

## **EPHRATA TOWNSHIP SUPERVISORS' MEETING**

**November 15, 2022**

The Ephrata Township Supervisors met this date at 7:00 a.m. at the Ephrata Township Office Building, 265 Akron Road, Ephrata, Pennsylvania.

Present were Supervisors: Clark Stauffer  
Ty Zerbe  
Anthony Haws  
Manager: Steven Sawyer  
Admin Assist: Jennifer Carvell  
Engineer: Jim Caldwell  
Police: Chief John Petrick

The meeting was called to order by Chairman Clark Stauffer followed by the Pledge of Allegiance to the Flag.

### PUBLIC COMMENTS NON-AGENDA ITEMS

A motion was made by Ty Zerbe to close the Public Comment Period. The motion was seconded by Tony Haws and carried unanimously.

### APPROVAL OF MINUTES

A motion was made by Tony Haws to dispense with the reading of the November 1, 2022 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

### 471 NORTH READING ROAD – REZONING PETITION

At a previous meeting, Scott Cover presented a rezoning petition to the Board. Mr. Cover is the owner of three parcels of land commonly known as 471 North Reading Road. The property is currently zoned Industrial and Mr. Cover is requesting that the Township rezone the property to Commercial. The majority of the properties surrounding the tract are used for commercial purposes, which include a drug store, a paint store, medical facilities, a grocery store, an outdoor store, a gas station, a landscape business and other commercial uses. If the petition to rezone is granted, the petitioner intends to redevelop the property into multiple commercial uses. Manager Sawyer stated that the rezoning petition does not include an adjoining property located at 477 North Reading Road. 477 North Reading Road is an approximately ½ acre lot on the corner of North Reading Road and Church Avenue that is not owned by Mr. Cover. Manager Sawyer stated that if the Board is willing to consider the petition, he recommended that the Township contact the owner of this parcel to participate in the rezoning. If the owner agrees, Mr. Cover stated that he will have his attorney amend the petition to include this

parcel. The Board agreed with staff's recommendations and tabled a decision to consider the Zoning Petition and directed staff to contact the owner of 477 North Reading Road to see if he is in favor of including his property in the rezoning petition.

Manager Sawyer notified the Board of Supervisors that the property owner of 471 North Reading Road was in favor of his property being included in the rezoning petition and that Scott Cover's Attorney has completed the modification to the Rezoning Petition to add the neighboring property as requested by the Township. Mr. Cover was present to answer any questions that the Board of Supervisors might have regarding the newly submitted Rezoning Petition. Manager Sawyer recommended authorizing staff to send the Rezoning Petition to the Lancaster County Planning Commission and Ephrata Township Planning Commission for their review and recommendations.

A motion was made by Ty Zerbe to authorize staff to send the Amended Rezoning Petition for 471 and 477 North Reading Road to the Lancaster County Planning Commission and the Ephrata Township Planning Commission for their review and comments as presented. The motion was seconded by Tony Haws and carried unanimously.

#### STAFF REPORTS

##### Police Department – Monthly Report

Chief John Petrick provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of October totaling 378 incidents. There were 9 arrests and 16 traffic citations.

Chief Petrick also reported that the Ephrata Police Department has met with Ephrata Mennonite School officials to discuss their existing school and the new school under construction to gather information and improve communications between the EPD and the school.

##### Manager Steve Sawyer

- **Agreement – School Resource Officer.** Manager Sawyer notified the Board of Supervisors that the current School Resource Officer contract will expire December 31, 2022. The Ephrata Police Department has prepared a new 3-year contract and budget for the program. The new contract would be from January 1, 2023 through December 31, 2025. This School Resource Officer program began in 2006. The Ephrata Area School District has been funding 50% of the cost of the SRO program and the remaining 50% is shared by the four (4) municipalities within Ephrata Area School District based upon student enrollment in the High School. Ephrata Township currently has 25.44% of the student population. Manager Sawyer recommended approving the proposed School Resource Officer Agreement. Chief Petrick stated that this program has been beneficial to the Police Department, the Ephrata Area School District, and the Ephrata Community.

A motion was made by Tony Haws to approve the proposed agreement with Ephrata Township paying 25.44% of the municipal portion of the cost of the School Resource Officer as outlined in the Agreement. The motion was seconded by Ty Zerbe and carried unanimously.

- **Spring Glen Foods– Request for Pedestrian Crossing on Spring Glen Drive.** Manager Sawyer provided the Board of Supervisors with an email from Neal Williams, who is the head of the Safety Committee at Spring Glen Foods. Spring Glen Foods is requesting assistance from the Township to control the speed of vehicles that travels past their facility where their employees cross the road from their parking lot to their campus. Manager Sawyer stated that Spring Glen Drive is a Township Road that became a no outlet road when Route 222 was constructed. The Board of Supervisors were provided with a plan showing the area. Rettew Associates also reviewed the request and gave some recommendations such as cross walk information, lighting and signage for the Board to consider. Spring Glen Drive is a road that is basically only used by Spring Glen traffic and a few residential properties beyond their campus. Manager Sawyer and Jim Caldwell recommended that the Township install updated pedestrian signage and speed limit signs and consider allowing Spring Glen to install and maintain a cross walk at their cost.

A motion was made by Ty Zerbe authorizing staff to install updated pedestrian signage and speed limit signs and to notify Spring Glen that the Township would consider approving a cross walk and additional lighting if it was designed, installed and maintained by Spring Glen Foods. The motion was seconded by Tony Haws and carried unanimously.

