

EPHRATA TOWNSHIP SUPERVISORS MEETING

October 3, 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 September 19, 2023 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

EPHRATA TOWNSHIP POLICE COVERAGE – 1/1/2025

Clark Stauffer requested Steve Sawyer to give a summary of events that occurred concerning Ephrata Township Police Coverage Negotiations between Ephrata Borough Police Department and Northern Lancaster County Regional Police Department.

Manager Steve Sawyer followed with a summary as follows:

- 1/19/23 – Ephrata Township sent a letter to the Borough requesting that we start negotiating a new police contract.
- 2/15/23 – Ephrata Township representatives met with Ephrata Borough administration to begin discussions on a new police contract.
- 3/21/23 – Ephrata Township requested a proposal from the Northern Lancaster County Regional Police Department.

October 3, 2023 Supervisors' Meeting minutes continued

- 7/11/23 – Ephrata Township received the first contract proposal from Ephrata Borough for a new five-year contract.
- 7/14/23 – Ephrata Township received a proposal and study from the NLCRPD for Ephrata Township to join the regional police department.
- 7/31/23 – Ephrata Township received a second contract offer from Ephrata Borough which included a \$200,000 “loyalty credit” and a reduction on the five-year contract cost of \$184,029. Ephrata Borough’s second five-year contract offer was \$384,029 less than the first contract proposal.
- 9/12/23 – Ephrata Township held a special police meeting at the LCBC Church for the public to hear presentations from both police departments.

Manager Sawyer followed by stating that based on the excellent police service that the Ephrata Police Department has provided to Ephrata Township over the last 19 years, the input that we have received from our residents and business owners, and the July 31st contract offer we received from Ephrata Borough, staff is recommending that the Ephrata Township Board of Supervisors approve a new five-year police contract with the Ephrata Police Department.

Clark Stauffer thanked Manager Sawyer for his summary of events and recommendation.

Chairman Stauffer asked for comments from the Board.

Ty Zerbe stated that he wanted to thank Steve Sawyer and Tony Haws for their endless time and effort to work on negotiations to provide the best police coverage for Ephrata Township.

Tony Haws stated that he wanted to thank Chief Kilgore and Chief McKim for their time and effort to provide Ephrata Township with proposals for future police services. He also stated that he understands the importance of police and safety of the community and thanked the residents of Ephrata Township for their attendance at meetings and their comments to help the Supervisors make the best decision for the Township.

Clark Stauffer also wanted to thank Chief Kilgore and Chief McKim for their efforts to prepare the proposals and for their presentations to help educate the residents of Ephrata Township. He also thanked Tony Haws and Steve Sawyer for their time and effort with negotiations with both police departments. Lastly, he stated that he wanted to let the residents know that he appreciated their presence and comments. He is grateful for the Borough’s loyalty credit to the Township for 2024 which will help with the cost to fund future police coverage.

Clark Stauffer then asked if there were any comments from the public. No one in attendance offered comments and Chairman Stauffer stated that a motion could be made at this time for a decision for police coverage beginning January 1, 2025.

A motion was made by Tony Haws to renew our police contract with the Ephrata Police Department based on Ephrata Borough's offer dated July 31, 2023 and to direct staff to prepare and advertise an Ordinance authorizing an Intergovernmental Cooperation Agreement with the Borough of Ephrata for the Ephrata Police Department to provide law enforcement services within Ephrata Township for the period of January 1, 2025 to December 31, 2029. The motion was seconded by Ty Zerbe and carried unanimously.

Everyone in attendance applauded after hearing the motion.

Clark Stauffer stated that the Township was going to take a five (5) minute recess at this time and again thanked everyone in attendance. He stated that everyone was invited to stay for the remaining Township business or could exit into the lobby area at this time.

STAFF REPORTS

Police Department – Chief Chris McKim

- **Bethany Road / Parkview Heights Accident History.** At the last meeting, John Weber of 107 Parkview Heights Road requested that a traffic study be completed and PennDOT notified regarding possible improvements such as a four (4) way stop sign at the intersection of Parkview Heights Road and Bethany Road. He stated that Bethany Road is a PennDOT road and the intersection does not line up from Parkview Height to Brossman Road and there have been more and more accidents even after the large tree was removed by the Township. The Board of Supervisors requested that Sgt. Randolph provide the Township with a ten-year history report at the next meeting. Chief McKim presented to the Board of Supervisors the accident history report for the intersection. Chief McKim explained the report and stated that this would not include minor accidents where the police department was not called to the scene. Chief McKim stated that though the number of accidents were not high over the past ten years, he would still recommend that the Township send a letter to PennDOT requesting that they conduct a study of the intersection to determine if additional signage or safety improvements are warranted. Manager Sawyer agreed with Chief McKim's recommendation.

A motion was made by Ty Zerbe authorizing staff to send a letter to PennDOT requesting that a Traffic Study be done of the intersection of Bethany Road and Parkview Heights to determine if safety improvement and/or additional signage is warranted. The motion was seconded by Tony Haws and carried unanimously.

