

EPHRATA TOWNSHIP SUPERVISORS MEETING

August 1, 2023

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

Present were Supervisors:	Clark Stauffer
	Tony Haws
	Ty Zerbe
Manager:	Steve Sawyer
Township Engineer:	Jim Caldwell
Solicitor:	Anthony Schimaneck
Admin. Assist.	Jennifer Carvell

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 to close the public comment period was made by Ty Zerbe. 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 July 18, 2023 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

GERRY HORST – AUTUMN HILLS STREET DEDICATION

Gerry Horst, Developer of Autumn Hills was present. Manager Sawyer stated that Gerry Horst is requesting that the Township accept dedication of the remaining streets in Autumn Hills Development. The PennDOT deadline is August 31, 2023 to add roads to be eligible for State Liquid Fuels funding for 2024. Residents of Autumn Hills are anxious for the Township to take dedication of the remaining streets which will allow police enforcement, public school bus access, and Township winter maintenance such as plowing throughout the entire development. The reason the dedication has not been requested sooner is that there are 9 lots that have not been developed because it was discovered that a Conrail easement exists on the properties. Gerry Horst stated that he has been attempting to have the easement removed or relocated for years. He said he is now on the 5th different representative from Conrail and that person will no longer return his calls. These 9 lots do not currently have sidewalk and Gerry is requesting that the Township give him relief from installing the sidewalks for a 12-month period. Manager Sawyer stated that a Resolution and an 18-month Maintenance Agreement has been

prepared by the Township Solicitor and is ready for execution if the Supervisors are agreeable to taking dedication of the remaining streets with the conditions discussed.

A motion was made by Ty Zerbe to approve the Resolution for the Dedication of Acorn Court, Amber Lane, Autumn Blaze Way, October Glory Trail – North, and October Glory Trail – South as part of the public road system of Ephrata Township with the condition that the sidewalk on the 9 remaining lots be installed within 12 months. The motion was seconded by Tony Haws and carried unanimously.

RICHARD STAUFFER – LAKESIDE VILLAS STREET DEDICATION

Richard Stauffer, Developer of Lakeside Villas was present requesting that the Township accept dedication of Lake View Road. Manager Sawyer stated that the wearing course has not yet been installed on the street. Mr. Sawyer stated that he has been in discussions with the Township's Solicitor and the Developer's Attorney to come up with a way to complete dedication without any risk or liability to the Township. Mr. Stauffer's Attorney has drafted a sample motion with conditions that are acceptable to the Township's Solicitor. The conditions address the Township's concerns regarding the completion of the street and filing the necessary paperwork with PennDOT prior to the August 31st deadline. Manager Sawyer stated that he has heard from a number of residents of the development that are anxious for the streets to be dedicated to the Township. A letter dated July 27, 2023 from Claudia Shank, Attorney for Richard Stauffer addressing all of the Township's concerns were provided to the Board of Supervisors.

A motion was made by Tony Haws to accept Dedication of Lake View Road contingent on the satisfaction of the following conditions:

1. The Developer shall provide all executed documentation required by the Township Solicitor to facilitate the dedication to the Township Manager on or before August 21, 2023; and
2. The Developer will install the wearing course on Lake View Road on or before August 25, 2023; and
3. The Developer's counsel will record the deed of dedication and ensure that all required documentation as countersigned by the Township is delivered to PennDOT prior to September 1, 2023, such that the Township will be able to receive municipal liquid fuels tax monies for Lake View Road.

Should the Developer fail to complete any of these items, provided such failure is not due to the unreasonable delay of the Township in inspecting the roadway or executing required documents, and should the Township not receive a municipal liquid fuels tax reimbursement for Lake View Road as part of its next allocation a result thereof, PIM will make a one-time payment to the Township in the amount of \$4,000.00 as reimbursement for lost municipal fuel revenue. The motion was seconded by Ty Zerbe and carried unanimously.

EPHRATA POLICE DEPARTMENT – CONTRACTED POLICE SERVICES PRESENTATION

Chairman Stauffer welcomed the Ephrata Police Department to the meeting and all of those in attendance. He stated that this meeting is for information purposes only and no decisions will be made by the Township at this time. He also stated that public comment would be welcomed at the conclusion of the presentation.

At the July 18, 2023 Supervisors' Meeting, Lieutenant Josh Kilgore of Northern Lancaster County Regional Police Department presented a power point presentation summarizing a proposal for Ephrata Township to become a member of the NLCRPD. Ephrata Township has requested that the Ephrata Police Department present their proposal at this meeting. In attendance representing the Ephrata Police Department were Police chief Chris McKim, Borough Manager Nancy Harris, Sergeant Matt Randolf and Seargent Phil Snavely. Chief Chris McKim gave a power point presentation providing information on the EPD, the service that will be provided and the cost for the proposed five (5) year contract recently submitted to Ephrata Township.

Chairman Stauffer stated that the Board will now allow anyone in attendance to provide public comments.

Carolann Craft and Sandra Castro, Ephrata Walmart employees spoke in support of the Ephrata Police Department. They expressed how pleased they were with their relationship with the Department and response time for incidents which are mostly related to retail thefts.

Mike and Judy Burkholder are Ephrata residents and also operate a towing business in Ephrata Township. They spoke in support of the Ephrata Police Department to show their appreciation of their relationship and response time when needed.

Alicia Steffy, Ephrata resident and owner of Steffy's Towing spoke in support of the Ephrata Police Department. She too has been very appreciative of the Department's response time over the years. Just recently there was a motorcycle accident in front of her house and they were the first to respond to the scene.

