

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

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

**THURSDAY, APRIL 20, 2017 at 7:30 P.M.**

- **MEETING CALLED TO ORDER AT 7:30 P.M.**
- **ANNUAL DISCUSSIONS/CONTRIBUTIONS TO THE EMERGENCY SERVICE AGENCIES AND THE ADAMSTOWN LIBRARY**
- **ANNUAL MS4: MUNICIPAL SEPARATE STORM SEWER SYSTEM - MIKE LASALA**
- **PUBLIC COMMENT (FOR NON-AGENDA ITEMS)**
- **APPROVAL OF MINUTES:**
  - BOARD OF SUPERVISORS MEETING MINUTES: TUESDAY, APRIL 6, 2017
- **POLICE DEPARTMENT**
- **SEWAGE ENFORCEMENT OFFICER**
- **TREASURER'S REPORT**
  - AUTHORIZE LIST OF BILLS
- **LAND PLANNING ENGINEER**
  - UGI PRELIMINARY LAND DEVELOPMENT PLAN: TIME EXTENSION
  - STEVENS FEED MILL: CONDITIONAL WAIVER OF LAND DEVELOPMENT
- **ZONING OFFICER**
- **TRANSPORTATION ENGINEER**
  - REINHOLDS BRIDGE REPLACEMENT UPDATE: ANTICIPATED TO BEGIN MAY 15<sup>TH</sup>, AND CLOSED FOR 10 WEEKS
- **SOLICITOR**
- **ROADMASTER**
- **SUPERVISORS**
  - APPOINTMENT: SCOTT RUSSELL AS ASSISTANT SECRETARY, OPEN RECORDS OFFICER, PSATS VOTING DELEGATE, COCALICO CONSORTIUM MEMBER, LANCASTER COUNTY TAX COLLECTION BUREAU ALTERNATE REPRESENTATIVE, AND IMG ALTERNATE
  - APPOINTMENT: RETTEW ASSOCIATES AS TRANSPORTATION ENGINEER, ALTERNATE LAND PLANNING ENGINEER, LEAD TRANSPORTATION IMPACT FEE CONSULTANT, ZONING CONSULTANT, FEDERAL AIR PROJECTS ENGINEER
  - RECREATION BOARD MEMBER RESIGNATION: JODI QUATRALE
- **TOWNSHIP MANAGER**
  - KRAMER MILL ROAD BRIDGE REPLACEMENT DETOUR – MEMORANDUM OF UNDERSTANDING BETWEEN PENNDOT AND EAST COCALICO TOWNSHIP
  - MANAGER REPORT
- **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, APRIL 20, 2017**

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, April 20, 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:** Township Manager H. Scott Russell, Zoning and Code Enforcement Officer Tony Luongo, and Recording Secretary Lisa A. Kashner

**Solicitor:** Tom Goodman of Goodman & Kenneff

**Land Planning Engineer:** Brent Lied, P.E. of Becker Engineering

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

**Visitors:** Tim Kashner, Dan Hibshman, Ken McCrea, Kathy Thren, Donny Stover, Brian Wise, James Black, Kenny Minnick, Mike LaSala, Jeff Mitchell, Dan Groff, Scott Achey, Harvey Achey, Doug Brubaker, Chad Weaver, Brian Auker, Glenn Hurst, Steve Brubaker, Monica Craig-Fry, David Hollinger, Rick Carpenter, Dave Mease, and Delvin Martin

Chairman Mackley asked everyone in attendance to rise and pledge allegiance to the Flag. • Two new items added: (1) Public Comment - for non-agenda items, and (2) at the bottom of the agenda - 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.

**ANNUAL DISCUSSIONS/CONTRIBUTIONS TO THE EMERGENCY SERVICE AGENCIES AND THE ADAMSTOWN LIBRARY:** The Board presented annual contributions to the representatives of the Reamstown Fire Company, Scott Achey; the Reamstown Ambulance Association, Rick Carpenter; the Smokestown Fire Company, Brian Auker; Stevens Fire Company, James Black, and the Adamstown Library, Kathy Thren. The Board thanked them for everything they do for the community. Pictures were taken.

**ANNUAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) UPDATE- MIKE LASALA:** Mr. LaSala of LandStudies noted that tonight's discussion is part of the Township's Municipal Separate Storm Sewer System (MS4) NPDES permit obligation. The Township has a MS4 NPDES General Permit and is required to satisfy associated state and federal requirements. Mr. LaSala highlighted aspects of the MS4 program and the programs objective of ensuring discharges from the Township's system are not causing water quality issues with the streams. The main requirement of the permit is that the Township develop and implement a thought-out and well developed Stormwater Management Program (SWMP) and address the required Minimum Control Measures (MCM's). LandStudies is currently developing a comprehensive SWMP for the Township. The NPDES permit requires the Township to pursue Public Involvement and Participation (MCM#2) and conduct an annual public meeting to discuss the program and solicit public participation, which is the objective of tonight's meeting. The IDD&E (Illicit Discharge Detection and Elimination) requirements of MCM#3 were highlighted. The Township is required to map the existing stormwater system within the 2010 Urbanized Area and any other systems (private, state, etc.) contributing to the system, so that associated outfalls can be identified, observed and screened. The intent is to gain a solid understanding of the Township's system, the contributing areas, in addition to identify any illicit connections or illicit discharges into or from the Township system. The system mapping is a tool to help with asset management and to allow more targeted responses when outfall screenings reveal issues. In order to assist with that effort, it was noted that the Township residents should promptly notify the Township (336-1720) if they see any illegal dumping or issues of concern relative to stormwater and water quality. The goal is to prevent harmful pollutants or containments from being washed, dumped or from contributing to the Township's MS4 system or any stream and waterways.

# **BOARD OF SUPERVISORS MEETING**

## **THURSDAY, APRIL 20, 2017**

### **ANNUAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) UPDATE**

**(CONTINUED)**

Over the next couple of years the Township will continue to advance efforts relative to public knowledge with regard to eliminating illegal activities or dumping by continuing public education and training. Mike LaSala indicated that the public can get involved in other ways by supporting the Cocalico Creek Watershed Association and their activities such as stream cleanups, educational events, etc. Mr. LaSala and Mr. Lied highlighted that the Township is currently working on the development of the required Pollution Reduction Plans (PRP's) which are must be completed by early September 2017. The first steps are to identify baseline pollutant loading levels from the Township's system and associated Storm Sewersheds and then determine required reductions in pounds of sediment. The Township will have to ultimately identify perspective projects that would satisfy the pollution reduction obligations required. As part of that the Township will evaluate opportunities on current Township properties. It was noted that if the public has any thoughts or input on possible project opportunities they should contact the Township. The draft PRP will be posted for public comment. Public comment, discussion and questions continued.

**PUBLIC COMMENT (NON-AGENDA ITEMS):** Mr. Mitchell asked Mr. Russell how long he was Supervisor at East Hempfield and about the hiring time line notations in the newspaper. Mr. Russell answered seven years, going into his eighth year. Mr. Goodman stated that it is in his opinion the Township followed the correct procedure of the Sunshine Act (65.PA.CSA §708 of the Code). Public comment, discussion and questions continued.

### **APPROVAL OF MINUTES:**

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the Thursday, April 6, 2017 Board of Supervisor meeting minutes with the following amendment under Supervisors: "Mr. Kensinger from LNP Media Group, Inc., protested the selection process" to "Mr. Kensinger from LNP Media Group, Inc., distributed a letter of protest, protesting the selection process". Chairman Mackley asked if there were any other comments or questions. Mr. McCrea had additional questions regarding Mr. Kensinger's letter of protest, which were addressed. Motion carried. (3/0)

**POLICE DEPARTMENT:** Report provided at the next Board of Supervisors Meeting.

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

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

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the list of bills as presented: General Fund \$368,299.41; State Fund \$10,951.70; State Fund Denver Road Bridge Project \$11,969.68; Light Fund \$14,899.32. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

### **LAND PLANNING ENGINEER:**

**UGI CORPORATE HEADQUARTERS (07/19/17):** No one was present for this plan. Mr. Lied briefly highlighted the current status of the plan, explained the need for action on the time extension and noted that the applicant intends to be at the next Planning Commission meeting.