Manager Steve Sawyer

- **Mohler Church Road Bridge – Scour Repair.** Manager Sawyer stated that the Township received an email from Mackin Engineering regarding the Mohler Church Road Bridge. Mackin Engineering conducted bridge inspections throughout the Township as part of the PennDOT bridge inspections that are required every two (2) years. Their inspection report identified repairs due to scour that must be completed within six months. Rettew Engineering sent

PennDOT a scope of work concerning the proposed repairs by the Township which included the use of sand bags and rip rap to fill and protect the structure. The Township has received three (3) quotes for the project with the lowest bid being \$15,000.00 from the JVI Group, Inc. Manager Sawyer stated that JVI Group has done work in other municipalities within Lancaster County of this kind and is recommended awarding the scour repair work to the lowest bidder, JVI Group. In addition, this bridge is on the TIP and a new two-lane bridge is currently in the engineering design process, so the repairs being done should be adequate to address the issue until a new bridge is constructed.

A motion was made by Tony Haws to award the bid for the Mohler Church Road Bridge scour repairs to JVI Group in the amount of \$15,000.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Akron Road Culvert – Vehicle Accident Damage.** Manager Sawyer stated that the Akron Road culvert was damaged by a hit and run accident which occurred in May of this year. The police department investigated and cited the driver of the tractor trailer who caused the damage. Staff contacted the driver's insurance company and provided them with an accident report, pictures, and a damage estimate. On September 14, 2023, Ephrata Township received a letter from Federated Insurance stating "based on the information that we have collected, we have not seen any evidence that would suggest that our insured was negligent in causing the damage to the bridge/sign located at 320 Akron Road". Manager Sawyer requested the Board of Supervisors authorize the Township Solicitor, Tony Schimanek, to send a letter to the parties involved stating that the Township intends to pursue all legal means to collect the cost of the damages caused by the truck driver.

A motion was made by Ty Zerbe to authorize the Township Solicitor to send a letter to the parties involved notifying them that the Township plans to pursue all legal means to collect the cost of the damages caused by the hit and run accident at 320 Akron Road. The motion was seconded by Tony Haws and carried unanimously.

- **October ZHB Application – Marzec Properties LLC.** Manager Sawyer reviewed with the Board a zoning hearing application for the October meeting. Lorena Marzec of Marzec Properties, LLC located at 875 E. Main Street is requesting a Special Exception and/or Variance to conduct a short-term rental unit at 875 East Main Street. After discussion, the Board of Supervisors did not feel that the Township should take a position or present testimony at the hearing
- **Ephrata Crossing – Financial Security Reduction Request.** Manager Sawyer stated that there are multiple financial security reduction requests for Phase I, Phase II, and Phase IV of the Ephrata Crossing project and Lakeside Villas from Rick Stauffer.

The Board of Supervisors were provided with a letter from Rettew Associates dated October 2, 2023 regarding a request for reduction of Financial Security for Ephrata Crossing East Phase 1. Jim Caldwell stated that based upon a site visit

and submitted documentation he recommended a financial security reduction in the amount of \$33,378.20 leaving an outstanding balance of \$24,696.54.

A motion was made by Ty Zerbe to approve a financial security reduction for Ephrata Crossing East Phase 1 in the amount of \$33,378.20 leaving an outstanding balance of \$24,696.54. The motion was seconded by Tony Haws and carried unanimously.

The Board of Supervisors were provided with a letter from Rettew Associates dated October 2, 2023 regarding a request for reduction of Financial Security for Ephrata Crossing East Phase 2. Jim Caldwell stated that based upon a site visit and submitted documentation he recommended a financial security reduction in the amount of \$298,110.03 leaving an outstanding balance of \$69,787.20.

A motion was made by Tony Haws to approve a financial security reduction for Ephrata Crossing East Phase 2 in the amount of \$298,110.03 leaving an outstanding balance of \$69,787.20. The motion was seconded by Ty Zerbe and carried unanimously.

The Board of Supervisors were provided with a letter from Rettew Associates dated October 2, 2023 regarding a request for reduction of Financial Security for Ephrata Crossing East Phase 4. Jim Caldwell stated that based upon a site visit and submitted documentation he recommended a financial security reduction in the amount of \$202,290.97 leaving an outstanding balance of \$62,771.36.

A motion was made by Ty Zerbe to approve a financial security reduction for Ephrata Crossing East Phase 4 in the amount of \$202,290.97 leaving an outstanding balance of \$62,771.36. The motion was seconded by Tony Haws and carried unanimously.

The Board of Supervisors were provided with a letter from Rettew Associates dated September 28, 2023 regarding a request for reduction of Financial Security for Lakeside Villas. Jim Caldwell stated that based upon a site visit and submitted documentation he recommended a financial security reduction in the amount of \$420,129.67 leaving an outstanding balance of \$59,547.65.

A motion was made by Tony Haws to approve a financial security reduction for Lakeside Villas in the amount of \$420,129.67 leaving an outstanding balance of \$59,547.65. The motion was seconded by Ty Zerbe and carried unanimously.

- **2024 Budget Work Session – October 17, 2023.** Manager Sawyer stated that staff is preparing a draft of the 2024 Budget and a budget work session is scheduled for the next Board of Supervisors Public meeting on October 17, 2023 following the regular meeting business.

Jim Caldwell - Engineer

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

MS4 Report Annual Report & DEP Audit
Keystone Mills -SWMP
Ephrata Crossing Phase 3
Akron Bridge Repair Project
East Mohler Church Road Bridge Project
501 Alexander Development

Solicitor – Tony Schimaneck

Attorney Schimaneck stated that he did not have any additional information to add to the meeting.

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 8:02 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

J. Tyler Zerbe

Anthony Haws