

EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING AGENDA

HELD AT EAST COCALICO TOWNSHIP, 100 HILL ROAD, DENVER, PA 17517

THURSDAY, OCTOBER 5, 2017 at 7:30 P.M.

- **MEETING CALLED TO ORDER AT 7:30 P.M.**
- **SCHEDULED VISITORS:** ADAMSTOWN PUBLIC LIBRARY ANNUAL REPORT PRESENTATION:
REPRESENTATIVE BOARD PRESIDENT MARJ HYRB AND LIBRARY DIRECTOR KATHY THREN
- **PUBLIC COMMENT** (FOR NON-AGENDA ITEMS)
- **APPROVAL OF MINUTES**
 - BOARD OF SUPERVISORS MEETING MINUTES: THURSDAY, SEPTEMBER 21, 2017
- **ROADMASTER:** HIGHWAY DEPARTMENT SEPTEMBER REPORT
- **POLICE DEPARTMENT**
- **SEWAGE ENFORCEMENT OFFICER**
- **TREASURER'S REPORT**
 - AUTHORIZE LIST OF BILLS
- **ZONING OFFICER**
- **SOLICITOR**
- **LAND PLANNING ENGINEER**
 - WABASH LANDING: REACKNOWLEDGE APPROVAL
 - FOX BROOKE: TIME EXTENSION
 - TRU-DENVER: WAIVER/MODIFICATION AND CONSIDER CONDITIONAL APPROVAL
 - UGI: AMEND CONDITIONS OF APPROVAL
 - PEPPERIDGE FARM: WAIVER OF LAND DEVELOPMENT
- **TRANSPORTATION ENGINEER**
- **SUPERVISORS**
 - DRAFT PENSION AND ACTUARY REQUESTS FOR PROPOSAL (RFPs)- DISCUSSION ONLY
 - GRAYBILL/ZIMMERMAN REZONING REQUEST
 - PEPPERIDGE FARM SIGNAL PERMIT
 - WATER AND SEWER AUTHORITY 2018 RENTAL AGREEMENT
 - ACCEPT RESIGNATION OF RALPH BUCKLES FROM THE RECREATION BOARD
- **TOWNSHIP MANAGER**
 - MANAGER REPORT
 - NAPIERVILLE ROAD TRUCK ISSUE
- **EXECUTIVE SESSION** (IF NEEDED)
- **ADJOURN**

BOARD OF SUPERVISORS MEETING THURSDAY, OCTOBER 5, 2017

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, October 5, 2017 at 7:30 p.m., held at East Cocalico Township, 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, Police Chief Arment, Zoning Officer Tony Luongo, and Recording Secretary Lisa A. Kashner

Engineer: Brent Lied

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

Visitors*: David Stahovich, Daniel Hibshman, Ken McCrea, M. Zimmerman, David Bitner, Monica Craig-Fry, Aaron Martin, Kathy Thren, Brian Wise, Jeff Mitchell, Romao Carrasco, Shakher Patel, Steve Brubaker, Roy Zimmerman, and Kathleen O'Connell

*Only visitors who signed in are listed.

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

SCHEDULED VISITORS: Library Director Kathy Thren and Board President Marj Hyrb were present. Ms. Thren discussed and reviewed the Adamstown Public Library's annual report with a slide presentation. The new library will triple their current interior and parking space, with a gathering place for the community for life-long learning, more children's programs and story times, more computers, technical assistance and training, handicapped accessibility, a separately accessible Community Room for library programs, business training use, community meetings, and rental area for family events. Their mission is to provide commitment to the community. They hope to raise adequate funds by the end of this year to authorize and begin construction. The Supervisors thanked them for everything they do.

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, September 21, 2017 Board of Supervisor meeting minutes. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

ROADMASTER: Assistant Road Master Chris Flory highlighted the September 2017 Highway Report: Continuing with repairs on the roads in the forms of patching and scraping road edges. ● Painting guide rails and railings in the township. ● Place some dirt and seeded areas around Stoney Pointe Park and throughout the township. ● Working on drainage swales and gutters. ● Fichthorn Electric looked at hooking up new propane heaters that were installed in the shop. ● Looked into office complaints on sight distance. PennDOT was contacted. ● Repair or replace signs in the township. ● Cleaning leaves from drains. ● Finished highway mowing and we will need to send the mower away again at the end of the season for another clutch. ● Prepare the police station parking lot for paving repairs. ● Starting to close up the pool, winterize, remove screens, put the cover on.

POLICE DEPARTMENT: Chief Arment highlighted the September 2017 Police Department Report.

SEWAGE ENFORCEMENT OFFICER (SEO): Nothing to report.