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to accept the time extension offer as submitted by the applicant's consultant dated April 19, 2017, which will extend the deadline for action on the Preliminary Land Development Plan for the UGI Corporate Headquarters until July 19, 2017. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING  
THURSDAY, APRIL 20, 2017**

**LAND PLANNING ENGINEER:      (CONTINUED)**

**STEVENS FEED MILL – SKETCH PLAN/WAIVER OF LAND DEVELOPMENT:** Dave Mease of Diehm & Sons was present for this plan. The plan and scope of the project was highlighted. It was indicated that the applicant received Zoning Hearing Board approval and a recommendation for approval of the waiver of Land Development from the Planning Commission. Following the discussion of the project the following motion was made.

**MOTION:** Vice Chairman Fry made a motion, seconded by Secretary Fortna, to approve a waiver of Land Development Plan requirements as it relates to the limited improvements proposed on the Stevens Feed Mill property as depicted on the Sketch Plan prepared by Diehm & Sons, dated December 20, 2016, revised April 19, 2017, conditioned on the following:

- 1) The applicant consolidating the 5 existing parcels and recording a single deed formalizing the consolidation to the satisfaction of the Township and Township Solicitor within 45 days of the approval of the waiver of Land Development, or prior to issuance of a Use and Occupancy Permit, whichever is sooner.
- 2) The applicant paying any associated Transportation Impact Fee based on the net impact of the project per Chapter 203 of the Township Codified Code, prior to issuance of a building permit.
- 3) The applicant installing and maintaining appropriate Erosion and Sediment measure for any disturbance occurring during construction phase in accordance with applicable Township, LCCD and DEP standards and stabilizing the site following construction.
- 4) The applicant removing and properly disposing of an existing 535 square foot shed on the property and re-establishing the area in grass to compensate for the proposed conversion of a gravel area to a concrete pad, prior to the issuance of a Use and Occupancy Permit.
- 5) The applicant ensuring that the roof drainage from the proposed building and concrete pad are dispersed to the extent possible and discharged away from critical operational areas to ensure compliance with water quality standards and to ensure the runoff is conveyed to the existing drainage channel in a nonerosive manner.
- 6) The applicant shall remove any existing miscellaneous debris or waste materials in the area of the project site and existing natural drainage way through the property to the satisfaction of the Township/Township Zoning Officer.
- 7) The applicant shall place screening along the eastern boundary of the property and along Stevens Road consistent with the ZHB decision and to the satisfaction of the Township Zoning Officer prior to issuance of a Use and Occupancy Permit. Any proposed evergreen trees shall be a minimum of 6' in height, installed within a landscaped strip with adequate width and spaced to provide visual blockage within 2 years in accordance with §220-44.
- 8) All new or modified site lighting shall be full cut-off fixtures complying with applicable Township Zoning standards.
- 9) The applicant shall comply with all other regulatory standards including Industrial NPDES permit standards if applicable based on the use.

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

**NHT HOLDINGS, LLC – PRELIMINARY/FINAL LAND DEVELOPMENT:** No one was present for this plan. Mr. Lied briefly highlighted the status of the plan, which was previously granted conditional approval by the Board of Supervisors. Mr. Lied explained that the applicant's consultant provided an updated submission to address some of the conditions of approval. In response to that submission and subsequent review there were several items that the Board of Supervisors shall acknowledge or approve. The following motions were made.

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to grant approval of a waiver/modification of §194-46.B.(4) of the Subdivision and Land Development Ordinance to acknowledge acceptance of the park and open space fee in-lieu-of land dedication equal to \$17,500.00, as calculated by the applicant's consultant based on the 2015 sale price of the subject property, in lieu of the requiring a certified appraisal. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING  
THURSDAY, APRIL 20, 2017**

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

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to acknowledge that the financial security for the NHT Holdings, LLC project shall be established in the amount of \$1,311,388.44 as outlined in the Opinion of Probable Cost, as prepared by Diehm & Sons, dated March 23, 2017. 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 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 NHT Holdings, LLC Preliminary/Final Land Development Plan 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 questions. There were none. Motion carried. (3/0)

