

EPHRATA TOWNSHIP SUPERVISORS' MEETING

September 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
- Administrative Asst. 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 August 17, 2021 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

GARDEN SPOT AUTO AUCTION LAND DEVELOPMENT PLAN – PENNDOT ISSUE

Jarred Neal from Traffic Planning and Design was present to discuss the PennDOT issue on behalf of Garden Spot Auto Auction. The Board of Supervisors were provided with a letter dated September 1, 2021 from Mr. Neal. The purpose of the letter was to request that the Township provide a letter of support to PennDOT as part of the next HOP submission package acknowledging that the improvements proposed with this project will help with the existing drainage issue in this area while not fully meeting the PennDOT standards. No new impervious surface is being proposed with the project so Mr. Neal stated that the project will not create additional storm water and should slightly improve the current conditions. The main reason that an HOP is currently required is because they are proposing to close one access drive and make improvements to an existing access drive on the north side of the property. If Garden Spot Auto Auction is required to make extensive storm water improvements, the Auction will probably decide to not make changes to the access drives and a PennDOT HOP will not be required.

Manager Sawyer and Jim Caldwell recommended that due to existing storm water issues on Apple Street / Lincoln Gardens Road, the Township should not provide a letter of support indicating the Township does not feel storm water improvements should be required. Jim Caldwell suggested that the applicant provide pre-post development analysis of the stormwater as requested by PennDOT. This information would be helpful in determining whether the Township would be willing to provide a recommendation to PennDOT. The Board agreed that a pre-post development analysis should be provided by the applicant.

A motion was made by Ty Zerbe to table action on this request until the Township receives the pre-post development analysis for the Garden Spot Auto Action project. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **UGI Road Occupancy Permits.** UGI has submitted road occupancy permits for a maintenance project that will require excavation to numerous street right-of-ways throughout the Township. They are proposing to repair/replace 66 mechanical tees for customer laterals that will require a 2' x 3' excavation. Staff recommended that due to the scope of the project, the Township should require a Bond to ensure proper restoration of the excavated areas. Jim Caldwell stated that \$1500.00 per hole should be sufficient to cover all of the necessary repairs and recommended that the Township request financial security in the amount of \$100,000.00.

A motion was made by Tony Haws to require \$100,000 of financial security as a condition of the road occupancy permits for UGI's project to repair/replace 66 mechanical tees within Ephrata Township. The motion was seconded by Ty Zerbe and carried unanimously.

- **Zimmerman Tract Subdivision – Action on Incomplete Submittal.** Jim Caldwell of Rettew Associates sent notification to Michael Hartman, Project Manager of the Zimmerman Tract Subdivision notifying him that a detailed grading plan, a complete stormwater management plan, an erosion and sedimentation control plan, evidence of water and sewer capacity and an ownership, use and maintenance agreement for a shared driveway is required to be submitted as part of the proposed Zimmerman Tract Subdivision. This notification was sent to the project engineer on July 1, 2021. No formal response has been received. Manager Sawyer recommended that the Board disapprove the plan due to the amount of time remaining for the Township to act on the plan. The developer could resubmit the plan at a later date if they decide to move forward.

A motion was made by Ty Zerbe to deny the Zimmerman Tract Subdivision Plan for the reasons stated in the July 1, 2021 correspondence from the Township Engineer. The motion was seconded by Tony Haws and carried unanimously.

- **LCWF Grant – Cocalico Creek Restoration Project.** The grant application that the Township submitted to the Lancaster Clean Water Fund for the Autumn Hills Cocalico Creek Restoration Project has been approved. The Board was provided with a copy of an email dated August 31, 2021 from Land Studies stating that the Township has been awarded a grant of \$145,300 for the project.
- **East Mohler Church Road Subdivision.** Manager Sawyer notified the Board of Supervisors that Ephrata Township received a letter from Dautrich Engineering on behalf of East Mohler Church Road Final Subdivision Plan granting the Township an additional 90 days to act on the plan. The new deadline for the Township to act on the plan will be January 13, 2021. The letter included a list of items that still need to be addressed on the project.

A motion was made by Tony Haws to accept the 90-day time extension granted by East Mohler Church Subdivision Plan for the Township to act on the plan. The new deadline for the Township to act on the plan will be January 13, 2021. The motion was seconded by Ty Zerbe and carried unanimously.

- **Hendrix – Financial Security Reduction.** The Board of Supervisors were provided with a letter from Rettew Associates dated August 19, 2021 for the financial security reduction for Hendrix-ISA, LLC. The developer is requesting full release of the financial security in the amount of \$115,820.00. Jim Caldwell is recommending a reduction of \$100,508.00 based on Rettew Associates site visit and the documentation still outstanding.

A motion was made by Ty Zerbe to approve the release of financial security to Hendrix-USA, LLC in the amount of \$100,508.00 as recommended by staff leaving a balance of \$15,312.00. The motion was seconded by Tony Haws and carried unanimously.

- **Resolution – Non-Uniform Employees' Pension Plan MMO.** Manager Sawyer stated that the Township is required to pass a motion each year approving a Non-Uniformed Pension Plan Minimum Municipal Obligation for the following year. The Township receives State funding for the majority of the pension plan cost. The Township's actuary, David Killick of Conrad Siegel, reviewed and approved the proposed MMO amount prior to meeting.

A motion was made by Tony Haws to approve the 2022 Ephrata Township Employees' Pension Plan Minimum Municipal Obligation (MMO) in the amount of \$41,569.67. The motion was seconded by Ty Zerbe and carried unanimously.

- **Salt Storage Building – Fire Repair.** Manager Sawyer stated that he received four (4) estimates to repair the Salt Storage Building that was damaged in a fire July 4, 2021. He also received claim loss statements from Philadelphia Insurance who is the Township's Insurance Company and Nationwide Insurance who is insurance company of the individual who caused the fire. Philadelphia Insurance

will pay for the estimated repair cost minus \$1000.00 deductible. Nationwide will pay for the "actual cash value" of the structure which has been determined to be \$17,620.02. Manager Sawyer stated that he received four (4) estimates for the repairs with the lowest quote from L.L.Groff & Son, Inc. in the amount of \$14,706.00.

A motion was made by Ty Zerbe to approve the submittal of the claim to Nationwide Insurance in the amount of \$17,602.02. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the proposal submitted by L.L.Groff & Sons in the amount of \$14,706.00 subject to the work being completed within ninety days. The motion was seconded by Ty Zerbe and carried unanimously.

- **Rettew Mill Road Bridge.** Manager Sawyer notified the Board of Supervisors that during the rain event from Hurricane IDA several large trees and debris were lodged under the bridge and damage occurred to the roadway on the north side of the bridge. A crane was needed to remove the debris from under the bridge and the roadway repair is scheduled to be completed on September 13th and 14th. The road will remain closed until the roadway repairs are completed.

Solicitor Tony Schimaneck

Tony Schimaneck provided the Board of Supervisors with information for their review regarding Act 50. This would amend Ordinance 274 or a new Ordinance could be prepared to comply with Act 50. The deadline is October 28, 2021.

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

DEP Permitting / MPDS Permit – Autumn Hills Project
Goods Store – Land Development Plan
Tommy's Carwash Land Development Plan
Signature Custom Cabinetry - Land Development Plan
Ephrata Crossing – Phase 4
East Mohler Church Subdivision Plan
CB Burkholder – Land Development Plan
Fry's Road - SWMP

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.

September 7, 2021 Supervisors' Meeting minutes continued

A motion was made by Tony Haws to adjourn the meeting at 8:35 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe