

EPHRATA TOWNSHIP SUPERVISORS' MEETING

February 19, 2019

The Ephrata Township Supervisors met this date at 7:00 a.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 Assist: Jennifer Carvell
Solicitor: Anthony Schimanek
Engineer: Jim Caldwell

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 February 5, 2019 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

EPHRATA CROSSING – PRELIMINARY PLAN

Chris Venarchick from RGS Associates and Developer, Richard Stauffer were in attendance. Chris Venarchick gave a brief overview of the Preliminary Land Development Plan being proposed. The Ephrata Township Planning Commission and Lancaster County Planning Commission reviewed the plan and their recommendations have been provided to the Board of Supervisors along with Rettew Associates Review Letter dated February 18, 2019. Township staff advised the Board of Supervisors that there are concerns with recommending approving the Preliminary Plan at this time. Richard Stauffer's Attorney emailed Agreements to Manager Sawyer, Rettew Associates, Attorney Schimanek's office on Monday at 4:00 p.m. None of the Agreements were reviewed by staff or the Board of Supervisors prior to the meeting. In addition, the Storm Water Management facilities proposed at various locations throughout the tract have not been adequately tested to verify that the proposed locations will work for underground storm water facilities. Chris Venarchick stated that the improvements shown on individual lots are not a firm design until the developer is positive of who the occupant will be so they are unsure of the exact locations of storm water facilities. It was discussed that an agreement could be prepared and executed that clearly states that the preliminary plan does not grant any approval of storm water design.

Attorney Schimaneck recommended to the Board of Supervisors to table action on the Preliminary Plan until a new agreement addressing the storm water management is prepared and the Agreements that were recently received can be reviewed by staff.

A motion was made by Ty Zerbe to table action on the Ephrata Crossing Preliminary Plan as presented until such time as staff has reviewed all agreements that have been discussed. The motion was seconded by Tony Haws and carried unanimously.

PAUL MOORE – SCHOOL RESOURCE OFFICER ANNUAL REPORT

Officer Moore presented to the Board of Supervisors an overview of all the different programs that he participates in and the education and training he has provided to the Ephrata School District so far this school year. In addition, he has been conducting bus safety training with the local Fire Departments and Fire Police. Chairman Clark Stauffer thanked him for the presentation and the job that he does for the community.

CREEK CORNER – FINAL LAND DEVELOPMENT PLAN

Jim Henke from Pioneer Management and Dave Schreider from Landmark Homes were in attendance to represent the plan. The Ephrata Township Planning Commission and Lancaster County Planning Commission reviewed the plan and their recommendations have been provided to the Board of Supervisors along with Rettew Associates Review Letter dated February 1, 2019 and Retaining Wall Structural Review letter dated February 18, 2019.

A motion was made by Ty Zerbe to approve a waiver to SWMO Section 405.1.A – Combination of Rational Method Hydrographs based on the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Creek Corner Final Land Development Plan conditional upon Rettew Associates Letter dated February 1, 2019 as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Road Superintendent – Randy Groome

- **Flail Mower Purchase.** Randy Groome was in attendance to present to the Board of Supervisors a quote he received from Messick's for an Alamo Versa Side Flail mower. Messick's provided the Township a CO-STAR State Contract price of \$13,062.00. Randy Groome stated the benefits of the mower and the current condition of the mower that would be replaced. Manager Sawyer stated that this was not in the general fund operating budget for 2019 but the Township could use Capital Reserve Funds or Liquid Fuels Funds for the purchase.

A motion was made Ty Zerbe to authorize the purchase of the Alamo Versa Side Flail mower from Messick's at the Co-Star Price of \$13,062.00 as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Ferris Mower Purchase.** Randy Groome presented to the Board of Supervisors a proposal from Martin's Repair Shop for the purchase of a new Ferris 3200 37 HP Mower in the amount of \$5789.10. Randy stated that the current riding mower that was purchased from Martin's Repair Shop is now 3 years old and the warranty has expired. Last year the mower was starting to need more repairs than in prior years. Martin's is offering a good trade in value and also a Non-Profit Discount which is better than the Co-Star State Contract Price. The Township has also been pleased with the service that has been provided by Martin's in the past.

A motion was made by Tony Haws to authorize the purchase of the Ferris Mower from Martin's Repair Shop in the amount of \$5789.10 presented. The motion was seconded by Ty Zerbe and carried unanimously.

Manager Steve Sawyer

- **Joint Road Bid Resolution.** Manager Sawyer requested the Board of Supervisors approve a Resolution to participate in a Co-Operative Bidding and Purchasing Agreement for the Procurement of road work identified as chip seal coating and line painting with multiple municipalities. The Township would participate in bidding for Chip Seal Coating of 46,178 square yards of #8 stone single application Seal Coating, and 15,695 square yards of ¼" stone single application seal coating and Line Painting for 161,000 feet of double yellow line and 162,120 feet of single white line.

A motion was made by Ty Zerbe to approve the Resolution to participate in a Co-Operative Bidding and Purchasing Agreement for the Procurement of roadwork identified as chip seal coating and line painting with multiple municipalities as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Ephrata Crossing East – Time Extension to Record Plan.** A letter dated February 12, 2019 from David Bitner of RGS Associates on behalf of Ephrata Crossing East requesting an additional 65-day extension to allow the applicant to gather the necessary documents needed to record the Preliminary/Final Plans. The new deadline would be May 22, 2019.

A motion was made by Tony Haws to approve the 65-day time extension requested by Ephrata Crossing East to record the Preliminary/Final Plan. The new deadline will be May 22, 2019. The motion was seconded by Ty Zerbe and carried unanimously.

- **Ephrata Crossing Phase 1 Final Plan – Time Extension to Act on the Plan.** A letter dated February 11, 2019 from David Bitner of RGS Associates on behalf of Ephrata Crossing Phase 1 granting a 51-day time extension to act on the Ephrata Crossing Phase 1 Final Plan. The new deadline would be April 17, 2019.

A motion was made by Ty Zerbe to approve the 51-day time extension granted by Ephrata Crossing to act on the Phase 1 Final Plan. The new deadline will be April 17, 2019. The motion was seconded by Tony Haws and carried unanimously.

- **Polling Place Agreement.** Ephrata Township received a letter from Mary Latshaw of the Board of Elections dated February 1, 2019 requesting approval for the use of the Ephrata Township building on May 21, 2019 and November 5, 2019 for the purpose of Voting. Manager Sawyer requested authorization to approve the Letter of Agreement for Usage of Facility for the Purpose of Voting presented.

A motion was made by Ty Zerbe to approve the Letter of Agreement for Usage of Facility for the Purpose of Voting as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Rail Trail Dedication.** The Warwick to Ephrata Rail Trail Committee is organizing a Dedication Ceremony. They are proposing to hold the Event near the newly reconstructed Cocalico Creek Bridge on Wednesday, April 24, 2019 at 10:00 am. A draft of the event agenda was presented to the Board of Supervisors for their review and comment. One of the biggest concerns is parking. The Board of Supervisors stated they would be in favor of closing Millway Road to allow parking along the road.
- **PIM – Agreement for Improvements within PennDOT Right-of-Way.** At the February 5, 2019 Meeting, the Board of Supervisors directed staff to notify PIM's attorney modify the Agreement as discussed. Manager Sawyer stated that the Agreement has not been received to date.
- **Tree of Life – Request to Clean Vents / Duct Work.** At the last Supervisors Meeting, Manager Sawyer notified the Board of Supervisors that he received a letter dated January 24, 2019 from the Tree of Life who rents the lower level of the Township building requesting that the vents and duct work be cleaned. Manager Sawyer requested the Board of Supervisors table their decision until he can review the current lease agreement and the cost of utilities, taxes and other expenses that are paid by the Township. Manager Sawyer reported to the Board of Supervisors that the Township paid approximately \$17,600 for utilities, services and taxes for the lower level of the building in 2018. A summary of expenses was provided to the Supervisors for their review. The current lease expires March 1, 2019. Manager Sawyer recommended that the Board authorize him to notify Tree of Life that the township will not pay to have the duct work cleaned but that tree of Life can hire someone to clean the duct work if want it done. In addition, Manager Sawyer requested direction as to what changes should be made to the new lease agreement. The Board of Supervisors directed Manager Sawyer to notify Bob Miller that the duct work could be cleaned at his own expense and to request a meeting showing the current expenses that are being paid by the Township and to discuss changes to the Lease Agreement.
- **Short-Term Rental – Draft Ordinance.** At the last meeting, Manager Sawyer presented to the Board of Supervisors a copy of the Lancaster County Planning Commission Short Term Rental Regulation report for their review and comment

at a future meeting. Manager Sawyer presented to the Board of Supervisors a draft of a Short-Term Rental Ordinance that was modeled after West Cocalico Township's draft ordinance. Jim Caldwell of Rettew Associates stated that his office has also been preparing this type of an ordinance for other local municipalities that he would be able to share with the Township. The Board of Supervisors directed staff to check with the Township's Building Code Official to find out what UCC regulations were in place for short term rentals and to provide them with additional drafts from other local municipalities for their review.

Engineer Jim Caldwell reported that there are several plans in the review process.

Creek Corner – Final Land Development Plan
Ephrata Crossing - Preliminary Plan
Ephrata Crossing – Phase 1 Hotel
Lakeside Villa
Kurtz/Weber Lot Add-On
Gary Weaver

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 reported that the Township received a thank you card from Christian Endeavor for the use of the Township's portion of the WERT for their 5-mile run event held on November 10, 2018 to support Veterans.

There was no additional correspondence to report at this time.

A motion was made by Tony Haws to adjourn the meeting at 10:17 A.M. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe