

Meeting Minutes

Meeting Minutes, August 16, 2006

The regularly scheduled meeting of the East Cocalico Township Board of Supervisors was called to order at 7:30 p.m. in the Municipal Building located at 100 Hill Road, Denver, PA by the Chairman, Douglas Mackley.

ATTENDANCE:

Supervisors: Douglas Mackley, Noelle Fortna, Alan Fry
Employees: Karen Koncle, Manager; Kenneth Eshleman, Roadmaster
Visitors: Richard Fischer; Ken McCrea; Bob Roggenburg; Gordie Kauffman; Bill Rae; Andrea Johns, Ephrata Review; S. G. Fletcher; Joseph P. Ross; Leo Noble; Thomas Parrish; Emily Parrish; Chris Parrish; Thomas Parrish, Jr.; Paul Wenger; Jay Quork; G. Sidni Schlegel; Jason Schlutt; Robert Baum; Chelsea Graber; Suzanne Mackley; Barry Garner; Mark Ebersole; Robert Steely; Gloria Claybaugh; Scott E. Lied; Anita Lied; Barbara Brown; Barry Martzall; Gary L. Schlegel; Donald H. & Barbara E. Olsen; Jim & Veronica Heston; Jim Burr; Richard Dieckhaus; Jason Leshner; Jessica Martin; Lisa Burkholder; Bethanie Mackley; Rochelle L. Hankins; F.W. Schmidt; Brian Fry; Les Fasnacht; Karlene M. Cook; Neil Whaley; Irwin Martin; Gerald Hartranft; Harvey Achey; Nelson Shirk; Michelle Colon; Brett Buckwalter; Ajay Shah; Tim Shirk; Nancy Hafer; Rick Gensemer

Chairman Mackley announced that during the hearing portion of the meeting there will be only one person speaking at a time; each person will be given a 5 minute time limit and there will be no yielding of time to the next person; they will start at the front of the room and progress to the back; the order of the process will be maintained until all questions are answered. Chairman Mackley asked if there were any questions. There were none.

Chairman Mackley introduced the Township Zoning Consultant, Harry Roth of Roth Plan and Mark Campbell of Herbert, Rowland, & Grubic (Township Land Planning Engineer). They will answer most of the questions. The residents were informed that if they speak they must state their name and address.

PUBLIC COMMENT (OTHER THAN ON THE ZONING HEARING): There was nothing.

APPROVAL OF MINUTES AND LIST OF BILLS:

Noelle Fortna made a motion, seconded by Alan Fry, to approve the minutes of the July 20, 2006 Board of Supervisors' Workshop Meeting. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Alan Fry made a motion, seconded by Noelle Fortna, to approve the minutes of the August 2, 2006 Board of Supervisors Meeting. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Noelle Fortna made a motion, seconded by Alan Fry, to approve the list of bills, as presented, for payment: General Fund \$74,528.76; State Fund \$14,502.58; Light Fund \$10,576.89; Capital Reserve Fund \$291.93; Cocalico Regional Community Park Authority Fund \$9.06. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

TREASURER'S REPORT:

Elwood Schwartz reported that the Township has received the August Interim Tax money. He also noted that the Uniform Pension Plan and the Non-Uniform Pension Plan are currently being audited.

The Knox Boxes have arrived and Mr. Schwartz and Harvey Achey will be working on the installation.

TRANSFER OF FUNDS:

Douglas Mackley made a motion, seconded by Alan Fry, to transfer \$14,502.58 from the State Fund Savings Account to the State Fund Checking Account. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

HEARING FOR TWO ZONING ORDINANCE CHANGES:

Before the hearing started Mr. Mackley made the following statement: "This Board has been accused in the newspapers of holding secret meetings and doing backroom deals. He is here to tell you that is untrue. I categorically deny any of that. This Board would not allow that to happen. Our Manager would not allow that to happen. I will read to you all the dates of the meetings when we talked about this. This is a list of meeting minutes of public discussions regarding this rezoning text and map discussions. Discussions were held at the following East Cocalico Township Board of Supervisors' public meetings: January 12, 2006 – a Special Board of Supervisors' Workshop Meeting (these are all public, advertised meetings) – appointment of Roth Plan, Harry Roth to assist with zoning matters on an as needed basis; April 5, 2006 – regular Board of Supervisors' meeting; April 19, 2006 - regular Board of Supervisors' meeting; May 17, 2006 – regular Board of Supervisors' meeting; June 7, 2006 – regular Board of Supervisors' meeting; July 5, 2006 – regular Board of Supervisors' meeting; July 19, 2006 – regular Board of Supervisors' meeting. Discussions were held at the following East Cocalico Township Planning Commission Public Meetings: April 24, 2006 – regular Planning Commission Meeting; May 22, 2006 – Special East Cocalico Township Workshop Meeting; May 22, 2006 – regular East Cocalico Township Planning Commission Meeting; June 26, 2006 – regular East Cocalico Township Planning Commission Meeting. Lastly, discussion at the regular Lancaster County Planning Commission Public Meeting conducted on June 26, 2006 at the Lancaster County Courthouse (copies of Lancaster County Planning Commission comments are available to the public). You can read what you want in the paper, but I am here to tell you that there were no backdoor deals, there were no secret meetings. We need to get that out to dispel those rumors.

Mark Campbell of HRG reviewed the proposed zoning changes.

Thomas Goodman, Township Solicitor, explained what the proposal was for.

ORDINANCE #2006-07: Thomas Goodman recommended that this Ordinance not be adopted because the legal description that appears in the advertisement refers to Main Street, which at one time was correct but is no longer correct. It is now North Reamstown Road. This was pointed out to the Township by Robert Roggenburg and he was correct. This raises an issue that Mr. Goodman doesn't want to face in court.

Comments were taken. As this was an advertised hearing, a court stenographer was in attendance to take minutes. A copy of the transcription will be attached to these minutes, when received.

Noelle Fortna made a motion, seconded by Alan Fry, to not accept Ordinance #2006-07. Chairman Mackley asked if there were any questions. There were none. Motion carried.

Alan Fry made a motion, seconded by Douglas Mackley, to authorize the Solicitor to forward the revised Ordinance to the East Cocalico Township Planning Commission and the Lancaster County Planning Commission with the correct designation of T-700 as North Reamstown Road, for their review and comments. After comments are received, the hearing must be re-advertised and zoning notices mailed to the property owners and notices posted. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

ORDINANCE #2006-08:

Harry Roth made a presentation on the text amendments to the Zoning Ordinance concerning shopping centers.

Comments and/or statements were taken. As this was an advertised hearing, a court stenographer was in attendance to take minutes. A copy of the transcription will be attached to these minutes, when received.

Noelle Fortna made a motion, seconded by Alan Fry, to close the public comments and/or statements for the evening. Chairman Mackley asked if there were any questions. Jason Schlutt, 269 N. Reamstown Road asked if they redo the next meeting will they post again around the properties? Mr. Mackley stated that they would.

Robert Baum, 267 North Reamstown Rd., on the properties adjacent to the property, I own one and the address is Stevens, not Denver. There being no further questions, motion carried.

Alan Fry made a motion, seconded by Noelle Fortna to table Ordinance #2006-08 until future notice. Motion carried.

EAST COCALICO WATER BOOSTER STATION NO. 1 – FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN:

Noelle Fortna made a motion, seconded by Alan Fry, to approve a waiver/modification of Section 507.3 of the Subdivision and Land Development Ordinance related to parking and maneuvering area asphalt pavement cross-section to authorize the use of 1.5" wearing course, 2" binder course, over 6" of 2A stone base, as detailed on the drawings. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

KINDT SUBDIVISION – REQUEST FOR FINANCIAL SECURITY REDUCTION:

No one was in attendance for this plan.

Alan Fry made a motion, seconded by Noelle Fortna, to reduce the Financial Security for the Kindt Subdivision Project to \$14,429.99, per the Becker Engineering, LLC letter dated August 2, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

TRANSPORTATION ENGINEER:

RESOLUTION #2006-10 – TO MAKE FORMAL APPLICATION TO PENNDOT FOR THE TEMPORARY TRAFFIC SIGNAL AT RT. 272 AND KURTZ ROAD AS A RESULT OF THE SITUATION WITH THE BRIDGE ON DENVER ROAD. Douglas Mackley made a motion, seconded by Alan Fry, to adopt Resolution #2006-10. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

SOLICITOR:

The paving ordinance must be revisited by the East Cocalico Township Planning Commission and the Lancaster County Planning Commission and must be readvertised. Douglas Mackley made a motion, seconded by Noelle Fortna, to refer the revised paving ordinance to the Township Planning Commission and the Lancaster County Planning Commission for their review and comments. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

The proposed sidewalk and snow removal ordinance would be ready for consideration at the September 20, 2006 meeting. The Manager will check the status of the auto sales amendment.

POLICE DEPARTMENT: No Report.

ZONING OFFICER: No Report.

ROADMASTER:

Ken Eshleman reported that there is a PennDOT meeting at the Denver Borough next week. If the Supervisors have any concerns or anything they want brought to PennDOT's attention, please either let him know or Noelle, as she will be attending also.

Starting to catch up on the list of items to be accomplished.

Jeff Lee called Mr. Mackley and requested that the Township Road Crew be thanked publicly for a job well done for the project that was done along his property. The Township also received a letter from Roland Arnold, a resident along Buzzard Road, complimenting the person or persons who mowed along Buzzard Road this spring and summer. He appreciated the thoroughness of the mowing, it really looks nice.

The waste pile has been mulched, it took 12 to 14 hours. The pile has grown again.

Bob Roggenburg asked Ken Eshleman to remind PennDOT that the two sinkholes on Rt. 272 near Garden Spot Road keep getting deeper.

SUPERVISORS:

Trees along Brunners Grove Road were briefly discussed.

TOWNSHIP MANAGER:

Douglas Mackley made a motion, seconded by Alan Fry, to authorize sending a request to PennDOT for permit approval of W. Church Street from SR 272 to Stevens Road for a staging area for the Denver Fair Parade on September 13, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

The citizen representative the Township appointed to the Lancaster County Housing & Redevelopment Authorities Fiscal 2007 Community Development Steering Committee has informed the Township she is unable to serve at this time; however, she would like to be reconsidered next year. Noelle Fortna made a motion, seconded by Douglas Mackley, to place Alan Fry in the Citizen Appointee classification as opposed to the Official Appointee for this year. Chairman Mackley asked if there were any questions. There were none. Motion carried.

The swimming pool will be closing Monday to Friday afternoon, the week of August 27 and reopen on Friday afternoon for Saturday, Sunday and Labor Day. The pool will close for the season on Monday, September 4, 2006 at 5:00 p.m.

There being no further business to come before the Board, Noelle Fortna made a motion, seconded by Alan Fry, to adjourn the meeting at 10:15 p.m. Chairman Mackley asked if there were any questions. There were none. Motion carried.

Respectfully submitted,

Noelle Fortna, Secretary