EAST COCALICO TOWNSHIP BOARD OF SUPERVISORS MEETING

AGENDA

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

THURSDAY, MAY 4, 2017 at 7:30 P.M.

- MEETING CALLED TO ORDER AT 7:30 P.M.
- PUBLIC HEARING: UGI LERTA
 - RESOLUTION 2017-09: DESIGNATE AREAS ELIGIBLE FOR LERTA TREATMENT
 - ADVERTISE FOR THE LERTA ORDINANCE
- PUBLIC COMMENT (FOR NON-AGENDA ITEMS)
- APPROVAL OF MINUTES:
 - BOARD OF SUPERVISORS MEETING MINUTES: TUESDAY, APRIL 20, 2017
- POLICE DEPARTMENT
- SEWAGE ENFORCEMENT OFFICER
- TREASURER'S REPORT
 - AUTHORIZE LIST OF BILLS
- LAND PLANNING ENGINEER
- ZONING OFFICER
- TRANSPORTATION ENGINEER
 - o **RESOLUTION 2017-10:** APPLICATION FOR TRAFFIC SIGNAL SR1040 (COL. HOWARD BLVD.)
- SOLICITOR
- ROADMASTER
- SUPERVISORS
 - RESOLUTION 2017-11: FEE SCHEDULE AMENDING RESOLUTION 2017-02
 - DEVELOPERS PRE-PLANNING PACKET RATES REVISION
 - CAMERA LOAN PROGRAM DISCUSSION
 - REAMSTOWN FIRE COMPANY: DYNATECH MAINTENANCE AGREEMENT
- TOWNSHIP MANAGER
 - MANAGER REPORT
 - NOLTS PROPANE CONNECTION PROPOSAL: REPLACE MAINTENANCE SHED HEATING SYSTEM
- EXECUTIVE SESSION (IF NEEDED)
- ADJOURN

The advertised meeting of the East Cocalico Township Board of Supervisors was called to order on Thursday, May 4, 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

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

Visitors*: Barry Weaver, Ralph Buckles, Chad Weaver, Kenneth Minnick, Romao Carrasco, Brandon Pyers,

Daniel Hibshman, Ken McCrea, Richard Reca, Suzie Mackley, Monica Craig-Fry, Harvey Achey, Rev. Sandy Gideon, Chris Fitterling, Jeff Mitchell, Josh Hollinger, Brian Wise, Richard Brenner, Carol Taylor, Chanse Firestone, Mary Ann McDanniels, Jane Webber of the Adamstown Library. Cocalico School District: Sherri Stull, Dr. Ella Musser. UGI representatives: Paula Leicht, Esquire; Daniel Platt, Chief Financial Officer; Kent Murphy, UGI Esquire; Joe Swope and David Stahovich.

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

PUBLIC HEARING - UGI LERTA: Duly advertised on April 19, 2017 and April 26, 2017 in the Ephrata Review. Proof of Publications received. Chairman Mackley explained at the Public Hearing everyone will have an opportunity to be heard, each will be given five minutes to speak. Chairman Mackley turned the meeting over to the Township Solicitor, Mr. Goodman. Mr. Goodman stated this is a hearing under the Local Economic Revitalization Tax Assistance (LERTA) Act pursuant to 72P.S. §4722. UGI is requesting 10-year property tax abatement through LERTA. The public hearing is being held in connection with the relocation of the UGI Corporate Headquarters to the area being considered pursuant to the Act. Mr. Goodman explained that in accordance with 72 P.S. §4725(a) a municipality, prior to the adoption of a new ordinance authorizing the granting of a tax exemption, must affix the boundary of a deteriorated area or areas; and at this hearing we will receive comments from the public and any interested local taxing authorities. Two letters, expressing support from the Cocalico School District and the Lancaster County Commissioners, Lancaster County Housing, Lancaster County Planning Commission, Lancaster County Tax Assessment Office, Cocalico School District, and The East Cocalico Township Planning Commission.

