

## **EPHRATA TOWNSHIP SUPERVISORS' MEETING**

**December 3, 2019**

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

Present were Supervisors: Clark Stauffer  
Tony Haws  
Ty Zerbe  
Manager: Steve Sawyer  
Admin Asst: Jennifer Carvell  
Police: Sgt. Eric Schmidt  
Engineer: Jim Caldwell  
Solicitor: Anthony Schimaneck

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

### PUBLIC COMMENT PERIOD

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 November 19, 2019 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

### ORDINANCE – BLUE RIDGE COMMUNICATIONS CABLE FRANCHISE AGREEMENT

Attorney Schimaneck stated that the current Blue Ridge Cable Franchise Agreement will expire February 4, 2020 and it was advised that an Ordinance be adopted if the Township plans to renew their Agreement with Blue Ridge Communications. The Agreement was prepared by Cohen Associates and no changes have been made from the current Franchise Agreement. Manager Steve Sawyer advised the Board of Supervisors that the proposed Ordinance has been advertised and could be adopted at this time. The Supervisors did not have any questions or comments for staff.

Clark Stauffer asked if anyone in attendance had any public comments for:

**AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP AND BLUE RIDGE COMMUNICATIONS.**

There were no comments from the public.

A motion was made by Ty Zerbe to approve the Ordinance Authorizing Execution of a Cable Franchise Agreement between the Township and Blue Ridge Communications as prepared and advertised. The motion was seconded by Tony Haws and carried unanimously.

LB WATER REVISED LAND DEVELOPMENT PLAN

Mark Hackenburg of RGS Associates presented the plan to the Board of Supervisors. No building changes are proposed. The plan proposes to expand the existing storage yard and install a subsurface storm water facility to replace the existing detention basin. Staff provided the Board of Supervisors with the Lancaster County Planning Commission and the Ephrata Township Planning Commission recommendations. In addition, Rettew Associate's Review letter dated November 21, 2019 was provided for their review prior to the meeting.

A motion was made by Tony Haws approving the Revised Land Development Plan for LB Water conditional upon Rettew Associates letter dated November 21, 2019. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Report – Sergeant Eric Schmidt

- **Reports.** Sgt. Schmidt provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of November totaling 387 incidents. There were 7 arrests and 17 traffic citations. The monthly report was provided to the Township and will be kept on file in the office.

Manager Steve Sawyer

**2020 Budget.** The Board of Supervisors held a budget work session on October 15, 2019. The Board directed staff to finalize the proposed 2020 budget as discussed and authorized Manager Sawyer to advertise that the preliminary budget was available for review by the public. Manager Sawyer presented the Board with a Summary and the 2020 Budget. The 2020 budget includes a real estate tax increase of .1 mills. The Township millage rate will increase to 1.27 mills. The increase is needed to help fund several projects in 2020 including the Township's Pollution Reduction Plan project estimated to cost \$400,000.00. The Township has applied for a DCNR grant in the amount of \$200,000.00. The Township also plans to replace the municipal building HVAC system in 2020 due to the age and condition. In addition, the police cost for 2020 will be \$1,849,786 which is a \$75,004 over the 2019 police costs.

A motion was made by Ty Zerbe to approve a Resolution to authorize a .1 mill real estate tax increase for 2020. The 2020 millage rate will be 1.27. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the Budget for 2020 as presented and recommended by staff. The motion was seconded by Tony Haws and carried unanimously.

- **Weaverland Mennonite Homes – Financial Security Reduction.** A letter dated November 19, 2019 from Rettew Associates recommending a financial security reduction was submitted to the Board of Supervisors. The original amount of the Financial Security was \$121,089.37. Jim Caldwell stated that based on Rettew Associate's site visit they are recommending a reduction of \$81,609.00 leaving a new outstanding balance of \$39,480.37.

A motion was made by Tony Haws authorizing the staff to reduce the financial security for Weaverland Mennonite Homes in the amount of \$81,609.00 leaving a new outstanding balance of \$39,480.37 subject to Rettew Associate's Letter dated November 19, 2019.

- **515 North Reading – Request for Escrow Release.** Manager Sawyer provided the Board of Supervisors with a letter dated September 26, 2019 from S. R. Cover Properties requesting the release of an escrow account for 515 North Reading Road in the amount of \$21,905.85. Jim Caldwell stated that a site inspection has not been completed to date. The Board of Supervisors tabled the request until Rettew Associates is able to complete a site inspection and provide a recommendation.
- **Echo Housing Agreement - Eugene Martin.** Manager Sawyer received a request from Eugene Martin to build an addition onto the existing single-family dwelling located at 223 Hahnstown Road to be used for in-law quarters. Manager Sawyer stated that he requested that the Township's Solicitor's Office prepare a standard Agreement to be recorded upon approval of the building permit. A copy of the Agreement was provided to the Board of Supervisors for their review prior to the meeting.

A motion was made by Ty Zerbe to approve the Accessory Dwelling Agreement as presented and prepared by Morgan, Hallgren, Crosswell and Kane. The motion was seconded by Tony Haws and carried unanimously.

- **Tenant Placement Services – Lower Level.** Manager Sawyer met with Roger Kline of Kingsway Realty regarding advertising the Township's lower level rental property. The tenant will be vacating the property the end of January 2020. Manager Sawyer stated that commercial real estate service fee will be 6% of the annual lease per year for the initial lease agreement term. If the same tenant renews the lease with the Township, no commercial real estate fees will be required.

A motion was made by Tony Haws approving Roger Kline of Kingsway Realty to provide tenant placement services for the lower level of the Township Building for the fee presented. The motion was seconded by Ty Zerbe and carried unanimously.

- **December Zoning Hearing Board Application – Ephrata Crossing.** Manager Sawyer provided a Zoning Application from Ephrata Crossing to the Board of Supervisors for their review prior to the meeting. Ephrata Crossing is requesting a variance to Section 625.B – Drive-through lanes shall be designed for stacking of a minimum of ten (10) vehicles and shall be separated from the internal circulation system for the parking facilities. Manager Sawyer asked the Board of Supervisors if they want to take a position on the application and provide testimony at the Hearing. The Hearing is scheduled for Tuesday, December 17, 2019. The Board discussed concerns over what will happen if the proposed drive through lane is not large enough and causes problems with the access drives within the development. After discussion, Manager Sawyer was directed by the Board of Supervisor to present these concerns to the Zoning Hearing Board at the Hearing.
- **DEP Planning Module – David & Rhoda Martin Subdivision.** Manager Sawyer notified the Board of Supervisors that the Township received a deficiency letter from DEP dated November 21, 2019 concerning the David & Rhoda Martin Sewage Planning Module. Mr. Martin's Engineer has revised the planning module per the DEP letter. DEP is requesting that the Township approve the resubmission of the revised module. Jim Caldwell stated that Rettew Associates has reviewed the revised module and is recommending approval.

A motion was made by Ty Zerbe authorizing the resubmission of the project narrative, easement exhibit and preliminary hydrogeologic study addendum for the David & Rhoda Martin DEP Planning Module. The motion was seconded by Tony Haws and carried unanimously.

- **County Commissioner Letter – Drug Task Force.** Manager Sawyer presented to the Board of Supervisors a letter from the County Commissioners dated December 2, 2019 regarding funding for the Lancaster County Drug Task Force for 2020. At the November LCATS meeting a resolution was passed that each Lancaster County Municipality would fund \$1.00 per capita to the Lancaster County Drug Task Force in 2020, but would like the County to fully fund the DTF beginning in 2021. Manager Sawyer stated there was no action needed at this time and that LCATS Executive Board will be meeting to discuss this matter in the near future.

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

MS4 Permit – Draft Plan Submitted for review  
Ephrata Crossing – Phase 2  
Denver Wholesale Foods  
L & B Water - Parking Lot Expansion

Weaverland Mennonite  
Ephrata Mennonite School – Traffic Study

**Solicitor Tony Schimaneck**

Tony Schimaneck stated that there was nothing further to discuss with the Board of Supervisors at this time.

**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**

Tony stated that the next Fire Company Study Meeting is scheduled for December 12, 2019. Manager Sawyer stated that he contacted Lancaster County-Wide Communications and that they have provided a 2' x 3' map showing the fire company service areas within the Township. There are nine (9) different fire companies that serve part of Ephrata Township. The map is displayed in the lobby of the Township building.

Tony Haws stated that there was no additional correspondence at this time.

A motion was made by Tony Haws to adjourn the meeting at 8:30 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

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Clark R. Stauffer

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Anthony K. Haws

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J. Tyler Zerbe