

EPHRATA TOWNSHIP SUPERVISORS' MEETING

December 7, 2021

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:

- Supervisor Clark Stauffer
- Supervisor Tyler Zerbe
- Supervisor Tony Haws
- Township Manager Steve Sawyer
- Admin. Assistant Jennifer Carvell
- Township Solicitor Tony Schimaneck
- Township Engineer Jim Caldwell

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 16, 2021 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

MAYNARD NOLT – WAIVER OF LAND DEVELOPMENT & SWM PLAN

John Williamson from Team AG and property owner Maynard Nolt were present to present a Minor Storm Water Management Plan and Land Development Plan Waiver. Maynard Nolt of 366 Royer Road, Lititz, Ephrata Township is proposing to construct a Machine Shop on his property which is zoned Agricultural. Mr. Nolt has received approval from the Zoning Hearing Board for a home business. A Rettew Associates letter dated December 2, 2021 was provided to the Board of Supervisors prior to the meeting for their review. Jim Caldwell of Rettew Associates stated to the Board that the Storm Water Management Plan is adequate and recommended approving the Waiver of Land Development Plan per the justification provided.

A motion was made by Ty Zerbe to approve the Waiver to Section 305, 306 – Land Development Plan Processing based upon the justification provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the Storm Water Management Plan conditional upon Rettew Associates Review Letter dated December 2, 2021. The motion was seconded by Tony Haws and carried unanimously.

2022 BUDGET ADOPTION

The Board of Supervisors held a budget work session on October 19, 2021. The Board approved the preliminary budget at this meeting and authorized Manager Sawyer to advertise that the preliminary budget was available for review by the public. The proposed budget does not include a real estate tax increase. The milage rate will remain at 1.27 mills.

A motion was made by Ty Zerbe to approve the 2022 Ephrata Township Final Budget as presented and recommended by staff. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **Opioid Settlement.** The Board of Supervisors were provided with a letter dated September 23, 2021 from the Office of Attorney General for their review prior to the meeting. Manager Sawyer stated that the Commonwealth of Pennsylvania has committed to a \$26 billion settlement with the three (3) major drug distributors for their role in creating the opioid crisis. The purpose of the letter is to invite local PA municipalities with a population of greater than 10,000 to participate in the settlement. Manager Sawyer stated that under the terms of the settlement, the funding Pennsylvania receives must go towards addressing the opioid crisis. The types of eligible programs include treatment options, wrap-around services for those seeking treatment, prevention efforts and EMS services. Manager Sawyer also stated that if the Board decides to participate, a designated person must be selected to execute the required documents on behalf of the Township. Attorney Schimaneck stated that he reviewed the information and recommended participating with the Commonwealth because filing a lawsuit individually would be cost prohibitive.

A motion was made by Ty Zerbe to approve participating in the Opioid Settlement with the Commonwealth of Pennsylvania as presented. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to authorize Manager Sawyer to be the designated signee on behalf of Ephrata Township for filing the required documentation related to the Opioid Settlement. The motion was seconded by Tony Haws and carried unanimously.

- **Mohler Church Road Subdivision – Time Extension.** Ephrata Township received a letter dated November 30, 2021 from Dautrich Engineering granting the Township an additional 90 days to act on the Final Subdivision Plan for East Mohler Church Road. A list of the items that are still outstanding from Rettew Associates last review letter were itemized in the letter and cannot be completed prior to the January 13, 2022 deadline.

A motion was made by Tony Haws to accept the 90-day time extension granted by Dautrich Engineering for the East Mohler Church Road Subdivision for the Township to act on the plan. The new deadline for the Township to act on the plan will be April 13, 2022. The motion was seconded by Ty Zerbe and carried unanimously.

- **Sale of 2000 F-550 Dump Truck.** Manager Sawyer stated that the Township advertised and received three (3) sealed bids for the sale of the 2000 F-550 Dump Truck. The highest bid received was in the amount of \$9,870.00 from C&D Driveway Paving & Sealing. The next highest bid was in the amount of \$6,840.00. Manager Sawyer recommended approving the sale of the dump truck to the highest bidder.

A motion was made by Ty Zerbe approving the sale of the 2000 F-550 Dump Truck to C&D Driveway Paving & Sealing in the amount of \$9,840.00. The motion was seconded by Tony Haws and carried unanimously.

- **Hendrix, ISA Financial Security Release.** The Board of Supervisors received a Rettew Associates Financial Security Final Release letter dated September 24, 2021. Jim Caldwell stated that all of the outstanding items have been completed and recommended full release in the amount of \$15,312.00 plus accrued interest.

A motion was made by Tony Haws to approve the full release of the Financial Security for Hendrix, ISA as recommended. The motion was seconded by Ty Zerbe and carried unanimously.

- **Croft Agreement.** Manager Sawyer suggested that this issue be discussed in executive session because it is a personnel matter after completion of the rest of the staff reports.
- **High Point Church – Financial Security Reduction.** The Board of Supervisors received a Financial Security Reduction Letter No. 2 from Rettew Associates dated December 7, 2021. High Point Church is requesting a reduction of the financial security for this project to a new balance of \$6,500. Jim Caldwell stated that there are still outstanding items and is recommending the reduction of the financial security in the amount of \$164,992.93 which will leave a new outstanding balance of \$57,172.00.

A motion was made by Ty Zerbe approving the reduction of the financial security for High Point Church in the amount of \$164,992.93 subject to Rettew Associates Letter dated December 7, 2021 leaving a remaining balance of \$57,172.00. The motion was seconded by Ty Zerbe and carried unanimously.

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

- Mohler Church Bridge & Rail Trail Project
- MPDS Permit Approval – Autumn Hills Project
- Goods Store – Land Development Plan
- Tommy's Carwash - Land Development Plan
- Ephrata Crossing – Phase 4
- Glenwood Foods – Site Inspections
- Good's Store – Preconstruction Meeting

Solicitor Tony Schimaneck

Tony Schimaneck reported his office has completed the Agreements for Garden Spot Equipment Auction and Tommy's Carwash. His office is also working on a Zoning Ordinance Amendment to the current Short-Term Rental regulations.

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 Haws stated that he did not have any additional correspondence to report that was not already discussed.

Clark Stauffer stated that there would be a 5 minutes recess and then they would be going into Executive Session to discuss a personnel matter at 8:00 p.m. The Executive Session ended at 8:10 P.M. A motion was made by Tony Haws to approve the Separation Agreement between Ephrata Township and Robert L. Croft as prepared by the Ephrata Township labor attorney. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to adjourn the meeting at 8:11 P.M. The motion was seconded by Tony Haws and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe