

EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING AGENDA

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

THURSDAY, MARCH 16, 2017 at 7:30 P.M.

- **MEETING CALLED TO ORDER AT 7:30 P.M.**
- **ANNOUNCE EXECUTIVE SESSIONS FOR TOWNSHIP MANAGER INTERVIEWS**
- **PUBLIC COMMENT**
- **APPROVAL OF MINUTES:**
 - BOARD OF SUPERVISORS MEETING MINUTES: TUESDAY, MARCH 2, 2017
- **POLICE DEPARTMENT**
- **SEWAGE ENFORCEMENT OFFICER**
- **TREASURER'S REPORT**
 - AUTHORIZE LIST OF BILLS
- **LAND PLANNING ENGINEER**
 - NHT HOLDINGS, LLC: CONSIDERATION OF WAIVER/MODIFICATIONS AND CONDITIONAL PLAN APPROVAL
 - WABASH LANDING: TIME EXTENSION REQUEST
- **ZONING OFFICER**
- **TRANSPORTATION ENGINEER**
- **SOLICITOR**
 - WOODCREST RETREAT: RESOLUTION 2017-06
 - WOODCREST RETREAT: DEED OF DEDICATION FOR WOODCREST DRIVE
- **ROADMASTER**
- **SUPERVISORS**
 - CONSIDERATION TO AWARD THE 2017 LAWN CARE QUOTE
 - HIGHWAY DEPARTMENT SHED HEAT
 - LERTA REQUEST FROM UGI
 - TOWNSHIP ROAD DETOUR AGREEMENT WITH PENNDOT FOR RAPID BRIDGE REPLACEMENT OF REINHOLDS ROAD BRIDGE
 - RECOMMENDATION TO REQUIRE PLAN REVIEW FOR LAWRENCE AND SUSANNAH LEID PROJECT PREDOMINANTLY IN EPHRATA TOWNSHIP
 - YMCA SWIM LESSONS AT REAMSTOWN POOL: CONSIDERATION FOR PROPOSED DATES
- **INTERIM TOWNSHIP MANAGER**
 - DENVER ROAD BRIDGE CHANGE ORDER FROM MARCH 2ND MEETING
 - UPCOMING BRIDGE INSPECTIONS
 - REPORT: INTERMUNICIPAL AGREEMENT - SHARED LABOR IN THE EVENT OF AN EMERGENCY
- **EXECUTIVE SESSION (IF NEEDED)**
- **ADJOURN**

BOARD OF SUPERVISORS MEETING THURSDAY, MARCH 16, 2017

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, March 16, 2017 at 7:30 p.m., held at the East Cocalico Township Municipal Building, 100 Hill Road, Denver, PA 17517.

ATTENDANCE:

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

Employees: Interim Township Manager Steve Gabriel, Zoning and Code Enforcement Officer Tony Luongo

Reporters: Alice Hummer of the Ephrata Review, Val Lacis of the Reading Eagle, and Blue Ridge Cable Camera Man - Ryan

Visitors: Jeff Mitchell; Ken McCrea; Daniel Hibshman, Brian Wise, Dwight Yoder of GKH, Tom Matteson of Diehm & Sons, Brad Prinz of Walsh/Granite, Josh Holdings, Richard Hoover, and Delvin Martin

Chairman Mackley asked everyone in attendance to rise and pledge allegiance to the Flag. • Chairman Mackley announced that the Board held Executive Sessions over the past few weeks for the purpose of interviewing candidates for the position of Township Manager, stating the Board has extended an offer of employment to one candidate, and is waiting on a reply.

PUBLIC COMMENT: Mr. Mitchell observed a Township Road Crew truck going 40mph in a 35mph early this afternoon, around 1pm, on Denver Road.

APPROVAL OF MINUTES:

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the Thursday, March 2, 2017 Board of Supervisor meeting minutes. Chairman Mackley asked if there were any comments or questions. There were none. Motion carried. (3/0)

POLICE DEPARTMENT: The police report will be shared 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 list of bills as presented: General Fund \$76,672.80; State Fund \$9,264.29; State Fund/Denver Road Bridge Project \$95,364.99; Light Fund \$14,899.25; Traffic Impact Account \$57.50. Mr. Mitchell questioned the term payments for the 2017 International Truck, Vice Chairman Fry answered five years. Mr. Mitchell asked if the Interim Manager fees are paid by developers. Vice Chairman Fry answered the Pre-Planning Meetings are billed out to the applicant for the Interim Managers time. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

LAND PLANNING ENGINEER:

NHT HOLDINGS, LLC – PRELIMINARY/FINAL LAND DEVELOPMENT (05-24-2017): Tom Matteson of Diehm and Sons, Dwight Yoder of GKH, Josh Hollinger of New Holland Transport were present for this plan. Mr. Matteson highlighted the company's business: they collect store, and bundle food, produce and dairy products that are shipped primarily to New York City metro area. Mr. Hollinger noted the facility has 20 trucks; their rush hour is around 2am. Currently there are 22 employees, 15 employees are truck drivers. They anticipate going up to 30 employees, with 20 truck drivers; noting that most are tractor trailers with a few straight trucks. Mr. Lied highlighted

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LAND PLANNING ENGINEER:

NHT HOLDINGS, LLC – PRELIMINARY/FINAL LAND DEVELOPMENT (CONTINUED)

that plan review letters were previously issued from both Becker and Rettew. Mr. Lied noted that several waiver/modifications and deferrals were discussed at a recent Planning Commission Meeting. The Planning Commission recommended conditional approval of the various waiver/modifications and deferrals. The Planning Commission also recommended conditional approval of the plan, conditioned upon the items within the Becker and Rettew. Mr. Lied explained a primary key issue to be confirmed by the Board of Supervisors is how the facility shall be serviced with respect to water and sanitary sewer. The Authority indicated the facility was located in their public water and sanitary sewer service area and the Township's urban growth boundary and therefore should be served by public water and sanitary sewer. Mr. Lied noted that the applicant's attorney, Mr. Yoder (in attendance), filed an appeal in the Court of Common Pleas of Lancaster County relative to ECTA's position and motion forwarded to the Board of Supervisors. Clarification and resubmission was received. Originally, the facility was potentially using a higher volume of water for the proposed refrigeration system, which since then, the water use for refrigeration was eliminated since an air-cooled system will be used. . Mr. Lied noted that DEP has also indicated that based on the low flow volumes associated with the sanitary sewer discharge and the project not involving a subdivision, Sewage Facilities Planning approval is not required. Mr. Yoder noted that he is prepared to withdraw the appeal since the Authority has subsequently modified their motion, clarifying it was a motion to "recommend" to the Supervisors that the facility be required to hook up to public water and sanitary sewer. Mr. Yoder explained his legal position as to why in this case the facility is not required to connect to public water and sanitary facilities based on the Second Class Township Code and related requirements. Earlier today, Mr. Yoder also noted that he spoke with Mr. Goodman, the Township Solicitor, and was informed that Mr. Goodman has provided feedback to the Board of Supervisors relative to this matter. Mr. Yoder highlighted that in this case the public facilities are not readily accessible or adjacent to the site since they are located across the Turnpike and Turnpike access roadways. . The following motions were made.

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 questions. There were none. Motion carried. (3/0)

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve a deferral of the requirements of §194-32.A. of the Subdivision and Land Development Ordinance as it relates to the installation of sidewalk along the South Muddy Creek Road frontage, conditioned upon the applicant grading an area to the satisfaction of the Township Transportation Engineer and placing notation on the plan acceptable to the Township acknowledging the deferral and requirement for the property owner to install sidewalk at such future time as requested by the Township and Board of Supervisors. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to approve deferral of the requirements of §194-33.A.(1) of the Subdivision and Land Development Ordinance as it relates to deferring the installation of curbing along a portion of the South Muddy Creek Road frontage, conditioned upon the applicant placing a notation on the plan acceptable to the Township acknowledging the deferral and requirement for the property owner to install the curbing at such future time as requested by the Township and Board of Supervisors. Chairman Mackley asked if there were any 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.E.(1) of the Subdivision and Land Development Ordinance to authorize use of PennDOT style vertical curb with a depth of 18" and a reveal of 8", in lieu of the Township's standard curb with a depth of 22" and a reveal of 7". Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