Mr. Goodman turned the proceedings over to the Ms. Paula Leicht, Esquire of Mette, Evans & Woodside representing UGI. Ms. Leicht stated they are prepared to provide testimony on the conditions that lead us to the conclusion that this property would qualify as a deteriorated area. Ms. Leicht noted the purpose of the hearing is to establish a boundary for the deteriorated area, the proposed boundary is a 32 acre parcel under equitable agreement with the Reading Hospital and UGI, noting that this property is currently vacant and used for agriculture and is economically underutilized when looking at what the zoning would allow at this location. Ms. Leicht noted that the tax relief being requested is a temporary situation with a sliding scale as shown in the proposed Ordinance. Ms. Leicht submitted Exhibits A-1, A-2, A-3, which are attached and made part of the minutes. Preliminary questions were asked of Mr. Luongo related to zoning for the site. Mr. Stahovich testified to the extensive expenses involved in bringing all utilities into the site. Mr. Murphy, Vice President of Energy & Regulation at UGI Corporation, testified on the anticipated tax revenue that will be generated from UGI's office building. Mr. Murphy noted other communities that went through the LERTA process (vacant, unapproved properties): one in West Donegal Township, Lancaster County; one in Quakertown, Bucks County; and one in Jackson Township, York County and

^{*}Only visitors who signed in are listed.

<u>PUBLIC HEARING - UGI LERTA:</u> (CONTINUED)

stated the property of interest is economically challenged. Mr. Murphy also noted the school district would receive an estimated \$2.7 million (compared to \$60,000 under the current assessment) in taxes over the 10-year period. Lancaster County would receive an estimated \$454,000 over the 10-year period (compared to an estimated \$8,110.00). Mr. Murphy noted that based on the same assumptions, during the eleventh year for the Township is estimated to receive \$50,000 a year in taxes, the School District \$566,000 a year in taxes, and the County \$92,000 in taxes. It was noted that Mr. Goodman is looking into the question on the reassessment restrictions. Mr. Goodman opened the floor for public comment; public comments, discussions, and questions continued.

RESOLUTION 2017-09: DESIGNATE AREAS ELIGIBLE FOR LERTA TREATMENT, To designate the areas eligible for a LERTA Treatment. Mr. Russell read the entire Resolution.

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to adopt Resolution 2017-09 to designate areas eligible for LERTA treatment. Chairman Mackley asked if there were any comments or questions. Mr. McCrea questioned the wording 'Economically Depressed Communities' used in the Resolution. Ms. Leicht stated that tonight's testimony had established that the property being considered for the LERTA tax abatement applies; that the property is considered a deteriorated area as referenced in all of the testimony presented. Discussions continued. Mr. McCrea had additional questions; which were addressed. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

ADVERTISE LERTA ORDINANCE

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to advertise for the LERTA Ordinance for the May 18, 2017 Board of Supervisors Meeting. Chairman Mackley asked if there were any comments or questions. There were none. Motion carried. (3/0)

Testimony was concluded at 9:19pm. Chairman Mackley stated that the regular Board of Supervisors Meeting will continue after a five minute break.

<u>PUBLIC COMMENT (NON-AGENDA ITEMS)</u>: Ms. McDanniels, a resident of Stony Run Village Adult Community for four years, indicated to the Supervisors that the Village has become a noisy and unsafe place to live because of hearing gun shots, blasts, fireworks, noisy truck hookups, construction around the neighborhood, electric outages, and suggests that a wind/tornado shelter be considered in mobile home parks. Ms. McDanniels distributed a two-page letter. The Supervisors noted her concerns, stating that some of Township related items will be looked into.

APPROVAL OF MINUTES:

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approved the Thursday, April 20, 2017 Board of Supervisor meeting minutes with the following two amendments: (1) Revise the date in the header on all pages from "April 6, 2017" to April 20, 2017". (2) On page 2 under Approval of Minutes, delete the sentence "Chairman Mackley asked if there were any comments or questions. There were none." to "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." Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

POLICE DEPARTMENT: Chief Arment highlighted the April 2017 Police Report.

SEWAGE ENFORCEMENT OFFICER (SEO): Nothing to report.

TREASURER'S REPORT:

MOTION: Secretary Fortna made a motion, seconded by Chairman Mackley, to approve the list of bills as presented: General Fund \$141,926.92; State Fund \$1,900.58; State Fund Denver Road Bridge Project \$96,444.00; Hydrant Fund \$14,670.00. Chairman Mackley noted that the CM High, Flagger Force Traffic Control, and BR Kreider & Son bills are from the accident at Rt. 272 and Wabash Road; that the Township's insurance carrier to contact the vehicles insurance carrier. The bill for Martin Paving should be the last bill for the year for street sweeping. It was also stated that Land Studies will be submitting another bill. Chairman Mackley asked if there were any other comments or questions. There were none. Motion carried. (3/0)

LAND PLANNING ENGINEER: Nothing to report.

ZONING OFFICER: The Zoning Officers report will be at the next Supervisors meeting.

TRANSPORTATION ENGINEER:

RESOLUTION 2017-10: Application for Traffic Signal – SR1040 (Colonel Howard Boulevard) and Pepperidge Boulevard. Mr. Russell stated the resolution gives the Township Manager permission to fill out and sign the application allowing the processes to start with PennDOT. The permitting and construction work will be done by UGI.

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to adopt Resolution 2017-10 for traffic signal application at SR1040 (Colonel Howard Boulevard). Mr. Mitchell asked about a Preliminary Plan; and Mr. Russell answered that the PennDOT is advancing and UGI will now start preparing the Signal Permit Plan. Chairman Mackley asked if there were any comments or questions. There were none. Motion carried. (3/0)

SOLICITOR: Nothing to report.

ROADMASTER: Report was not read aloud but copies of the report were provided to the public.

SUPERVISORS: Secretary Fortna noted four petitions for land to be included in the Agricultural Security Area (ASA) were received certified mail, the total is 138 acres:

- (1) Curtis and Doris Weaver, 490 Hahnstown Rd., added 50 acres
- (2) Nathan and Anna Martin, 549 Hahnstown Rd., added 7.6 acres and 39 4/5 acres
- (3) Titus and Mabel Leid, 471 E. Church St., added 14 acres
- (4) James and Minerva Leid, 548 Hahnstown Rd., added 26.6 acres

RESOLUTION 2017-11: FEE SCHEDULE AMENDING RESOLUTION 2017-02. Revisions are needed to Resolution 2017-02 in reference to hiring the Township Manager. Mr. Russell stated another Resolution that was recently drafted by the Solicitor could have its' language implemented into Resolution 2017-10 item #9. The Supervisors agreed to wait until the next meeting.

DEVELOPERS PRE-PLANNING PACKET RATE REVISION. Revisions were made due to the hiring of the Township Manager.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the revised Developers Pre-Planning Packet; revisions are on page 1 and 3. Chairman Mackley asked if there were any comments or questions. There were none. Motion carried. (3/0)

CAMERA GRANT PROGRAM DISCUSSION. Secretary Fortna shared a Camera Grant Program by Keep Pennsylvania Beautiful; it's designed to provide surveillance cameras to eligible organizations to help capture evidence at active, illegal dump sites. Grant criteria must be submitted to be eligible. The Supervisors agreed to wait for more information.

REAMSTOWN FIRE COMPANY: DYNATECH PLANNED MAINTENANCE AGREEMENT. Chairman Mackley noted the diesel generator at the Reamstown Fire Company is used in emergencies, and that DynaTech provides the maintenance of the generator.

MOTION: Chairman Mackley made a motion, seconded by Secretary Fortna, to approve the DynaTech Planned Maintenance Agreement dated May 1, 2017. Chairman Mackley asked if there were any comments or questions. There were none. Motion carried. (3/0)

TOWNSHIP MANAGER:

NOLTS PROPANE CONNECTION PROPOSAL: Replace the maintenance shed heating system.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the Nolts Propane Connections LLC quote #8090 dated April 5, 2017 for \$5,753.69 for the replacement of the maintenance shed heating system. Chairman Mackley asked if there were any comments or questions. There were none. Motion carried. (3/0)

Mr. Russell highlighted the April 21, 2017 through May 2, 2017 Township Manager report; noting that each report will include a timeline of the MS4 2018 NOI Milestones.

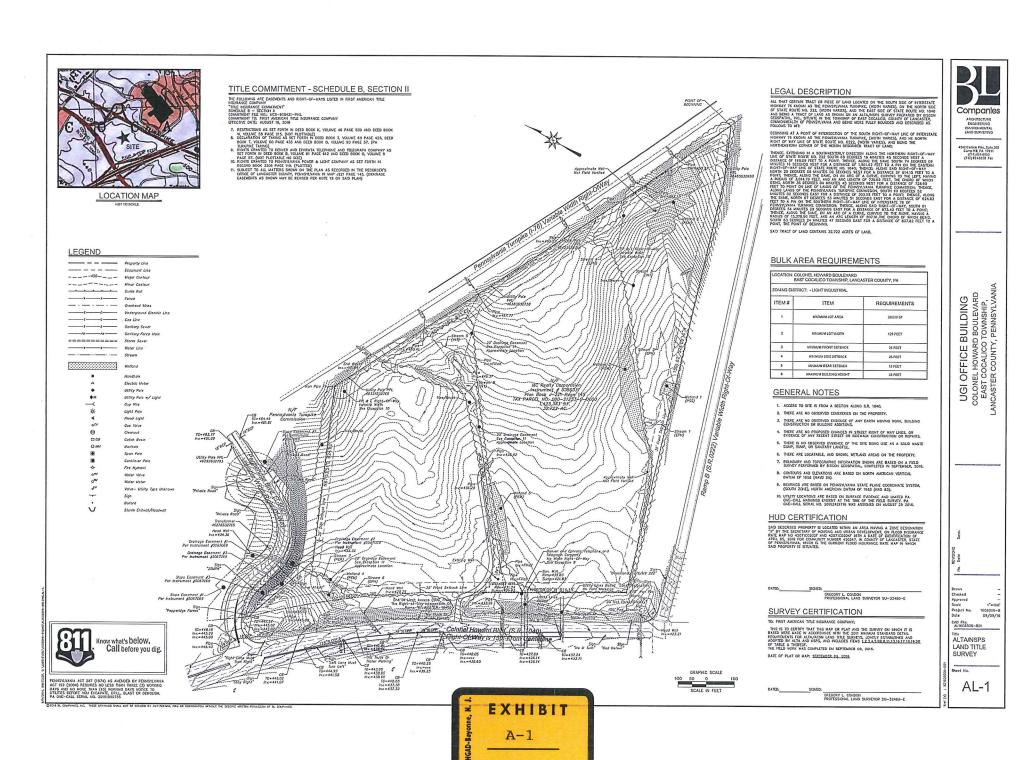
EXECUTIVE SESSION: Not needed.

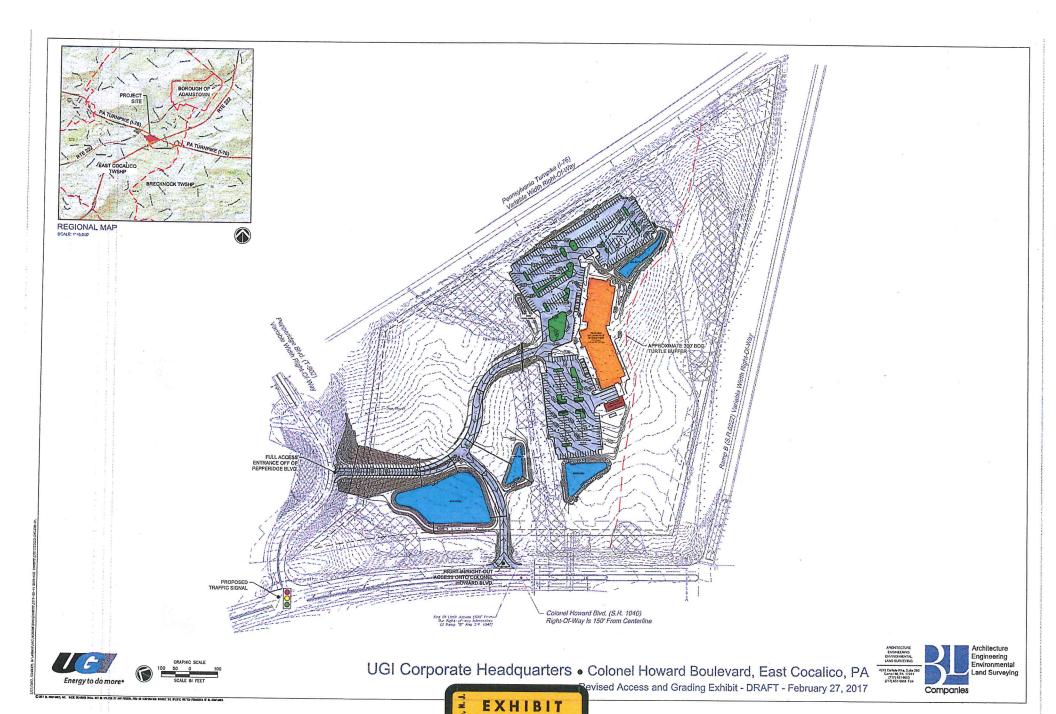
ADJOURN:

MOTION: There being no further business to come before the Board, Vice Chairman Fry made a motion seconded by Chairman Mackley to adjourn the meeting at 10:30 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





A-2

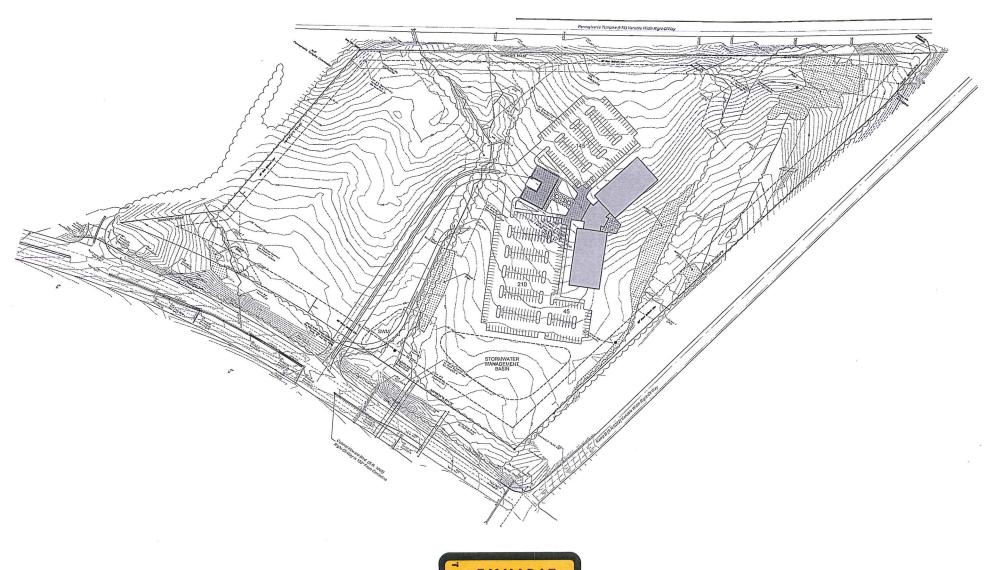


EXHIBIT
A-3



Every Child... Every Chance... Every Day...

MEMO

To: Scott Russell, Manager, East Cocalico Township

From: Ella Musser, Ed.D., Superintendent, Cocalico School District

Date: May 3, 2017

The Board of Directors for Cocalico School District met for a public work session on Monday, March 6, 2017 and discussed UGI's request for a 10-year property tax abatement through the Local Economic Revitalization Tax Assistance Act, or LERTA. The tax abatement would apply to the development of an office building on a property located at the intersection of Colonel Howard Boulevard and Route 222. UGI would continue to pay 100% of the property taxes on the full value of the land, and taxes on the new structure would increase by 10% each year until after the 10th year. At that point, UGI would pay 100% of the property taxes on the full value of the construction, as well as on the land. There would be no decrease on the current tax revenue from the land at any point; instead, the additional tax revenue generated over time by the taxes on the building would substantially increase the overall tax revenue for the school district.

The Cocalico School Board expressed support for the tax abatement on UGI's new office building, given the economic improvement it would bring to the community and the potential for increased tax revenue over time.

 From:
 Lisa Riggs

 To:
 Township Manager

 Cc:
 James D. Warner

 Subject:
 LERTA hearing - May 4th

Date: Wednesday, May 03, 2017 3:35:53 PM

Scott,

I am unable to attend the public hearing this Thursday at the East Cocalico Township municipal building at which a Local Economic Revitalization Tax Assistance (LERTA) boundary is being discussed in conjunction with the proposed relocation of UGI operations. If possible, this email is offered for the record.

It is important to make two disclosures. (1) EDC has not taken a formal board position related to the proposed LERTA. The comments below are offered by me in my professional opinion as the President of the organization. (2) Additionally, while we have not discussed this matter at a board level, please note that Steve Cook, Business Development Director of UGI serves on our Board and UGI is a member of EDC (which is a membership organization.)

I have two specific points to offer as part of the consideration of the LERTA:

- The proposed investment to relocate UGI's professional offices is highly desirable, given the nature of the jobs and the anticipated low-impact on municipal services. UGI is a long-standing, well known company that is relocating its offices from the Reading area. The jobs involved are professional services, and the employment pool is well established in the region. As a result, the municipality will benefit from the significant capital investment in the physical professional office building along with the attraction of several hundred jobs in the municipality, without seeing a commensurate demand on residential, educational or other local services that might occur from a new business relocating from outside the region. The size and scale of this project from the number of jobs, wage levels of jobs and capital investment in office to the expected local economic impact is relatively uncommon within the County (and region).
- LERTA, as a tool to facilitate desirable economic impact, is increasingly being utilized by municipalities who are calculating the long-term positive impact of commercial/industrial investment on deteriorated sites that have sat fallow for long periods of time. The total cost of development -- particularly when it includes the installation of infrastructure such as water, sewer and roads, along with meeting increasingly high regulatory requirements often makes projects financially challenging and even unfeasible. EDC has not specifically done any financial analysis of this site and the impact a LERTA will have, however, we are aware of a number of site issues that will require investment by UGI beyond a 'typical' greenfield site. In general, we have seen LERTA serve as an effective tool to facilitate investment and development.

Again, my apologies for not being able to attend in person. Please feel free to contact me if I can provide any further insights or assistance.

--Lisa Riggs

Lisa Riggs

President
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Please note our new address as of March 17, 2017!

