

## Meeting Minutes

### Meeting Minutes, September 06, 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: George Beever, Police Chief; Karen Koncle, Manager; Arlene Crouse, Recording Secretary  
Visitors: Robert Steely; Ken McCrea; Bob Roggenburg; Jeff Mitchell; Tom Parrish; Michael Upton

#### PUBLIC COMMENT:

Ken McCrea presented a request for putting more information on the Township's website. A discussion was held. The Supervisors will take under advisement.

Robert Steely asked that the Supervisors consider changing the proposed Zoning Ordinance change for residential setback for a shopping center from 500 ft. if operational time is not in use from 12 pm to 6 am to 250 ft. (suggested compromise number by Robert Steely) for uses, (e.g. buildings, structures, and off street loading); 50 feet for off street parking and access drives. Discussion was held. Supervisors will consider Mr. Steely's suggestion.

Bob Roggenburg voiced a concern about the property on which the Jersey barriers have been placed. It now seems there are other things being placed there. The Supervisors will have the Zoning Officer look into it.

#### APPROVAL OF MINUTES AND LIST OF BILLS:

Noelle Fortna made a motion, seconded by Alan Fry, to approve the minutes of the Continuation of the Susan B. Kittler Hearing from August 2, 2006 to August 16, 2006. 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 Board of Supervisors' meeting of August 16, 2006. Chairman Mackley noted that the transcription from the Court Stenographer should be available in about a week. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Douglas Mackley made a motion, seconded by Noelle Fortna, to approve the minutes of the Board of Supervisors' Workshop meeting of August 17, 2006. 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 22, 2006 Special Joint Meeting, which was advertised in accordance with the law, of the East Cocalico Township Board of Supervisors and East Cocalico Township Authority Board for the purpose of discussing sanitary sewer issues. 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 \$62,470.90; State Fund \$2,293.46; Hydrant Fund \$14,625.00; Cocalico Region Community Park Authority Fund \$385.70; Capital Reserve Fund \$474.25. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

#### TREASURER'S REPORT:

Elwood Schwartz thanked the Supervisors and Staff for their cards, prayers, and flowers during the recent death in his family.

All bills have been paid as of tonight. The accounts for August have been reconciled and are current. Today they had the exit interview with the State Auditors on the Police and Non Uniform Pension Plans and there were no findings and only two observations. Both Auditors were highly complimentary of the way we keep our records and stated that they were extremely pleased and that this doesn't happen everywhere. Mr. Schwartz will be out of town from September 11 to September 18.

The Supervisors noted that was good news from the Auditors and thanked the bookkeeper, Elizabeth Dorneman.

**TRANSFER OF FUNDS:**

Douglas Mackley made a motion, seconded by Noelle Fortna, to transfer \$2,293.46 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.

**WOODCREST RETREAT PHASE 2 – PRELIMINARY PLAN:**

No one was in attendance for this plan.

Noelle Fortna made a motion, seconded by Alan Fry, to accept the time extension for the Woodcrest Retreat Phase 2, Preliminary Plan, which will extend the deadline for action on the plan until December 7, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**MITCHELL TRACT – FINAL SUBDIVISION/ADD-ON PLAN:**

Jeffrey Mitchell was in attendance.

Alan Fry made a motion, seconded by Noelle Fortna, to accept the time extension for the Mitchell Tract Preliminary Plan, which will extend the deadline for action on the plan until November 20, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**MARTIN TRACT – FINAL SUBDIVISION/ADD-ON PLAN:**

No one was in attendance for this plan.

Douglas Mackley made a motion, seconded by Noelle Fortna, to accept the time extension for the Martin Tract Preliminary Plan, which will extend the deadline for action on the plan until November 21, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**E&J DEVELOPMENT – PRELIMINARY SUBDIVISION PLAN:**

No one was in attendance for this plan.

Alan Fry made a motion, seconded by Noelle Fortna, to accept the time extension for the E&J Development Preliminary Subdivision Plan, which will extend the deadline for action on the plan until December 6, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**LOCKER ROOM MINI-STORAGE – REVISED PLAN OF RECORD:**

No one was in attendance for this plan.

Noelle Fortna made a motion, seconded by Alan Fry, to formally accept and authorize signature of the Improvement Guarantee Agreement, and the associated Financial Security, in the amount of \$182,916.45 for the Locker Room Mini-Storage Plan. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Douglas Mackley made a motion, seconded by Alan Fry, to formally accept and authorize signature of the Stormwater Management and Easement Agreement and the associated Maintenance Agreement for the Locker Room Mini-Storage Plan. 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 acknowledge unconditional Final Plan approval and authorize signature of the plans and mylars for the Locker Room Mini-Storage Plan. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**OLD HOMESTEAD PARK – REQUEST FOR STORMWATER PLAN APPROVAL:**

Alan Fry made a motion, seconded by Noelle Fortna, to conditionally approve the Stormwater Management Plan for Old Homestead Park based on the resolution of the remaining items listed in the Becker Engineering, LLC letter dated September 1, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Douglas Mackley made a motion, seconded by Alan Fry, to authorize the Township Manager to proceed with advertising the bidding phase of the Old Homestead Park project. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**DARREL STEFFY STORMWATER MANAGEMENT PLAN – REQUEST FOR FINANCIAL SECURITY RELEASE:**

Noelle Fortna made a motion, seconded by Alan Fry, to authorize the complete release of the \$19,938.70 Letter of Credit for the Steffy Stormwater Management Project, per the Becker Engineering, LLC letter dated September 1, 2006. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**COCALICO MENNONITE CHURCH – REQUEST FOR MAINTENANCE SECURITY RELEASE:**

Alan Fry made a motion, seconded by Noelle Fortna, to acknowledge the termination of the 18-month maintenance period and authorize the complete release of the remaining 15% maintenance security (\$30,529.27) associated with the Cocalico Mennonite Church project. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Douglas Mackley made a motion, seconded by Alan Fry, to authorize the Township Manager to release the remaining Construction escrow currently being held by the Township following the confirmation that all the charges and invoices associated with the project, including the final site observation have been paid. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

**PENN EASTERN RAIL LINE, INC. – REQUEST FOR DETOUR AUTHORIZATION:**

Noelle Fortna made a motion, seconded by Alan Fry, to authorize the detour route as proposed by Penn Eastern Rail Line to utilize Miller Road and Reinholds Road in conjunction with the short 2-3 day duration closure of Ridge Road for the replacement and upgrade of the railroad crossing. The authorization is conditioned upon:

- 1) Penn Eastern Rail Line providing appropriate specific warning signage along Reinholds Road at the northern and southern approach to the Miller Road intersection.
- 2) Plans detailing proposed signage associated with the detour shall be submitted to the Township for review and comment prior to posting the detour.
- 3) Penn Eastern Rail Line is responsible to obtain all required approvals from PennDOT and insure the detour is posted in accordance with all current PennDOT standards.

Chairman Mackley asked if there were any questions. There were none. Motion carried.

**TRANSPORTATION ENGINEER:**

Several in-field inspections were made on August 29, 2006 by Scott Russell, Sgt. Burns, Officer Fisher, Kenneth Eshleman, and Karen Koncle. Inspections were made at Colonel Howard Blvd., North Muddy Creek Road, and the corner of Brunners Grove Rd. and Reinholds Rd.

After discussion, Douglas Mackley made a motion, seconded by Noelle Fortna, to authorize the Manager to contact D&E and PPL to trim the trees branches on the wires on the site at the Brunners Grove Rd./Reinholds Rd. intersection. Chairman Mackley asked if there were any questions. There were none. Motion carried.

Noelle Fortna made a motion, seconded by Alan Fry, to authorize the sending of a letter to the property owners explaining to them why the trees must be trimmed back to the trunk or cut down entirely within 30 days or the Township road crew will do the trimming. Chairman Mackley asked if there were any questions. There were none. Motion carried.

The Transportation Engineer had a discussion with the police department concerning the proper posting of weight restrictions on roadways.

Noelle Fortna made a motion, seconded by Douglas Mackley, to authorize the requesting of quotes for the purchase of generators and connecting cords for the ramp signals at Colonel Howard Blvd. Two will need to be purchased, one for the police department and one for the highway department. The cost for the generators is thought to be less than \$1,000 each. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

#### **SOLICITOR:**

The sanitary sewer issue currently before the Courts was briefly discussed. After discussion, Alan Fry made a motion, seconded by Noelle Fortna, to authorize the Solicitor to enter the revised stipulation with the Court on September 12, 2006. Chairman Mackley asked if there were any questions. There were none. Motion carried.

Douglas Mackley made a motion, seconded by Alan Fry, to authorize the referral of the revised Zoning Ordinance and Petitions to the Lancaster County Planning Commission and the Township Planning Commission for review and comment. Chairman Mackley asked if there were any questions. There were none. Motion carried.

Douglas Mackley made a motion, seconded by Alan Fry, to authorize the signing of the BC Natural Chicken Lease Agreement as presented (extending the lease from 12/31/06 to 6/30/07 with an option to extend the lease to 12/31/07) and to send a conveyance letter to the other municipalities. Chairman Mackley asked if there were any questions. There were none. Motion carried.

The revised SALDO paving amendment is being advertised and will be ready for action on September 20, 2006, as well as the Ordinance for Sidewalk and Snow Removal.

#### **POLICE DEPARTMENT:**

The bids for the sale of the police cars will be opened, as advertised, on September 20, 2006 at 9:00 a.m.

The Chief reported that this morning, he, the Township Manager, Mr. Schwartz, and Ms. Fortna met with Martin Kimmel and John Trump of Kimmel Bogrette regarding building needs.

The Department will be receiving a refund on the radar based traffic counter purchased in 2005, which has not worked satisfactorily from the time it was received. The Chief indicated this would leave a hole in their ability to do traffic studies. It was suggested that the Police Chief in Ephrata be contacted.

The speed board will be made available for Reinholds Road to help with traffic control when Ridge Road is closed for railroad construction.

The problem with making right-hand turns at the intersection at Church St. and Rt. 272 was briefly discussed.

#### **ZONING OFFICER:**

ACME personnel would like to do an "Adopt a Highway" program for Lausch Road and are asking for guidelines. The Township follows the State guidelines. The Township Manager will get pricing on signs for the program. This will be discussed further.

The old limestone house on the Martin Limestone property remains under study.

#### **ROADMASTER:**

The highway department has been working on pool issues. The Township Manager will be sending letters to vendors to get a full assessment of the current filtration system and what their recommendations are.

**SUPERVISORS:**

Noelle Fortna reported that at the meeting with Kimmel Bogrette this morning, they decided to include the needs of the upper floor. Douglas Mackley made a motion, seconded by Alan Fry, to proceed with the Kimmel Bogrette study including the Township offices, as well as the Police Department, the Authority, and storage areas. Chairman Mackley asked if there were any questions. There were none. Motion carried.

Alan Fry reminded the others that they have the FEMA class on Saturday morning.

Alan Fry recognized Woody Schwartz. As noted in the newspaper, Woody received a plaque from the Denver/Adamstown Rotary Club in recognition of his continued contributions to the community.

Douglas Mackley noted that the Township received a packet of information from Senator Wenger on the Transportation Funding and Reform Commission. Written comments will be given just as much weight as the comments from those attending. Comments should be given to Karen.

The maintenance of the Morganshire stormwater plan is still under study.

**TOWNSHIP MANAGER:**

Representative Creighton will be visiting the various municipalities in his jurisdiction and meeting with the Secretary/Treasurers and/or Managers to gather insights on needs and concerns from each municipality. The Manager will be meeting with Rep. Creighton on September 18<sup>th</sup> at 2:00 p.m.

The Township has received information that the Federal Emergency Management Agency in concert with the Pennsylvania Emergency Management Agency has provided an option to the various counties for a countywide emergency management plan as apposed to individual municipal emergency plans. Lancaster Emergency Management Agency has sent a mailing and asks that there be representation from each municipality at one of the meetings. They are holding sessions on September 13<sup>th</sup> at 9:00 a.m. or in the evening at 7:00 p.m. at the Lancaster County Public Safety Training Center. Elwood Schwartz will ask Scott Achey to go.

Douglas Mackley made a motion, seconded by Noelle Fortna, to authorize the Solicitor to prepare an amendment to the Police Pension Plan Ordinance and the Plan Document to revise wording in concert with Act 600, dealing with percentages for contributions. Chairman Mackley asked if there were any questions. There were none. Motion carried.

As no one can attend the Community Meeting for the Humane League scheduled for 6:00 p.m. on 9/7/06, Chief Beever will check if anyone from Denver is going and if they could bring back information for the Township.

Douglas Mackley made a motion, seconded by Alan Fry, to authorize the Solicitor to proceed with the enforcement compliance for the four properties in District 2 not in compliance with the On-lot Sewage Program. Chairman Mackley asked if there were any questions. There were none. Motion carried.

The 2007 list of positions and appointments was distributed to the Supervisors. Noelle Fortna noted that the Growth Management position could be eliminated.

The Township received a letter from DEP dated 9/5/06 regarding a release from an underground storage tank at the Al's Exxon Station on North Reading Road and Notification of Action that must be taken to mitigate the situation.

It was noted that the employment posters were updated for the five workstations and savings were made by downloading and laminating the posters in house.

There being no further business to come before the Board of Supervisors, Noelle Fortna made a motion, seconded by Alan Fry, to adjourn the meeting at 8:50 p.m. Motion carried.

Respectfully submitted,

Noelle Fortna, Secretary