- **Mohler Church Road Bridge – Design Process.** The Township received an email and letter agreement from Benjamin Singer of PennDOT dated October 31, 2022 offering to have PennDOT select a consultant to design and oversee the construction of the Mohler Church Road Bridge project. Manager Sawyer stated that he contacted Rettew Associates for their insight and recommendation. Jim Caldwell of Rettew Associates stated that if the Township would decide to handle the design process independently it would require the Township to complete a qualification process for the design engineer, enter into a reimbursement agreement between the Township and PennDOT, advertising bids, obtaining the required DEP permits and acquiring right-of-way for the new bridge. This process involves significant paperwork and will take considerable time to complete all of the required steps. If the Township would elect to allow PennDOT to select the consultant, design and oversee the construction of the bridge, the Township would still be able to provide input on the project. Jim Caldwell recommended that the Township approve PennDOT selecting the design consultant, select the contractor and oversee the construction of the bridge. PennDOT is requesting a response from the Township by December 5, 2022.

A motion was made by Tony Haws to approve the execution of the Agreement with PennDOT as presented. The motion was seconded by Ty Zerbe and carried unanimously.

- **Goods Store – Financial Security Release.** A letter from Diehm & Sons dated November 3, 2022 was provided to the Board of Supervisors for their review prior to the meeting. Good's Store has completed their project per the recorded Final Land Development Plan and is requesting a full release of their escrow financial security and to not be required to submit an as-built plan. Jim Caldwell stated that Rettew Associates will complete a site visit to verify that all improvements were completed per the recorded plan and that due to the scope of the improvements that he did not feel that an as-built plan should be required.

A motion was made by Ty Zerbe to approve the full release of the escrow financial security for Good's Store subject to an approved site observation by Rettew Associates. The motion was seconded by Tony Haws and carried unanimously.

- **East Mohler Church Road Subdivision – Correction to Recorded Plan.** Manager Sawyer received an email from Rachel Felpel of Hunter Creek Partners LLC dated November 4, 2022 notifying the Township that their surveyor discovered errors on the recorded East Mohler Church Road Subdivision Plan. Hunter Creek Partners is requesting approval to re-record the East Mohler Church Road Subdivision Plan showing the corrections. Jim Caldwell reviewed the proposed changes and provided the Board of Supervisors with an email dated November 7, 2022 with his recommendations.

A motion was made by Tony Haws to approve a Revised Final Subdivision Plan for the East Mohler Church Road Subdivision subject to the applicant addressing the comments in the Rettew Associates email dated November 7, 2022. The motion was seconded by Ty Zerbe and carried unanimously.

- **Ephrata Township Traffic Ordinance.** A Revised Ephrata Township Traffic Ordinance was prepared and provided to the Board of Supervisors for their review prior to the meeting. Manager Sawyer stated that the purpose of the revised Ordinance was to enact, update and restate traffic regulations within the Township. Manager Sawyer stated that the draft was reviewed by the Township's Solicitor and the Road Superintendent and recommended authorizing staff to advertise the proposed ordinance subject to verifying whether the speed limit of Spring Glen Drive should be 25 mph or 35 mph.

A motion was made by Ty Zerbe to authorize staff to advertise the proposed ordinance subject to verifying whether Spring Glen Drive meets warrants for a 25 mph speed limit. The motion was seconded by Tony Haws and carried unanimously.

- **Cocalico Creek Restoration Project Update.** Manager Sawyer notified the Board of Supervisors that he sent letters to the residents along Church Avenue on November 2, 2022 notifying them that Flyway Excavating has been awarded the bid for the Cocalico Creek Restoration Project and will be starting the project the week of November 14, 2022. The residents were also notified that the contractor has been directed to flag trees to be removed prior to the work being done on their

property. In addition, the Township offered to meet with any resident who would like to discuss the improvements that will be made on their property.

**Township Engineer Jim Caldwell** reported that the following plans/projects are in the review process:

- Cocalico Creek Restoration Project – Construction Observation
- East Mohler Church Subdivision – Site Work
- Goods Store - Financial Security Release
- Concept Excavating – Storm Water Management Plan
- Ephrata Mennonite School – Site Work
- Alan Martin Land Development Plan
- CB Burkholder - Land Development Plan

**APPROVAL OF BILLS**

A motion was made by Ty Zerbe to accept the list of checks written and to pay any bills pending. The motion was seconded by Tony Haws and carried unanimously.

**CORRESPONDENCE**

There was no additional information reported.

Manager Sawyer stated that he was questioned by Chairman Clark Stauffer about an article in the Ephrata Review regarding the Township's Proposed 2023 Budget. Manager Sawyer stated that the 2023 budget summary that he prepared stated that the total police expenditures are anticipated to be 44.3% of the general fund budget. Last year, police expenditures were 55.3% of the budget. Clark Stauffer wanted clarification as to why the percentage was so different from 2022 to 2023. Manager Sawyer explained that the reason the percentage went from 55.3% down to 44.3% was because our 2023 total budget includes a major project, the Cocalico Creek Restoration project that will cost \$800,000. Police expenditures will increase from \$1,979,000 in 2022 to \$2,016,000 in 2023. Without the Cocalico Creek Restoration project cost being included in the 2023 budget, police costs would be 54% of the general fund budget.

A motion was made by Ty Zerbe to adjourn the meeting at 8:40 AM. The motion was seconded by Tony Haws and carried unanimously.

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Clark R. Stauffer

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Anthony K. Haws

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J. Tyler Zerbe