

BOARD OF SUPERVISORS
SEPTEMBER 17, 2008

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 17517.

ATTENDANCE:

Supervisors: Douglas Mackley, Chairman; Alan Fry, Vice Chairman;
Noelle Fortna, Secretary
Employees: Karen Koncle, Manager; Lisa Kashner, Recording Secretary
Land Planning Engineer: Brent Lied, P.E., Becker Engineering
Visitors: Eric Eberly and Andrew Keister, Larson Design Group;
Eli Smucker, Stoney Point (formerly E&J Development); Scott
Burkholder, Reamstown Church of God; John Karkoska, Carl M.
Hurst, Jim Lorenz, John Landin, Dennis Miller, Bob Roggenburg

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

PUBLIC COMMENT:

Bob Roggenburg noted at the top of Hill Road and Route 272 there is not a clear sight distance because of hedges and signs.

APPROVAL OF MINUTES AND LIST OF BILLS:

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to approve the minutes of the Conditional Use Hearing Meetings for April 22, 2008, June 12, 2008, July 9, 2008 and August 14, 2008. Chairman Mackley asked if there were any questions. There were none. Motion carried.

The September 3, 2008 Meeting Minutes were changed on page 4 under the first MOTION heading within the sentence "...to rezone that tract to Agriculture and remove it outside the Urban Growth Boundary...". Chairman Mackley said the word "remove" should be changed to "move".

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to approve the September 3, 2008 Minutes with the correction on page 4, the word "remove" changed to "move". Chairman Mackley asked if there were any questions. There were none. Motion carried.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to approve the list of bills as presented: Total General Fund \$91,521.24, Total State Fund \$1,192.15; Total Capital Reserve Fund \$10,731.59, Total Light Fund \$14,020.31, Total Hydrant Fund \$14,625.00 and a Total Cocalico Regional Community Park Authority Fund \$1,759.42. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

TRANSFER OF FUNDS:

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, for the transfer of funds from the State Fund Savings Account to the State Fund Checking Account in the amount of \$1,192.15. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

TREASURER'S REPORT: No Report.

LAND PLANNING ENGINEER:

LLOYD FOX – ANNEXATION PLAN

No one was in attendance for this plan.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, acknowledging satisfaction of prior conditions of approval and granted unconditional final approval for the Lloyd Fox Lot Annexation Plan and authorized the signing of the final plans and mylars as submitted. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

JOEL MARTIN – LOT ANNEXATION PLAN

No one was in attendance for this plan.

MOTION: Chairman Mackley made a motion, seconded by Secretary Fortna, acknowledging satisfaction of the prior conditions of approval and granted unconditional final approval for the Joel Martin Lot Annexation Plan and authorized the signing of the final plans and mylars as submitted. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

MACMICHAEL – MINOR LAND DEVELOPMENT PLAN (formerly Als Exon)

No one was in attendance for this plan.

They continue to work with PennDOT to secure their final approval related to the Highway Occupancy Permit.

Previously they asked to extend their time until September 30, 2008, allowing them the time to meet the approvals. Therefore, they will need additional time.

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to further extend the standard one year time period under Section 204.11 of the Subdivision and Land Development Ordinance to allow them to satisfy the conditions of the Final Plan approval for the MacMichael Minor Land Development Plan. The new deadline for satisfying the conditions of approval is March 31, 2009. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

REAMSTOWN CHURCH OF GOD – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

Eric Eberly and Andrew Keister, Larson Design Group; Carl M. Hurst and Scott Burkholder.

Approvals were obtained from HRG and CDM concerning the review letters which they have signed off today.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to authorize signature of the Stormwater Management Easement Agreement and the Improvement Guarantee Agreement with associated Financial Security as presented and reviewed by the Township Solicitor. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

LAND PLANNING ENGINEER: *(CONTINUED)*

REAMSTOWN CHURCH OF GOD – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, acknowledging satisfaction of prior conditions of approval and granted unconditional Final Plan approval for the Reamstown Church of God and authorize signature for the Final Land Development Plan for the Final Plans and Mylars as presented by the applicant's engineer. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Scott Burkholder asked permission to get started on the foundation awhile until all of the Mylars and Plans are signed by the Planning Commission. The Board is in agreement authorizing Reamstown Church of God to proceed with the excavation of the foundation. Scott Burkholder thanked the Board and looks forward to them attending the dedication in about a year.