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TREASURER'S REPORT:

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the October 5, 2017 list of bills as presented: General Fund \$84,070.88; State Fund \$10,147.47; Denver Road Bridge Project/State Fund \$5,773.77; Capital Reserve Fund/Rt. 272/Church Street \$461.75. 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:

WABASH LANDING - PHASE 1 FINAL SUBDIVISION AND LOT ADD-ON PLAN: Mahlon Zimmerman was present for this plan. Mr. Lied briefly highlighted the plan noting that the final legal documents are currently being coordinated between the Township Solicitor and the applicant's attorneys and the applicant is pursuing the required financial security. Mr. Lied explained that the Board of Supervisors previously granted approval of the plan on August 3, 2017, but the Lancaster Recorder of Deeds has a policy that requires plans to be recorded within 90 days of approval. As a result of the time that has passed and the anticipated time to obtain the financial security, it is recommended that the Supervisors re-acknowledge approval to restart the 90 day period.

MOTION: Chairman Mackley made a motion, seconded by Secretary Fortna, to re-acknowledge approval of the Wabash Landing - Phase 1 Final Subdivision and Lot Add-On Plan, as last revised August 2, 2017, conditioned upon the applicant signing and submitting all required legal documents including the Developer's Agreement, and authorize for the Board of Supervisors to sign the plans when executed and certified by all necessary parties and submitted to the Township in a form acceptable to the Township and Township Solicitor. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

FOX BROOKE – PRELIMINARY SUBDIVISION AND LAND DEVELOPMENT PLAN (10/08/17): No one was present for this plan. Mr. Lied briefly highlighted that the Township received a time extension offer from the applicant's attorney dated September 28, 2017 offering to extend the deadline for 90 days. Mr. Lied also noted that the applicant's traffic consultant recently submitted updated information to PennDOT relative to the on-going Highway Occupancy Permit process.

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to accept the 90-day time extension offer received from you dated September 28, 2017, which will extend the deadline for action on the Fox Brooke Preliminary Subdivision and Land Development Plan until January 6, 2018. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

TRU-DENVER – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN (11/16/2017): Dave Bitner of RGS and Shaker Patel, applicant, were present for this plan. Mr. Lied highlighted the plan and project and status of the ongoing permitting process. Mr. Lied indicated that various outside agency approvals have been obtained by the applicant and applicant's consultant. These included an NPDES Permit and Erosion and Sedimentation Control approval from LCCD/DEP, that Sewage Facilities Planning Exemption from DEP, and a draft PennDOT Highway Occupancy Permit for the proposed removal of the existing driveway onto Route 272. Mr. Lied noted that the applicant has been working with ECTA and CDM-Smith to obtain necessary approvals related to water and sanitary sewer. Mr. Lied explained that the project includes various waiver/modifications all of which have been reviewed by staff and recommended for approval by the Planning Commission. The Planning Commission

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TRU-DENVER – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN (CONTINUED)

also recommended conditional approval of the plans. Mr. Lied outlined each waiver request for consideration of the Board of Supervisors. Following the explanation and discussions relative to the waiver/modifications, the Board of Supervisors took the following action.

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to approve a waiver/modification of §194-9 and related sections of the Subdivision and Land Development Ordinance to authorize the plan to be reviewed as a single submission meeting all applicable requirements of both Preliminary and Final Plan. 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 approve a waiver/modification of §194-14.A.(1) of the Subdivision and Land Development Ordinance to authorize the plan to be drawn at a scale of 1" = 30'. 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 approve a waiver/modification of §194-25.L.(5) and related sections of the Subdivision and Land Development Ordinance to authorize the utilization of a 75' clear sight triangle for the proposed access drives. 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 Secretary Fortna, to approve a waiver/modification of §194-28.D.(2) of the Subdivision and Land Development Ordinance to authorize the proposed northern access drive to be setback 84' from the intersection of the street right-of-way lines. 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 Secretary Fortna, to approve a waiver/modification of §194-30.N.(2) of the Subdivision and Land Development Ordinance to authorize the required landscape strip along Colonel Howard Boulevard to be shifted internal to the site to avoid conflict with the existing utility easements. 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 approve a waiver/modification of §194-30.P.(1) of the Subdivision and Land Development Ordinance to authorize the installation of 11 parking spaces in a row along the N. Reamstown Road without an internal 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 Vice Chairman Fry, to approve a waiver/modification of §194-33.A.(1) of the Subdivision and Land Development Ordinance to authorize the elimination of concrete vertical curbing along a portion of the N. Reamstown Road between the proposed access drives and along Colonel Howard Boulevard, as currently shown on the plans. 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 approve a waiver/modification of §194-33.E.(1) of the Subdivision and Land Development Ordinance to authorize the use of 18" vertical concrete curb consistent with current PennDOT standard, in lieu of the 22" Township standard. 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 approve a waiver/modification of §194-41.C. of the Subdivision and Land Development Ordinance to authorize the spacing of the required

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TRU-DENVER – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN (CONTINUED)

street trees to exceed the maximum 50' standard in order to avoid existing utility conflicts, conditioned on the correct total number of trees being provided on the site to the satisfaction of the Township.. 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 approve a waiver/modification of §194.14.D.(9) to authorize the submission of detailed enlarged plan views with spot elevations to identify improvements to the existing streets in lieu of detailed roadway cross-sections every 50'. 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 approve a waiver/modification of §194-30.R.(1) and §194-30.R.(4) to authorize a change in the size and style of over-sized parking spaces to allow the spaces to be “back-in” style with two spaces at 70' x 12', five spaces at 40' x 10', and two spaces at 26' x 9'. 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 a waiver/modification of §185-23.A.(2)(C) of the Stormwater Management and Earth Disturbance Ordinance to authorize the maximum loading rates for stormwater volume control facilities in non-Karst areas to exceed 8:1, conditioned upon the applicant's Geotechnical Engineer confirming that the design as presented on the final plans is consistent with all site specific recommendations and guidance as identified by the Geotechnical Engineer. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

Following discussions relative to the waiver/modifications the Board of Supervisors took the following action relative to the plan:

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to Grant conditional plan approval of the Tru-Denver Preliminary/Final Land Development based on the applicant addressing all items outlined in the Becker Engineering review letter dated October 3, 2017, and supplemental comments to be provided by Scott Russell to the satisfaction of Township, Township Engineer and Township Solicitor. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

UGI CORPORATE HEADQUARTERS – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN/LOT ANNEXATION: Dave Stahovich and Aaron Martin were present for this plan. Mr. Lied briefly highlighted the plan and project status. Mr. Lied noted that a pre-construction meeting was held earlier in the day, and the applicant is continuing to proceed to address the prior conditions of approval. Mr. Lied explained that the current request is to amend the time frame with respect to the satisfaction of two conditions. The applicant is requesting that conditions No. 4 (ECTA approvals) and No. 10 (Utility Highway Occupancy Permits) not be required to be satisfied prior to recording of the plan. Mr. Lied outlined that the recording of the plan is a critical step in order to allow UGI to secure ownership of the add-on portion of property from the Turnpike Commission. The acquisition of the Turnpike add-on portion of the property is necessary to commence construction of the primary access drive to the property. It was noted that earlier in the day UGI obtained approval from PPL relative to the proposed encroachments within their utility right-of-way. As a result, the previously requested relief relative to the timing of that item (Condition No. 2) is no longer necessary.

Mr. Lied explained that since the one condition relates directly to the ECTA and their approvals, the Township spoke with ECTA to confirm they are not opposed to the Board of Supervisors amending the timing requirement for ECTA's approval. Mr. Lied and Mr. Russell stated that ECTA responded to the Township confirming they are not opposed to the Board of Supervisors granting the requested amendment, although they requested that the Township read the following during the meeting: *“UGI has not met all Authority's conditions for construction of*

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UGI CORPORATE HEADQUARTERS (CONTINUED)

the water and sanitary sewer infrastructure. Until those conditions are met all work performed by UGI related to public water and sanitary sewer improvements is at risk. The Authority will not be held responsible or waive any requirements for water and sanitary sewer work begun without final Authority approval." Chairman Mackley asked Mr. Stahovich if he has any questions or concerns with regard to the ECTA statement. Mr. Stahovich indicated he does not, and further clarified that UGI has no intention of installing any water and sanitary sewer facilities prior to obtaining ECTA approval. After some discussions, the Board of Supervisors took the following action.

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to amend the timing requirement related to the satisfaction of Conditions of Approval No. 4 and No. 10 for the UGI Corporate Headquarters Preliminary/Final Land Development Plans/Lot Annexation, as originally granted on August 17, 2017, and subsequently amended on September 7 and 21, 2017, so as to authorize the final plan to be recorded prior to the satisfaction of these conditions. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

PEPPERIDGE FARM – WAIVER OF LAND DEVELOPMENT: No one was present for this plan. Mr. Lied briefly explained the scope of the project, which includes the construction of a proposed 60' x 124' engine room at the existing production plant located at 2195 North Reading Road. Mr. Lied noted that in light of the nature of the proposed engine room (ammonia refrigeration system) and to insure safety concerns were adequately being addressed, the Zoning Officer and Fire Marshall, Harvey Achey, attended an on-site meeting to be informed about the project, the equipment proposed and associated safety measures being implemented. Mr. Luongo confirmed that the Fire Marshall was satisfied with the information provided and that his questions and concerns were addressed. Mr. Luongo noted that the Fire Marshall stated that the system being proposed is smaller than other similar systems currently in operation within the Township. Mr. Lied stated that the Planning Commission previously recommended conditional approval of the waiver of Land Development for the project. Following the discussions the following motion was passed:

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve a waiver of §194-9 and §194-10 of the Subdivision and Land Development Ordinance related to the requirement to process a Land Development Plan for the Pepperidge Farm Engine Room Expansion Project, conditioned upon the applicant satisfying the following:

- (1) The applicant obtaining Township approval of a Stormwater Management Plan for the project and associated earth disturbance and signing and recording a Stormwater Maintenance and Easement Agreement.
- (2) The applicant obtaining any required NPDES permit approval from LCCD/DEP for the project.
- (3) The applicant obtaining an acknowledgement letter from the LCCD confirming the adequacy of the proposed erosion and sedimentation control measures.
- (4) The applicant performing any necessary maintenance items identified by the Township associated with the existing stormwater management facilities located on the property to the satisfaction of the Township and Township Engineer.
- (5) The applicant confirming that all new or modified site lighting shall be full cutoff fixtures complying with applicable Township Zoning standards.
- (6) The applicant complying with all other regulatory standards including noise standards of the Zoning Ordinance and amending their Industrial NPDES permit, if applicable.

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

TRANSPORTATION ENGINEER: Nothing to report.

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SUPERVISORS:

GRAYBILL/ZIMMERMAN REZONING REQUEST: Roy Zimmerman was in attendance for this plan. A request has been received to rezone parcels to Light Industrial. The owners are Graybill and Mr. Zimmerman. They are currently zoned Suburban Residential.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, acknowledge receipt of the modified Graybill/Zimmerman rezoning request and to forward the request to the East Cocalico Township Planning Commission and the Lancaster County Planning Commission for review and comment. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

DRAFT PENSION & ACTUARY REQUESTS FOR PROPOSAL (RFPs): The draft proposal is prepared for review and comment. Mr. Russell noted that this is an extensive proposal for pension services and a second proposal for actuarial services for the pension program, along with Exhibits A (Act 44 Disclosure Form) and B (Policies and Procedures for the Procurement). Mr. Russell introduced the proposals noting the creation of a Pension Advisory Board for making recommendations, the advertising process, and the hiring of a firm for specific services. The packet was sent to the Township's CPA firm for review and feedback. Action on the item is after the CPA's comments. Discussion and questions continued, which were answered.

PEPPERIDGE FARM SIGNAL PERMIT: Revised permit plan sheets were received for the Colonel Howard Boulevard & Pepperidge Drive intersection.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve and execute the Pepperidge Farm signal permit. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

WATER AND SEWER AUTHORITY 2018 RENTAL AGREEMENT: Proposed no rental increase.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve and execute the 2018 Water and Sewer Rental Agreement, with no change from 2017, and send to the Authority. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

RESIGNATION OF RECREATION BOARD MEMBER: Ralph Buckles wrote a letter to resign from the Recreation Board; he will continue in capacity on the Planning Commission.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to accept with regrets the resignation of Ralph Buckles from the Recreation Board. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

Chairman Mackley read a letter of retirement letter from Kenny Eshleman; his last day with the Township will be December 31, 2017, with his last day of working being November 22, 2017.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to accept with regrets the retirement letter received from the Road Master, Kenny Eshleman. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

TOWNSHIP MANAGER: Mr. Russell highlighted the Manager's Report dates covering 9/21/17 to 10/4/17: (1) UGI GET Gas East Cocalico Heights update- Agreement was sent to UGI on September 25th. Waiting on UGI to execute the agreement and request a Road Occupancy Permit. (2) PennDOT contacted the Township about the posted speed limit along Stevens Road. They will be raising it from 35 mph back up to 40 mph (as previously posted). (3) Morganshire update: Basin conversion work has started. Roadway was re-marked on 10/3

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TOWNSHIP MANAGER: *(CONTINUED)*

for areas to patch. Paving should start in next two weeks. (4) Truck complaints along Napierville Road from the Hinkletown Quarry (New Enterprise). (5) The Recreation Board had further discussions on the Stoney Pointe Park Community Build project; funding to include DCNR grants. Onsite parking needs were discussed. The November Rec Board meeting will be advertised inviting the community to hear about the project and to solicit interest in participating. Their October meeting will serve as a rehearsal for the November meeting. A door handout will be distributed to the nearby Stoney Pointe Park communities. (6) Township phone system service contract ends at the end of the month. Co-star quotes for phone upgrade recommendation to be at the next Board of Supervisors Meeting.

EXECUTIVE SESSION: None.

ADJOURN:

MOTION: There being no further business to come before the Board, Vice Chairman Fry made a motion seconded by Secretary Fortna to adjourn the meeting at 9:51 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