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LAND PLANNING ENGINEER:

NHT HOLDINGS, LLC – PRELIMINARY/FINAL LAND DEVELOPMENT (CONTINUED)

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve a waiver/modification of §194-14.E.(4) of the Subdivision and Land Development Ordinance to grant relief from preparing and submitting a Traffic Impact Study conditioned upon the current associated plan notation on the Cover Sheet being adjusted as outlined in the Township Transportation Engineer's review letter dated February 13, 2017, prior to plan approval. Chairman Mackley asked if there were any 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 §194-25.L.(5) of the Subdivision and Land Development Ordinance to authorize the utilization of a reduced clear sight triangle with 100' dimensions along the centerline of South Muddy Creek Road and 75' dimensions along the centerline of the access drive for Access Drive A. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to approve Conditional Approve the NHT Holdings, LLC, Preliminary/Final Land Development Plan subject to the applicant addressing all comments as outlined within the Becker Engineering Review letter dated February 10, 2017 and the Rettew review letter dated February 13, 2017 to the satisfaction of the Township, Township Engineer, and Township Solicitor. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

WABASH LANDING – PHASE 1 FINAL SUBDIVISION AND LOT ADD-ON PLAN (04/13/17): Mr. Lied highlighted the plan; noting the applicant and applicant's design team are continuing to work on resolving DEP's outstanding comments with respect to the NPDES permit application. The applicant's design team participated in a conference call with DEP earlier in the day. Mr. Lied noted that one of the requests from DEP, relates to prior correspondence issued by the Township related to the NPDES permit process. DEP is asking that the prior Township acknowledgement be update to include specific requested language. .

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to accept the time extension offer as submitted by the applicant's consultant dated March 16, 2017 which will extend the deadline for action on the Wabash Landing – Phase 1 Final Subdivision and Lot Add-On Plan until October 10, 2017. Mr. Wise asked how many extensions has the project had, and Mr. Lied answered this project has had various extensions, but noted this is not a case of the applicant and applicant's design team not diligently showing attempts to progress the project. The recent delays are a result of extended DEP review periods related to the NPDES permit application, and the developer is anxious to proceed. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to authorize the Interim Township Manager to revise and re-issue the previous letter sent to DEP dated February 12, 2016 to include the additional wording as requested by DEP in their review dated January 27, 2017, to acknowledge the increase in runoff volume for the 2-year/24-hour storm to the Township's MS4 system. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

ZONING OFFICER: Mr. Luongo highlighted the Zoning Officer's Report for February 2017. **BUILDING/ZONING PERMITS:** 12 applications, 16 permits issued, 8 in review, 10 for pickup, and 1 single family detached dwelling. **ALARM ENFORCEMENT:** 9 false alarm violations. **ZONING HEARING BOARD:** March: EHM Properties (Stevens Feed Mill) requests special exception to reconstruct a truck parking building and use it for product processing with area expansion for feed truck loading. Granted with conditions. April: (1) 260 S. Muddy Creek Rd. requests a Special Exemption. Applicant seeks approval to operate automotive repair/inspection shop for company vehicles at 985 Stonehill Rd. (2) 141 N. Reamstown Rd requests a Variance and Special Exception. Applicant seeks approval to operate architects office in a detached accessory building. **CODE ENFORCEMENT:** (1) 350 Brunners Grove Road. Demolition completed, site cleanup nearly complete. Stabilization nearly completed.

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ZONING OFFICER: *(CONTINUED)*

(2) 655 W. Swartzville Rd: site visit pertaining to complaint of installation of pipe within wetlands extending to the creek. Follow-up: All facilities removed and the area restored to its' natural condition. (3) 60 Vera Cruz Road. Site visit to address concerns with a new building and storm water control facility installation per the Land Development Plan. OTHER ITEMS: (1) 2275 N. Reading Rd: issued a demolition permit to begin removal for future land development project. The Building demolition is complete. (2) Fishing Creek Park: Eight letters sent to property owners adjacent to property notifying them of recent survey and giving them until June 2017 to respect the property line markers. Site visit reveals that several of the property owners are respecting the property line. (3) 400 Wabash Rd: Four Seasons Produce: Approvals received for parking lot expansion. Permits issued and the project started.