FOX BROOKE – PRELIMINARY SUBDIVISION PLAN

No one was in attendance for this plan.

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to accept the time extension for the Fox Brooke Preliminary Subdivision Plan, which will extend the deadline for action on the plan until December 26, 2008. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

HURST – FINAL ANNEXATION PLAN

No one was in attendance for this plan.

MOTION: Secretary Fortna made a motion, seconded by Vice Chairman Fry, to accept the time extension for the Hurst Final Annexation Plan, which will extend the deadline for action on the plan until December 29, 2008. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

HURST – PRELIMINARY SUBDIVISION PLAN

No one was in attendance for this plan.

MOTION: Secretary Fortna made a motion, seconded by Chairman Mackley, to accept the time extension for the Hurst Preliminary Subdivision Plan, which will extend the deadline for action on the plan until December 29, 2008. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

OTHER ITEMS

STONEY POINT (FORMERLY E&J DEVELOPMENT)

Eric Eberly, Larson Design Group and Eli Smucker were in attendance for this plan.

Eric Eberly noted they have Preliminary Plan Approval and are currently dealing with Final Plan items, and now the developer is interested in earth moving. Brent Lied indicated to the Board that since they have Preliminary Plan Approval, the developer does have the right to proceed. He suggested a separate security with a value of ten thousand dollars (\$10,000.00) to be established along with Erosion and Sedimentation (E&S) and National Pollution Discharge Elimination Systems (NPDES) Permits in hand prior to any earth moving. He added, there are risks associated with this and it would be at the developers' discretion. Eric Eberly agreed to the separate security value of ten thousand dollars (\$10,000.00) and acknowledged that he understands the risks associated with proceeding.

BOARD OF SUPERVISORS

SEPTEMBER 17, 2008

TRANSPORTATION ENGINEER:

The Colonel Howard Blvd. Phase I Project is on schedule and with the possibility that on Friday North Reamstown Road might be reopen. The contractor is expected to be entirely finished by September 30, 2008.

Since completion of the PennDOT project on Route 897, motorists are having difficulty turning from Route 897 onto Mohn's Hill Road because of their cars scraping the roadway. The Construction Manager is currently looking into this and Scott Russell will follow up next week.

On Denver Road, approaching the intersection at Route 272 and Col. Howard Blvd., the turn-signal loop sensor needs to be repaired. The proposal has been executed and sent to Traffic Solutions. At Garden Spot Road and Route 272 intersection, a problem exists with the signal and is being looked into for repairs.

The Board indicated that the Resolution/Application for the Cocalico Commons Shopping Center Signal is under study.

SOLICITOR:

ORDINANCE 2008-02: NO PARKING/STOPPING/STANDING ALONG ROUTE 272 FROM COL. HOWARD BLVD. TO THE TOWNSHIP LINE. This Ordinance is written only for Col. Howard Blvd. to Route 897 intersection and there is discussion of the possibility to extend the distance of the restriction further which would involve readvertising this Ordinance or writing another Ordinance. The Solicitor suggests a separate Ordinance if warranted.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to adopt Ordinance 2008-02 establishing the No Parking/Stopping/Standing restriction and the placement of signs along Route 272 from Col. Howard Blvd. to Route 897. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

The Lancaster County Planning Commission will be reviewing the Zoning Ordinance Amendments and the Subdivision and Land Development Ordinance (SALDO) Amendment. The Solicitor will be in attendance at the October 1, 2008 Board of Supervisors Meeting if the Ordinance is ready for adoption.

POLICE DEPARTMENT: No report.

ZONING OFFICER:

Tony Luongo reviewed his report for the month of August: 17 applications, 17 permits issued, 9 in review, 3 ready for pickup and 9 Use and Occupancy Certificates issued. Mr. Luongo reported of 4 hearings in September: (1) Daniel Lied, 785 W. Swartzville Rd.; (2) Ken and Tina Esterly, 28 Terrace Ave.; (3) Kenneth D. & Mary Miesemer, 396 S. Reamstown Rd.; (4) Gary & Sharon Landis, 1200 N. Reading Rd. No hearings are scheduled for October, 2008.

