

WEST COCALICO TOWNSHIP

Leading the Pledge of Allegiance, the Chairman, Jacque Smith called the meeting to order at 7:00 p.m.

The following were in attendance:

Supervisors: Jacque Smith, Terry Scheetz and James Stoner (JJ).

Others Present: Carolyn Hildebrand, Manager; Shelbie Shupp, Administrative Assistant; Steve Laudenslager, Jim and Nancy Hamill, Terry Bergman, Ray Burns, Elaine Bowman, Mark South, Norma Enck, Lori and Ted Berger, Arlene Crouse, L. E. Reinhol, Karen Laudenslager, Dave and Sue Gingrich, April Westhafer, Garry Christ, Luke Showalter, Richard Moyer, Jim Kidwell, Susan Fleming, Courtney Hall, Jim Weaver, Ron Artz, Jack Schweitzer, Chris Laudenslager, Cindy Graybill, Malinda Laudenslager, Wayne Duke, Rodney Redcay, Nicole Shipton and Dave Lefever, LNP.

Chairman, Jacque Smith asked for public comment:

- April Westhafer questioned Terry Scheetz about his comment at the recent Cocalico Regional Leaders meeting regarding having higher taxes than any of the adjoining municipalities. Mr. Scheetz said he was referring to all taxes he would incur if he undertook a building project in Clay, Ephrata, or East Cocalico Township.
- Ray Burns asked if there was an update on grant money from Sunoco for recreational equipment. The Manager said she is still waiting for an update from Sunoco.
- Elaine Bowman referred to the letter in the recent West Cocalico Twp. newsletter regarding police services. She asked what ordinances the Police were not willing to enforce. Carolyn Hildebrand said the contract East Cocalico Twp. sent to West Cocalico Twp. to sign in 2013 would not have enforced all of the Township Ordinances because it stated that it would only enforce the ordinances that were in common with East Cocalico Townships. Arlene Crouse said that the East Cocalico Twp. Police do not enforce all of East Cocalico ordinances. She said most of the ordinances are related to zoning and are enforced by the Zoning Officer; some of the ordinances do not pertain to any kind of police protection.
- Norma Enck questioned why the 2013 contract was even mentioned in the newsletter article, since the contract went away. Carolyn Hildebrand said it was put into the article to bring people, who might not have been following the police issue closely, up-to-date on how this all started.
- Elaine Bowman asked if it is true that East Cocalico did not have control over some of the police costs because of arbitration. The arbitrator actually made those decisions. The Supervisors and Manager said they did not know.
- Harry Brower asked if it is a state law that the Township has to have a police force, or could we go with State Police. Mr. Brower said he knows people who live in Brecknock Township and they have not noticed any problems with the State Police coverage. Jacque Smith said the State Police are available for any municipality.
- Wayne Duke, 30 Mazzotta Rd., asked the Supervisors what could be done to have Mazzotta Rd. dedicated after over 21 plus years. Mr. Duke said they really have a problem with snow removal. He's concerned he will lose value if he tries to sell his home. Jacque

Smith said the developer has refused to do what needs to be done to have it dedicated. The Township will not take it over until the work is done. The Supervisors encouraged Mr. Duke, along with the other residents of Mazzotta Rd., to put pressure on the developer, and consider legal action. Norma Enck, retired Manager, said she had tried to cash in the bond and the bond company would not release the money; there was nothing they could do.

James Stoner motioned to approve the Board of Supervisors minutes from April 21, 2015. Terry Scheetz seconded the motion. Motion passed unanimously.

James Stoner and Jacque Smith highlighted the donations made to support various non-profits as follows:

- Adamstown Library, \$27,870
- Cocalico Creek Watershed Assoc., \$1,000
- Cocalico Senior Association, \$1,000
- Historical Society of Cocalico, \$2,000
- Reinholds Fire Company, \$20,000
- Schoeneck Fire Company \$20,000

Terry Scheetz motioned to approve the attached list of checks totaling \$93,549.33. James Stoner seconded the motion. The motion passed unanimously.

Carolyn Hildebrand said her and JJ met with Dean Hoover and Lisa Sanelli of Weinhold, Nickel & Co to discuss the 2014 audit report. Everything was in order.

The Manager gave an update on the PPL substation. The Township received a letter from DEP saying that PPL did submit a plan and DEP approved it. She did speak with a representative from DEP and they said there is a retention pond that will be going in above the driveway and they think that will help with the situation. The driveway concern is still being evaluated by the attorney. Terry Scheetz questioned if it affects the barrier situation, the safety hazard? Carolyn said the attorney has requested a copy of the plan and when Carolyn receives it she will forward it to the engineer but she does not think it will address that item.

The following is a summary of the residents' concerns regarding the newsletter information about police coverage, forming a regional police force or contracting with a neighboring police force:

Several residents challenged the information presented in a letter in the Township newsletter regarding the Police coverage and the Townships relationship with East Cocalico Twp. They wanted to know why there was such a large discrepancy between the 71% cost increase quoted in the newsletter and the 33.65% increase quoted in a memo from East Cocalico Township's Manager sent this afternoon at 4:21 pm. Retired Manager Norma Enck said the monies received back from East Cocalico need to be deducted from the expense in order to get an accurate amount for costs. They challenged the Supervisors to make their decision on correct facts and to not let past history influence their decision. Several residents also asked what information the Township was not able to get from East Cocalico Township.

The pension liability was discussed regarding that everyone's pensions took a hit and are now recovering and that the Township will pay penalties with whomever they go with. They requested that the Township compare apples to apples when comparing services offered by police forces and reiterated how good our current police force is. They asked that the Township consider East

Cocalico Police as one of the forces for consideration when taking quotes for services. A resident asked what the timeline is for moving forward in procuring police services and wanted to know when the information would be made public.

Also questioned was the preliminary budget presented by the Finance Committee for the startup of a Regional Police Force. East Cocalico has challenged the figures as over inflated. Residents, Nicole Shipton and Ray Burns, who have served on the Regional Police Board, responded that it was a preliminary budget, an estimate and the budget figures were established to not put a new Police Force under duress. They were requested to present a 5 year budget. The question was raised if ECT was challenged about their statement that the budget figures were inflated. The budget figures were never reviewed by the full Board because the discussions broke down in March.

Some of the residents said the Township should have gotten more information out to the public sooner and challenged them to go to the press to inform residents of the Township, as well as residents of neighboring municipalities, what has been going on with trying to form the Regional Police Force. They also asked the Supervisors to come back to the table at the Regional Police Board meetings to continue pursuing negotiations. They suggested that if it is a personality conflict, someone else represent WCT at the negotiations, perhaps the entire Board.

There were several residents who felt that the Township contracted with East Cocalico Township for a service, paid their bills and should not pay another dollar toward the unfunded liability. One resident likened it to paying for snow removal for \$500 and the contractor had to plow more then he thought he would because of a bad winter and comes back to the resident requesting more money. The resident said he would pay the contractor \$500 because that is what the contract was. Another shared that to pay for the unfunded liability would be a disservice to the taxpayers of the Township. He said our current police force is good, but other neighboring police forces are good as well. He said it is an insult to every other police officer in the surrounding area to believe that they are not as good as the existing East Cocalico Police force because they are presently employed somewhere else. One resident suggested that we use the State Police.

Several residents asked if the neighboring police forces were contacted via a written letter, and stated if so, they have a right to see the letter. Some of the residents asked if the decision for police coverage could be put on the ballot as a referendum. Several residents asked the Supervisors to contact East Cocalico Twp. to ask for a 1 year extension.

The following is a summary of the Board of Supervisors response to residents' concerns regarding the newsletter information about police coverage, forming a regional police force or contracting with a neighboring police force:

James Stoner said he has a tally sheet showing the actual police costs from 2001 to 2013 come to 76%. His numbers go back further then the newsletter figure. The 71% quoted in the newsletter was for 10 years. He said that the funds received back from East Cocalico Twp. have not been subtracted from the expenses because often the money is returned for the amortization bill received in April.

