

EPHRATA TOWNSHIP SUPERVISORS MEETING

February 7, 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
Solicitor:	Anthony Schimaneck
Engineer:	Jim Caldwell
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

David and Paula Palm of 63 Brookfield Drive were in attendance. Mr. Palm stated that the street light in front of his home has not functioned for an extremely long time. The Township recently sent out Street Light Assessment annual bills and he asked why he should be responsible to make this payment when the lighting has not been working for approximate two (2) years. Staff stated that each time the Township was notified of the outage a trouble ticket was faxed to PPL. On December 22, 2022, after the Township was notified by a resident that the pole was still not functioning, the Township Maintenance Department staff went to the location and reported that PPL had placed caution tape around the pole. Staff contacted PPL to find out the status of the repair and to inform PPL that this problem was reported several times. PPL responded and confirmed receipt of the trouble tickets and left a voice mail that a new pole was needed and had to be ordered. The expected completion time was 6 to 8 weeks. The Board of Supervisors stated that PPL owns and maintains the poles and bills the Township for the usage and maintenance of each pole. This is the reason that annual Street Light Assessment bills are sent to all of the property owners in developments with streetlights. Staff was directed to follow up with PPL for the status of this repair work.

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 January 17, 2023 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Department – Monthly Report.

Sgt. Schmidt was in attendance and provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of January totaling 345 incidents. There were 7 arrests and 22 traffic citations. The monthly report will be kept on file in the office.

Manager Steve Sawyer

- **Joint Road Bids – Resolution.** Manager Sawyer recommended that 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 the bidding for Chip Seal Coating of 39,440 square yards of #8 stone single application seal coating, 20,102 square yards of ¼” stone single application seal coating and Line Painting for 168,000 feet of double yellow line and 184,000 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.

- **Sale of Rotary Mower Deck and Water Tanks.** The Board of Supervisors were provided with an email from Randy Groome, Road Superintendent, regarding items advertised on Municbid, an online government auction for the sale of surplus items. Staff recommended that the Board approve the sale of three 200-gallon tanks to the highest bidder in the amount of \$201.00 and the sale of the 2004 Alamo Stump Jumper rotary mower deck to the highest bidder in the amount of \$1,175.00.

A motion was made by Tony Haws approving the final sale of three 200-gallon tanks in the amount of \$201.00 and the 2004 Alamo Stump Jumper rotary deck in the amount of \$1,175.00 sold on Municbid. The motion was seconded by Ty Zerbe and carried unanimously.

- **Advertise Public Hearings – Zoning Text Amendment and Rezoning.** The Board of Supervisors received a draft of a Zoning Ordinance Text Amendment for signs and the Rezoning Petition for 471 North Reading Road for their review prior to the meeting. Staff notified the Board of Supervisors that the Ephrata Township Planning Commission and Lancaster County Planning Commission have reviewed the proposed amendment and the proposed rezoning. Their comments were provided to the Board of Supervisors at a prior time. Staff is requesting authorization to advertise Public Hearings for the Zoning Ordinance and Zoning Map amendments.

A motion was made by Ty Zerbe to authorize staff to advertise Public Hearings for the Zoning Text Amendment and Zoning Map Amendment to be held on

Tuesday March 7th at 7:00 P.M. The motion was seconded by Tony Haws and carried unanimously.

- **Highpoint Church – Financial Security Release.** The Township received an email from Brian Miller of ELA Group, on behalf of Highpoint Church, requesting the release of the remaining financial security for the Land Development Plan. Manager Sawyer and Jim Caldwell explained that Highpoint Church has been unable to close out their DEP NPDES permit due to water being discharged into their storm water basin from an Ephrata Area Joint Water Authority auto-flusher. EAJA is required to flush water from their system at this location to meet DEP water quality standards. DEP has notified the Church and EAJA that the water from the auto-flusher cannot be discharged into the storm water basin. EAJA is currently designing a project to make this change but it will take considerable time to complete the engineering, secure PennDOT permits, bid the project and complete the construction. Staff recommended that the Board approve the full release of the Financial Security Letter of Credit with the condition that an agreement be prepared by the Township Solicitor setting the terms for the completion of the basin and as-built plans.

A motion was made by Tony Haws to approve the full release of the Financial Security for Highpoint Church conditional upon an executed agreement between Ephrata Township and Highpoint Church prepared by the Township Solicitor setting the terms of the completion of the basin and as-built plans. The motion was seconded by Ty Zerbe and carried unanimously.

- **Garden Spot Auto Auction & Signature Custom Cabinetry – Financial Security Release.** Manager Sawyer provided the Board of Supervisors with an email requesting the full release of financial security in the amount of \$6,303.00 for the Storm Water Management Plan that has been completed along with their construction project. The Township waived and deferred the Land Development Plan Processing because the majority of the project is located in Ephrata Borough. Manager Sawyer also provided the Board of Supervisors with an email from Nevin Zimmerman of Signature Custom Cabinetry notifying the Township that their office expansion project has been completed and is requesting full release of the financial security being held by the Township for the project in the amount of \$31,273.00.

Jim Caldwell notified the Board of Supervisors that Rettew Associates completed a site inspection for both projects and recommended approval.

A motion was made by Ty Zerbe to approve the full release of the financial security for Garden Spot Auto Auction in the amount of \$6,303.00 and full release of the financial security for Signature Custom Cabinetry in the amount of \$31,273.00 per the site inspections conducted by Rettew Associates. The motion was seconded by Tony Haws and carried unanimously.

- **Appoint New Storm Water and Water and Sewer Lateral Inspector.** The Board of Supervisors appointed John Weber as the minor storm water management inspector and the water and sewer lateral inspector for 2023 at their

organization meeting. Manager Sawyer notified the Board of Supervisors that John Weber has submitted a letter of resignation for these duties. Manager Sawyer recommended appointing Tony Haws as the 2023 Storm Water Inspector at the same rate of \$50.00 per inspection and Becker Engineering for the Water and Sewer Later Inspector for 2023. Becker Engineering is inspecting all commercial projects and are willing to inspect new residential installations. If appointed, Becker Engineering will provide a flat residential rate per inspection which will be part of the sewer permit and building permit fee.

A motion was made by Ty Zerbe to appoint Tony Haws as the Storm Water Management Inspector for 2023. The motion was seconded by Clark Stauffer and carried unanimously.

A motion was made by Ty Zerbe to appoint Becker Engineering as the residential water and sewer lateral inspector for 2023. The motion was seconded by Tony Haws and carried unanimously.

- **VFW Post 3376 – Trash Pick-Up Along the Rail Trail.** Manager Sawyer informed the Board of Supervisors that the VFW is requesting approval to pick up trash along the rail trail in Ephrata Brough, Ephrata Township and Akron Borough on May 6, 2023 which is the annual Year of Service Day. Manager Sawyer recommended approval.

A motion was made by Tony Haws approving the VFW Post 3376 Trash Pick-Up request for May 6, 2023. The motion was seconded by Ty Zerbe and carried unanimously.

- **Draft Ordinance – Short Term Rental Regulations.** The Board of Supervisors were given a draft ordinance which was prepared by the Township Solicitor as directed at the last meeting. Manager Sawyer also provided the Board with a memo highlighting the proposed changes and/or additions that are being proposed to the current ordinance. Manager Sawyer discussed each item with the Board of Supervisors and requested that input from the Board concerning the required distance from an adjoining dwelling. After discussion, the Board of Supervisors directed staff to make changes to the draft to eliminate a setback requirement for short-term rentals in the Agricultural Zoning District and to require a short-term rental unit in the Residential Low Density District to be a minimum of 200' from a dwelling on a different property. Staff will make the changes and provide the Board with an amended draft at a future meeting.

Solicitor – Tony Schimaneck

Solicitor Schimaneck informed the Board that he did not have anything additional information to report at this time.

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

Cocalico Creek Restoration Project – Site Work
Highpoint Church – Release of Financial Security

Garden Spot Auto Auction – Release of Financial Security
Signature Custom Cabinetry – Release of Financial Security
Ephrata Mennonite School – Site Inspections
East Mohler Church Subdivision – Site Inspections
CB Burkholder – Pre-Construction Meeting
471 North Reading Road – Sketch Plan

Jim Caldwell reported to the Board of Supervisors that Rettew Associates has been working with the developer of the Mohler Church Road Subdivision on an issue with one of the inlets that will be replaced as part of the project. A map was provided showing the location of the inlet and pipe that leads to it from a neighboring farm on East Mohler Church Road. There is minimal cover over this pipe and Township staff will evaluate the function of the pipe to determine if it can be eliminated as part of this project. In addition, Rettew Associates and township staff will be meeting with Flyway Excavating on Friday February 17th to discuss the location of the walking trail. The location shown on the plan may need to be changed due to elevations.

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

A motion was made by Tony Haws to adjourn the meeting at 8:47 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

J. Tyler Zerbe

Anthony Haws