TRANSPORTATION ENGINEER: NHT Holdings Pre-Planning meeting and Denver Road bridge activity.

SOLICITOR: RESOLUTION 2017-06: Woodcrest Retreat.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve Resolution 2017-06 accepting the additional street right-of-way located along the Eastern side of State Route 222. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

DEED OF DEDICATION: Woodcrest Retreat.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the Woodcrest Retreat Deed of Dedication for Woodcrest Drive. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

ROADMASTER: Plowing from the recent snow. The department's report will be at the next Supervisors Meeting.

SUPERVISORS: Vice Chairman Fry reported that a signed contract and insurance was received from the Swim Team. • YMCA to provide swim lessons at the Reamstown Pool starting July 10th through 21st from 8am until 10:30am. • The Reamstown Fire Company requests permission to conduct a donation collection day.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the Reamstown Fire Company to conduct the annual donation collection point at the intersection of Reamstown Road and Church Street on Friday, April 14, 2017 from 7am until 6pm. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

LAWN CARE QUOTES: One quote received by fax, and another received a day late. With only one on-time quote received, discussions were held to re-quote.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve to re-quote the 2017 Lawn Care quotes for approval at the next Supervisors Meeting. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

HIGHWAY DEPT. SHED HEAT: The oil heat furnace is failing at the shed. The Supervisors noted changing to propane will save on costs specifically related to MS4 issues. Quotes were received for the conversion to propane.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve with proceeding with the conversion of oil heat to propane heat at the Highway Department Shed. Highway Department will recommend best heating set-up based on pricing from Nolt's Propane and others. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

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SUPERVISORS: *(CONTINUED)*

It's noted that UGI is requesting LERTA designation for its site, and the Supervisors agree to move forward. Mr. McCrea asked how much tax dollars is being forgiven, which is approximately \$68,000 the first year. Mr. Gabriel indicated the process includes a public hearing to focus on the boundaries of the LERTA zone, and the consideration of adopting an ordinance. Discussions continued.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve and move forward with the LERTA request by UGI by contacting the Township Solicitor. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

ROAD DETOUR AGREEMENT: A PennDOT Agreement for the rapid Bridge Replacement of the Reinholds Road Bridge, and the use of White Oak Road for the detour. The agreement specifies 10 weeks for work to be completed.

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to approve the Walsh-Granite Construction Joint Venture (WG-CJV) Agreement to use the White Oak Road as a detour when reconstructing Reinholds Road Bridge. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

LEID PROJECT: Recommendation to require plan review for the Lawrence and Susannah Leid project that is predominantly in Ephrata Township, and the driveway predominantly in Earl Township.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to defer plan review for the stormwater and grading issues to Ephrata Township, and to defer the driveway connection to Earl Township. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

INTERIM TOWNSHIP MANAGER: Mr. Gabriel discussed the change order for the Denver Road Bridge poured-in-place inlet box to be replaced with a new precast box; the cost is \$3,200.00. Mr. Gabriel explained the box will be made to the correct height so no \$500.00 riser is needed; for a net cost of \$2,700.00. • Mr. Gabriel discussed the three bridges to be inspected in June 2017: Reamstown Road over the east branch of Stoney Run, Cocalico Creek Road over Stoney Run, and the Little Cocalico Creek on Miller Road. Mr. Gabriel indicated that Denver Road would have been the fourth bridge, but it's currently under construction. • Denver Borough, West Cocalico Township, and East Cocalico Township are interested in an Intermunicipal Agreement for shared labor and/or equipment in the event of an emergency. Mr. Gabriel to attend a meeting on March 24th at Denver Borough.

EXECUTIVE SESSION: Not needed.

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 9:20 p.m. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

Respectfully submitted,

Noelle B. Fortna, Board of Supervisors Secretary