Mr. Stoner shared the statistics of properties under financial distress in the Township:

- 18 properties on 2015 sheriff sale list
- 28 doors posted for delinquent water accounts in March 2015
- 20 liens put on properties March, 2015, for delinquent street light taxes
- 43 properties with delinquent street light liens from a variety of years
- 93 properties are delinquent in real estate taxes as of May, 2015, with a total amount due of \$273,733.53. The total number of properties are 2,769, which include 15 trailers and 78 other properties.

Mr. Stoner and Manager, Carolyn Hildebrand said they had trouble getting information from East Cocalico Twp. to aide in the Regional Police Force organization. Often a Right-to-Know request was sent in order to receive the information. Jacque Smith said from the outset, it has bothered him that they had trouble getting information from East Cocalico. He said if they were so anxious for forming a regional police force, why did they put up barriers.

Jacque Smith shared that when Norma Enck was Manager, she was concerned, as well as the Board about police costs and how it would affect the rural community. The fact is that police services are increasing in every community. In WCT there is no area for commercial growth. At no time has the Board of Supervisors ever considered moving to less comparable services. The Supervisors are trying to get the best services for the price. He also shared that the Township received phone calls in favor of holding the costs down and to continue looking for other services. He said that he has served for 18 years and tried to do the right thing. His intention has always been to do what is best for the whole community.

Mr. Stoner said at Adamstown's request he went to East Cocalico Township to negotiate the unfunded liabilities that West Cocalico Twp. was expected to pay as part of the Regional Police Force. He said that his request was that East Cocalico Twp. absorb the costs until the fund was 90% funded. He said that was a number he was given by the State Attorney General when he contacted him regarding State pension funds. The State wanted pension funds to be 90% funded, they have since lowered that number. It was a negotiating number and he was assured by Doug Mackley that he would take the number back to his committee for discussion. However, immediately after the meeting East Cocalico met with the newspapers and stated that West Cocalico Twp. was no longer part of the Regional Police Board discussions. At a following Police Board meeting Cindy Sweitzer, Adamstown Board, questioned Mr. Mackley if he was going to give Mr. Stoner a counter offer. He did not reply at the meeting but after the meeting went with Noelle and the attorney to compose a letter which was later sent basically saying you have our offer, take it or leave it. West Cocalico replied to the letter stating that if East Cocalico Twp. is unwilling to negotiate the unfunded liabilities, West Cocalico Twp. has no choice but to say no. East Cocalico has not gotten back to West Cocalico Twp. with an interest to negotiate even though Noelle Fortna has said at several meetings that they are negotiating. Mr. Stoner said ECT is the driver, the owner; they have the right to do the right thing, or anything. Mr. Stoner and Mr. Smith said they agree with the gentleman who said we were given a contract and we paid what we were billed. We fulfilled our part of the contract.

Terry Scheetz clarified that he had made a motion to entertain other options for police services at a previous meeting, and that the motion left the door open to include East Cocalico Twp. police services, or a Regional Cocalico Police force as options when evaluating police services for the future.

Mr. Stoner said he has been in contact with neighboring municipalities to see if they would be interested in providing police services for West Cocalico Twp. The contacts were through phone calls and he has met with 3 of them. They did not talk about cost, level of service, scope of work, etc. It was mainly to see their level of interest. The State Police are available for any community; they just need to be given advance notice. Mr. Stoner said he could contact ECT for police services in the future but because they were unwilling to negotiate the unfunded liability, he thinks their charges would be high.

Terry Scheetz said when it comes down to the end of the line, they are dealing with statistics, his decision is going to be made on what he feels is the right thing to do based on the statistics. He said so much information is coming at them from different directions and it puts the Supervisors in an awkward situation and becomes very difficult. He said his decision will be based on cost,

services and everything the residents are concerned about. He said he can't convince everyone he is legitimate.

Mr. Scheetz said that the budget presented by the Finance Committee for the Police Board was a collaborated effort of residents and representatives of all 4 municipalities. There was nobody dominating the committee. After the report had been out for 6 weeks, ECT realized the report was not in their favor and now says the budget figures are inflated. The budget figures were a legitimate estimate of what the figures should be and were based on past cost with inflation.

