not doing it. • Worked on a drainage swale along Holtzman Rd. • Repaired washouts on S. Reamstown, Bunker Hill, Holtzman and Black Horse Roads beside the bridges or pipes. • Picked up cold patch from Reading Blacktop Plant. • Placed about half the load of cold patch around drain areas that were low in the township. • Blacktopping areas needing repairs. • Repairing signs. • The highway mower started another round of mowing around the township. • Repairing equipment.

## **BOARD OF SUPERVISORS MEETING THURSDAY, SEPTEMBER 7, 2017**

**POLICE DEPARTMENT:** Chief Arment highlighted the August Police Department report.

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

### **TREASURER'S REPORT:**

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to approve the 9/17/17 list of bills as presented: General Fund \$99,405.13; State Fund \$20,749.11; Denver Road Bridge Project/State Fund \$103,435.53. 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)

**ZONING OFFICER:** The Zoning Officer's Report will be highlighted at the next Board of Supervisors Meeting.

**SOLICITOR:** Nothing to report.

### **LAND PLANNING ENGINEER:**

**UGI CORPORATE HEADQUARTERS - PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION PLAN:** David Stahovich, Paula Leicht, Robert Fogarasi, and Joe Swope were present for this plan. Mr. Lied highlighted the current status of the project and noted that there were various correspondence and communication between the Township Solicitor and Ms. Leicht today with regard to the request for reconsideration of the conditions. Ms. Leicht and Mr. Stahovich discussed their position on UGI's request for reconsideration of two of the prior conditions of approval, specifically Conditions #13 and #8. Ms. Leicht stated that in prior discussions with Mark Stanley, attorney for the Benderson development project, that UGI is open to meet with Benderson Project Manager and their Engineers. Mark Stanley indicated that Benderson representatives were unavailable to meet next week, but stated Benderson indicated they will be available for a local meeting the week of September 18<sup>th</sup>. The Supervisors noted they are encouraged with the apparent progress relative to coordinating the projects. Discussions were held. A coordination meeting between UGI and Benderson will be scheduled sometime during the week of September 18<sup>th</sup>.

Lengthy discussions were held concerning the specific wording of Condition #13 and possible alternate wording. Ms. Leicht stated that UGI is not prepared tonight to change their proposed revised language of Condition #13 (related to electric and utilities along Colonel Howard Boulevard). Lengthy discussions continued.

Lengthy discussions were also held concerning Condition #8. Ms. Leicht discussed the Park and Open Space Fee in-lieu-of Land Dedication; noting the estimated cost of the onsite trail proposed by UGI is \$55,000.00. Ms. Leicht indicated that UGI is willing to pay the remaining difference between the trail construction cost (\$55,000.00) and the required fee-in-lieu of (\$109,590.00) to the Township. Mr. Stahovich displayed a plan depicting the proposed walking trail, and noted that the obvious issue is the public versus private access. Dave expressed that UGI has a concern that if they agree to public access for the trail, that UGI's employee parking area could end up being used as a park and ride area. Mr. Stahovich stated that UGI wants to keep the area a private setting for their employees, and then pay the balance to the Township as a fee in-lieu-of. Secretary Fortna encouraged UGI to place private parking signage to prohibit unauthorized parking. Discussions were held in reference to the type of access to be provided with the option of restricted public access during normal business as another option with a check-in process with a security person available during normal business hours.

The Supervisors noted the Township wants UGI to come to East Cocalico Township and the project to be a success. Comments and discussions were held, and lengthy discussions continued. As a result of the various project discussions, the Board of Supervisors passed the following motions:

**BOARD OF SUPERVISORS MEETING  
THURSDAY, SEPTEMBER 7, 2017**

**LAND PLANNING ENGINEER:      (CONTINUED)**

**UGI CORPORATE HEADQUARTERS - PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION PLAN**

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to approve amending Conditions 8 and 13 of the prior conditional plan approval granted by the Board of Supervisors for the UGI Corporate Headquarters Preliminary/Final Land Development Plans/Lot Annexation, on August 17, 2017, as follows:

**Condition #8**

The Applicant shall provide a Walking Trail to its property and at a cost comparable to the recreation fee of \$109,590.00. If the Walking Trail is not constructed, UGI shall pay the recreation fee of \$109,590.00. The Walking Trail shall be accessible by restricted public access during normal business hours by the sidewalk system constructed adjacent to Pepperidge Farm Boulevard. In the event that the cost of the Walking Trail is not comparable to the recreation fee of \$109,590.00, the Applicant shall pay the difference between the cost of construction of the Walking Trail and \$109,590.00 (Section 194-46).

**Condition #13**

The Applicant shall install proposed utilities along Colonel Howard Boulevard to service the proposed UGI project site and associated intersection signalization improvements in such a manner as to not adversely impact the Benderson project and such utilities shall be designed by the Applicant to fully accommodate the current design of the Benderson Development. UGI shall coordinate directly with Benderson Development to share necessary design information to ensure that this condition is fully complied with. UGI shall also certify in writing that the design has fully complied with the intent of this condition for each utility before work on installing the utility begins. Finally, UGI shall verify during construction that the utilities are installed as design and shall validate the installation through use of as-built surveys of utilities installed in the public right of way (Sections 194-24.D., 194-14.D.(4), 194-14.E.(13), 194-2 and 194-25.A.(3)).

Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**HEATHERWOODS PHASE 3, 4, AND 5 – REVISED PRELIMINARY PLAN:** No one was present for this plan. Action needed by October 19, 2017. Mr. Lied noted that discussions were held at the Planning commission meeting. Capacity letters were received from the East Cocalico Township Authority (ECTA) and Ephrata Borough regarding collection, conveyance and treatment of the sanitary sewer.

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to authorize a representative of the Board of Supervisors to sign Section 8.d. of the DEP Sewage Facilities Post Card Exemption for “public sewage service” related to the Heatherwoods Phases 3, 4 and 5 Revised Preliminary Plan. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**COCALICO MENNONITE CHURCH STORMWATER PLAN – FINANCIAL SECURITY REDUCTION:**

No one was present for this plan. Mr. Lied noted that the applicant’s representative requests the release of the financial security being held by the Township related to the project and the recent completion of the required landscaping. Mr. Lied noted that the Zoning Officer recently conducted a site visit and determined that the landscaping and previously identified items were addressed. Mr. Luongo confirmed his satisfaction with the landscaping.

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the release of the remaining financial security currently being held by the Township related to the Cocalico Mennonite Church Stormwater Plan in the amount of approximately \$4,023.30. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING  
THURSDAY, SEPTEMBER 7, 2017**

**LAND PLANNING ENGINEER:**      *(CONTINUED)*

**COCALICO COMMUNITY CHURCH (Parking Expansion) STORMWATER MANAGEMENT PLAN:**

Randy Fox and two others representing the church were present for this plan. Mr. Lied provided an overview of the project and the proposed construction of an expanded parking area to accommodate approximately 54 additional parking spaces. Mr. Lied highlighted that the plan also shows grading for two active recreation/soccer fields. Mr. Lied noted the establishment of the fields were not previously discussed with the Township and Zoning Officer and that follow-up discussions would be necessary prior to establishing them. Mr. Fox indicated that the fields were added to the plan as the project was developing and are a possible future option. Mr. Fox noted that the work for the fields is not funded at this point, but the church figured it may be a way the church could help address the apparent need for local soccer fields within the community. Mr. Fox stated they would follow-up with Tony Luongo with respect to the fields prior to proceeding with that aspect of the project.

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve waiver/modification of §194-30.J. of the Subdivision and Ordinance related to curbing to eliminate curbing on portions of the perimeter of the proposed parking lot where it is not necessary to control stormwater runoff. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to approve waiver/modification of §194-30.P.1. of the Subdivision and Land Development Ordinance to authorize the parking lot layout to provide a single row of 11 spaces without a landscaped island. 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 Chairman Mackley, to approve waiver/modification of §194-30.R. of the Subdivision and Land Development Ordinance related to the size of over-sized parking spaces to authorize the installation of an over-sized space 12' wide by 35' long. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to conditionally approve the Stormwater Management Plan for Cocalico Community Church conditioned upon the applicant addressing all items outlined in the Becker Engineering, LLC. review letter dated September 1, 2017 to the satisfaction of the Township, Township Zoning Officer, Township Engineer and Township Solicitor, and the prior authorization with the Township Zoning Officer prior to construction. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to authorize the Board of Supervisors to sign the Improvement Guarantee Agreement (IGA) with accompanying financial security and the Stormwater Maintenance and Easement Agreement (SWMEA) related to the Stormwater Management Plan for Cocalico Community Church, 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)

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to authorize signature of the Stormwater Management Plan for Cocalico Community Church by the Board of Supervisors upon the applicant adequately resolving all conditions of plan approval to the satisfaction of the Township, Township Engineer and Township Solicitor, including the establishment of financial security in the amount determined acceptable to the Township and Township Engineer. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**TRANSPORTATION ENGINEER:** Nothing to report.

## **BOARD OF SUPERVISORS MEETING THURSDAY, SEPTEMBER 7, 2017**

**SUPERVISORS:** Consideration to hire a full time Highway Department Equipment Operator for a 40-hour equipment operator/laborer, contingent upon the Township receiving all CDL clearances including negative CDL drug test results from the previous employer. He will also be required to pass a current pre-employment CDL random drug test. Part-time work will begin on September 22, 2017 and during that time of part-time employment the individual will be limited to operate non-CDL equipment until all CDL clearances are received.

Another applicant was offered a part-time on-call position, pending a phone call confirmation. The part-time pre-employment CDL random drug screen test will be a requirement of part time on-call employment.

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to conditionally hire the individual discussed tonight with the conditions set forth in the offer letter with the date of full time employment pending upon the conditions being met. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

**TOWNSHIP MANAGER:** Mr. Russell highlighted the 8/17/17 through 9/6/17 Manager's Report: UGI Get Gas project in East Cocalico Heights meetings held concerning the gas project and restoration work. An agreement will be reviewed with the solicitor, pending consideration at the September 21<sup>st</sup> Board of Supervisors Meeting. • The August 15<sup>th</sup> Recreation Board Meeting was cancelled due to lack of quorum. At their September meeting the Cocalico Youth Soccer Club will be in attendance to discuss their proposal of building additional soccer fields. • Final review of 2017 Reamstown Pool financial numbers will be presented at the September 17<sup>th</sup> meeting. • Reviewed key meeting items.

**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 9:14 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