Tony indicated that currently there are no fees for fencing permits; however, he would like the Board to review the possibility of setting a fee for fencing because of the time spent on paperwork, and visits to the site(s) assuring that there are no swails, easements or other property lines involved.

Tony Luongo reviewed the remaining Zoning Report.

BOARD OF SUPERVISORS

SEPTEMBER 17, 2008

ROADMASTER: Staff has been very busy with routine maintenance.

SUPERVISORS:

PENSION PLAN BUDGETS FOR 2009:

Resolution #2008-10 East Cocalico Township Police Pension Plan Minimum Municipal Obligation (MMO)

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to adopt Resolution #2008-10 for the 2009 Police Pension Plan Minimum Municipal Obligation (MMO) establishing the Plan MMO in the amount of \$273,907.90 and authorizing execution of the Resolution. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Resolution #2008-11 East Cocalico Township Non-Uniform Pension Plan Minimum Municipal Obligation (MMO)

MOTION: Vice Chairman Fry made a motion, seconded by Secretary Fortna, to adopt Resolution #2008-11 for the 2009 Non-Uniform Pension Plan Minimum Municipal Obligation (MMO) establishing the Plan MMO in the amount of \$35,030.00 and authorizing execution of the Resolution. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

Secretary Fortna indicated that she received a phone call from a resident at Route 897 (West Schwartzville Road) who had a concern about the PennDOT work relative to the swail and the placement of rock liner. The contact person was notified. They will revisit the site to smooth the area. During her visit, residents voiced concern about the "passing zone" on Route 897. Previously this matter was brought up by Sgt. Burns. The Board will keep this matter under study.

Secretary Fortna attended the pre-planning meeting for Wabash Development, the developer to utilize the Village Overlay Zone.

Vice Chairman Fry reported that Mary Pentz attended the Final Redevelopment Authority Committee Meeting. It was noted that the 13 delegates were randomly picked for the Redevelopment Board and a letter will be sent expressing concerns.

TOWNSHIP MANAGER:

The grant contract and payment request have been executed and are ready to return to Department of Community and Economic Development (DCED) for execution. It was noted that a separate bank account needs to be opened to receive the grant funds.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to open a separate bank account at Fulton Bank for the funds to be directly deposited from the State Department of Community and Economic Development for the Grant and execute the signature cards. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

A request was made for the advertisement for bid to purchase thirteen (13) Automatic External Defibrillators (AED) after the State executes and returns the documents.

MOTION: Chairman Mackley made a motion, seconded by Secretary Fortna, to advertise for the purchase of thirteen (13) Automatic External Defibrillators (AED) after the documents are executed and returned from the State. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

BOARD OF SUPERVISORS
SEPTEMBER 17, 2008

TOWNSHIP MANAGER: *(CONTINUED)*

To be in compliance, the National Incident Management System (NIMS) was prepared with the assistance of Scott Achey, ECT Emergency Management Coordinator, for the Board Secretary signature.

MOTION: Vice Chairman Fry made a motion, seconded by Chairman Mackley, to authorize Secretary Fortna to sign the updating paperwork for the National Incident Management System compliance forms. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

A request was made for the Board to authorize the advertisement for bids for the calendar year 2009 Road Materials.

MOTION: Chairman Mackley made a motion, seconded by Vice Chairman Fry, to authorize the advertisement for bids for the 2009 Road Materials. Chairman Mackley asked if there were any questions or comments. There were none. Motion carried.

The 4th Amendment to the BC Natural Chicken Lease has been circulated for Board signatures.

Representative John Bear and the Lancaster Chamber of Commerce are hosting an event regarding the smoking ban at 7:00 p.m. on Thursday, September 25, 2008 at the Farm & Home Center.

The 6th Annual Lebanon/Lancaster County Watershed Forum is scheduled for October 25, 2008 from 9:00 a.m. until noon at the Quentin United Church of Christ.

The Girl Scouts of America bring to attention the current Girl Scout Gold Award was received by Alison Elizabeth Anderson of 1647 North Reading Road, Stevens, PA. Ms. Anderson is from Troop Number 237. She completed her Gold Award on April 25, 2008 titled "Quiet Friends". The Board requests a letter of congratulations to be sent to her.

ADJOURN:

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 9:01 p.m. Motion carried.

Respectfully submitted,

Noelle B. Fortna, Secretary