Mr. Scheetz said he is not going to be the one that said what JJ has done was in vain. No one else will be going to the Regional Police Board. He said there are problematic issues that he has discussed with Ray Burns and Terry Bergman, which cannot be resolved. He said pension came up because it was WCT's turn to discuss their concerns. Terry said he will not go back on his original motion about checking with other police forces. He questioned whether it makes sense to have that unrelenting attitude, and then participate at a Police Board meeting with other members knowing that we are going forward with looking for other services.

Mr. Stoner said that ECT is the driver and needs to approach West Cocalico Twp. with an opportunity to negotiate. West Cocalico Twp. will continue to do what we are doing and if ECT decides they want to make an offer, we will be open to meet with them.

Carolyn Hildebrand gave the Manager's Report:

1. Attended the following meetings:
 - a. Parks Board – April 22, 2015 at 7:00 p.m.
 - b. Cocalico Regional Leaders – April 28, 2015, at 7:00 p.m.
2. Met with Meghan Martin to discuss her retaining wall on Gockley Road.
3. Met with Jim Caldwell and Lauren Zumbrun, Rettew Assoc.; and Stephanie Smith, Lancaster Farmland Trust, to discuss the work being done by Lancaster Farmland Trust with local farmers. They are meeting with about 10 farmers a week.
4. Met with Dave Ely, George Ely Associates, to discuss designing the playground improvements for Chapel Gate Park.
5. Met with Brandon Steffy to discuss an upcoming project in the township.
6. Spoke with David Weidman, Cocalico Creek Watershed Association, to discuss some of the upcoming projects in the Township and how we might work together on them.

The bids for Sealcoat were opened at 2:00 p.m. on May 5, 2015. The results are as follows:

Seal Coat Bidders	Location	Unit Price	Bid Amount
Martin Paving, Inc. 531 E. 28 th Division Hwy. Lititz, PA 17543	1A 5,168 sq. yds. Bituminous seal coat ¼ in stone	1.35	\$6976.80
	2A 5,168 sq. yds. fog seal	.51	\$2,635.68
	3A 3,605 sq. yds. Bituminous seal coat ¼ in stone	1.42	\$5,119.10
	4A 3,605 sq. yds. fog seal	.57	\$2,054.85
	98,665 sq. yds. bituminous seal coat	1.085	\$107,051.52
	TOTAL BID		

Hammaker East, LTD. 1514 Black Gap Road Fayetteville, PA 17222	1A 5,168 sq. yds. Bituminous seal coat ¼ in stone	1.45	\$7,493.60
		.60	\$3,100.80
	2A 5,168 sq. yds. fog seal	1.45	\$5,227.25
	3A 3,605 sq. yds. Bituminous seal coat ¼ in stone	.60	\$2,163.00
		1.43	\$141,090.95
	4A 3,605 sq. yds. fog seal		
98,665 sq. yds. bituminous seal coat			\$159,075.60
	TOTAL BID		
Asphalt Maintenance Solutions LLC 188 Jefferson Street Emmaus, PA 18049	1A 5,168 sq. yds. Bituminous seal coat ¼ in stone	1.20	\$6,201.60
		.95	\$4,909.60
	2A 5,168 sq. yds. fog seal	1.20	\$4,326.00
	3A 3,605 sq. yds. Bituminous seal coat ¼ in stone	.95	\$3,424.75
		1.20	118,398.00
	4A 3,605 sq. yds. fog seal		
98,665 sq. yds. bituminous seal coat			\$137,259.95
	TOTAL BID		

James Stoner motioned to award the sealcoat bid to the lowest bidder Martin Paving, provided all documents are in order. Terry Scheetz seconded the motion. Motion passed unanimously.

There was discussion regarding a resident's request for a non-solicitation ordinance. Resident, Ray Burns suggested that the Board of Supervisors consider modeling the Solicitation Ordinances of neighboring municipalities. He said a typical solicitation permit fee is \$25.00. The Board of Supervisors asked the Manager to contact neighboring municipalities regarding their ordinance.

On a motion by James Stoner and seconded by Terry Scheetz, the meeting was adjourned at 9:27 p.m.

Respectfully submitted,

James Stoner
Secretary