**MOTION:** Vice Chairman Fry made a motion, seconded by Chairman Mackley, to authorize signature of the NHT Holdings, LLC Preliminary/Final Land Development Plan 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 of \$1,311,388.44. 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 March 2017. **BUILDING/ZONING PERMITS:** 37 applications, 25 permits issued, 13 in review, 10 for pickup. **ALARM ENFORCEMENT:** 6 false alarm violations. **ZONING HEARING BOARD:** April: (1) Sturdy Built Mfg. seeks approval to operate automotive repair/inspection shop for company vehicles at 985 Stonehill Road. Granted with condition. (2) 141 N. Reamstown Rd. seeks approval to operate architects office in a detached accessory building. Continued to May Hearing. May: (1) 1339 Red Run Road applicant seeks approval to operate a Landscaping Business in a detached accessory building. **OTHER ITEMS:** (1) 64 Denver Road: WEH site, construction of new warehouse project, permit issued. Follow-up: Foundation construction underway (2) 400 Wabash Road: Four Seasons Produce parking lot expansion, permits issued. Follow-up: Construction underway nearly complete. (3) The Zoning Officer attended the bi-monthly meeting of the Lancaster County Zoning and Building Officials Association concerning various challenges to officials throughout Lancaster and York counties. MS4 requirements are a priority.

**TRANSPORTATION ENGINEER:** Mr. Russell gave the status of the Reinholds Road bridge replacement project in the Township. The bridge is anticipated to begin in mid-May (tentative May 15<sup>th</sup>) and will be closed for 10 weeks.

**SOLICITOR:** Nothing to report.

**ROADMASTER:** Nothing to report.

**SUPERVISORS:** Township Manager, H. Scott Russell, appointments.

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to appoint H. Scott Russell as Assistant Secretary, Open Records officer, PSATS Voting Delegate, Cocalico Consortium Member, Lancaster County Tax Collection bureau Alternate Representative, and Intermunicipal Group (IMG) Alternate. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

Rettew Associates appointments.

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to appoint Rettew Associates consisting of Steve Gabriel as Transportation Engineer, Alternate Land Planning Engineer, Lead Transportation Impact Fee Consultant, Zoning Consultant, Federal Aid Projects Engineer. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

**BOARD OF SUPERVISORS MEETING  
THURSDAY, APRIL 20, 2017**

**SUPERVISORS:**        *(CONTINUED)*

Resignation letter received from a Recreation Board member.

**MOTION:** Chairman Mackley made a motion, seconded by Vice Chairman Fry, to accept the resignation of Jodi Quatrala, with regret, from the East Cocalico Township Recreation Board. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

Mr. Russell stated that phone calls were made to a fence expert for examination of the pool fence.

**TOWNSHIP MANAGER:** Mr. Russell stated that PennDOT anticipates to perform preservation/maintenance work in the Spring of 2018 for the Kramer Mill Road (T-876) bridge. The project has an estimated eight month timeframe utilizing the following Township roads as a detour: Peiffer Hill Road between Kramer Mill Road and Chestnut Hill Road, Chestnut Hill Road between Peiffer Hill Road, SR1051 between Chestnut Hill Road and Reamstown Road, and Reamstown road between SR1051 and Kramer Mill Road. PennDOT requests the Township to enter into a Memorandum of Understanding.

**MOTION:** Secretary Fortna made a motion, seconded by Vice Chairman Fry, to adopt Resolution 2017-08 Memorandum of Understanding between the Township and Pennsylvania Department of Transportation for use of local roads in the detour of traffic for the Kramer Mill Road Bridge Replacement over Route 222. Chairman Mackley asked if there were any questions. There were none. Motion carried. (3/0)

Mr. Russell stated that a MS4 update meeting update is scheduled with Becker Engineer and Land Studies to receive outfall mapping and corresponding waste load mappings generated by the outfalls. This work will go into the mandated 2018 NOI permit. • Mr. Russell stated that requests were received from the Comfort Inn to provide additional sign for the Denver Road bridge detour indicating that the motel is open. After discussions both the motel and Turkey Hill will have additional signs installed by the contractor. • Meetings planned: Auditors meeting, PSATS annual conference, and Planning Commission meeting.

The Board noted the LERTA hearing will be at the next Board of Supervisors Meeting. Mr. McCrea noted the County Assessment impact on the timeline for LERTA. Mr. Russell stated he will look into this. Public comment, discussion and questions continued.

**EXECUTIVE SESSION:** Not needed.

**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 9:10 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