Scott Cover, Business Owner in Ephrata Township and Ephrata Borough also spoke in support of the Ephrata Police Department. He too was appreciative of their speedy response time which has enabled them to be able to resolve issues in a timely manner.

Torey Landis, Ephrata resident and Constable also was present in support of the Ephrata Police Department. He works very closely with the department and also had a medical emergency at his residence recently and the police were the first to arrive and help save his child who was choking.

Bill & Sandy Rohrbach and Sally Bushong owners and operators of Ephrata Green Dragon were present in support of the Ephrata Police Department. The EPD has assisted

the Green Dragon on numerous Fridays with issues that have occurred over the years and appreciate their relationship with the Department.

Clyde Brown, retired Ephrata Police Officer and Ephrata Borough Resident was present in support of Ephrata Township continuing service with the Ephrata Police Department.

Clark Stauffer thanked Chief McKim for his presentation and all who attended. The Board of Supervisors will review the proposal and will contact the Ephrata Police Department with any questions.

STAFF REPORTS

Manager Steve Sawyer

- **Mohler Church Road Bridge – Scour Repair.** Manager Sawyer stated that an annual required PennDOT bridge inspection was completed recently on the Mohler Church Road bridge. The inspection revealed that repairs are needed to the bridge due to scour along the footings. Manager Sawyer forwarded the inspection report to Dave Hogeland of Rettew Associates who responded to the PennDOT bridge inspection firm, Mackin Engineering, with the Township's Plan of Action to repair the bridge. The repairs need to be completed within six (6) months. Township staff will be contacting several contractors to get proposals to complete the repairs as outlined in the Plan of Action. Manager Sawyer stated that he is hoping to have proposals to present to the Board in September.
- **Akron Road Culvert – Preliminary Engineering.** Manager Sawyer stated that the Akron Road Culvert is in need of replacement due to damage by a recent truck accident and the overall condition of the structure. Staff is requesting authorization to begin the engineering work necessary to develop cost estimates and bidding documents to replace the culvert. Currently it is functioning as a one lane bridge/culvert with jersey barriers protecting both sides. Staff is hopeful that DEP Permits will not be needed to replace the culvert. In addition, Manager Sawyer stated that the Township is in the process of getting a damage estimate in order to submit this cost to the insurance company of the driver involved in the accident. Manager Sawyer also stated that he has met with the property owners on each side of the culvert and both are willing to grant the Township any required easements that will be necessary to complete the project.

A motion was made by Ty Zerbe to authorize staff to begin the engineering work needed to prepare plans, cost estimates and bidding documents for the Akron Road Culvert replacement project. The motion was seconded by Tony Haws and carried unanimously.

- **Eagle Scout Project – Bird Houses at Autumn Hills / Cocalico Creek.** Manager Sawyer stated that Larry Ray who is a Township resident and a member of the Zoning Hearing Board reached out to the Township requesting that the Township authorize his grandson to do an Eagle Scout Project at the Cocalico Creek at Autumn Hills Park. Ty Zerbe met with Larry Ray and his grandson along with Adrean Shelley, a local bird expert, to determine the number and type of birdhouses best for this area. The plan proposes 9 blue bird houses, 2 screech

owl boxes, 4 wood duck boxes and 3 bat boxes. If the project is approved by the Board of Supervisors, the scout will have to submit the project to the Boy Scout Council for approval. All costs will be covered by the scout who will seek donations for the material.

A motion was made by Tony Haws authorizing Manager Sawyer to sign the necessary paperwork authorizing the Eagle Scout project as presented for the Autumn Hills / Cocalico Creek Park. The motion was seconded by Ty Zerbe and carried unanimously.

- **Snakehead Fishing Event – 7-22-23.** The Board of Supervisors were given an email dated July 25, 2023 from Michael Petrosky who organized the Snakehead Fishing Event at the Ephrata Township Park. The purpose of the email was to give information on how the event went on July 22, 2023. Snakeheads were seen and a couple of bites were confirmed, but none were caught. 28 bass were caught and all appeared to be healthy. Michael also requested a second identical event be held on September 23, 2023. Manager Sawyer requested that the Board of Supervisors authorize staff to investigate allowing kayaks and canoes to be used anytime on the Ephrata Community Park Lake which would eliminate the need for special fishing events in the future.

A motion was made by Ty Zerbe directing staff to notify Michael Petrosky that his request for a Snakehead Fishing Event on September 23, 2023 has been denied at this time due to staff researching the possibility of changing the rules to allow the use of kayaks and canoes at the Ephrata Township Community Park Lake. The motion was seconded by Tony Haws and carried unanimously.

Solicitor – Tony Schimaneck

Attorney Schimaneck stated that his office has been working on the Street Dedication requests for Autumn Hills and Lakeside Villas. He did not have any additional information to add to the meeting.

Jim Caldwell - Engineer

Jim Caldwell provided a list of plans/projects that Rettew Associates is currently working on:

East Mohler Church Subdivision – Site Inspections
CB Burkholder - Site Inspections
Lakeside Villa – Street Dedication
Autumn Hills – Street Dedication
Tommy's Carwash – Asbuilt Plans
Schmidt – Lot Add On
Keystone Mills
Auker – 332 E. Mohler Church

APPROVAL OF BILLS

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

CORRESPONDENCE

Tony Haws stated that there was no additional correspondence that has not already been discussed.

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

Clark R. Stauffer

J. Tyler Zerbe

Anthony Haws