

## **EPHRATA TOWNSHIP SUPERVISORS' MEETING**

**April 2, 2019**

The Ephrata Township Supervisors met this date at 7:00 p.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 Asst: Jennifer Carvell  
Police: Lt. Chris McKim  
Engineer: Jim Caldwell  
Solicitor: Tony Schimaneck

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 March 19, 2019 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

### WEAVERLAND MENNONITE HOMES – FINAL LAND DEVELOPMENT PLAN

Thomas Matteson of Diehm and Sons attended the prior Supervisors Meeting to present the proposed plan for Weaverland Mennonite Homes. The proposed building and development are located in Ephrata Borough and the proposed storm water detention basin is located in Ephrata Township. Since that time, Manager Steve Sawyer and Jim Caldwell inspected the site to determine what if any impacts the proposed project would have on the Sycamore Acres park. The Ephrata Township Planning Commission and Lancaster County Planning Commission recommendations and Rettew Associates review letter dated January 21, 2019 were provided to the Board of Supervisors for their review.

A motion was made by Ty Zerbe to approve a Waiver to Section 305 – Preliminary Plan based on the justification provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a Waiver to Section 402.A.1 and 403.A – Plan Scale based on the justification provided. The motion was seconded by Ty Zerbe and carried unanimous.

Jim Caldwell stated that the revised plans were reviewed by Rettew Associates since his January 21, 2019 review letter and all of the storm water issues have been adequately resolved. A new review letter will be provided by Rettew Associates. In addition, Weaverland Mennonite Homes has received conditional approval from the Borough of Ephrata.

A motion was made by Ty Zerbe to approve the Weaverland Mennonite Homes Revised Final Plan based on the conditions contained in Rettew Associates letter dated January 21, 2019 and their final review letter for the project. The motion was seconded by Tony Haws and carried unanimously.

#### EPHRATA MENNONITE SCHOOL – TEMPORARY CLASSROOM

Ephrata Mennonite School attended the prior Supervisors meeting requesting to replace their existing two-room temporary modular classroom with a larger five-room temporary modular classroom. The Board of Supervisors gave conditional approval for a period of three (3) years. The school has since found out that the five-room unit is no longer available. Dwayne Weaver on behalf of Ephrata Mennonite emailed the Township requesting approval to keep the existing two-room modular and adding a smaller unit. The overall impervious space will be less than the original request. Manager Sawyer stated that a commercial building permit will need to be submitted and approved by ABI.

A motion was made by Tony Haws to approve Ephrata Mennonite School, 598 Stevens Road, Ephrata Township to add an additional modular classroom for a period of three (3) years conditional that the existing and new modular be removed prior to selling the property and that the well and septic system continues to function properly. The motion was seconded by Tony Haws and carried unanimously.

#### STAFF REPORTS

##### Police Report – Lt. Chris McKim

- **Reports.** Lt. McKim provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of March totaling 152 incidents. The monthly report will be provided to the Township and will be kept on file in the office.

##### Manager Steve Sawyer

- **Ephrata Township Park – Security Camera Project.** Manager Sawyer notified the Board of Supervisors that the Security Cameras have been installed at the Ephrata Community Park and stated that a representative of the camera company will be conducting training on Wednesday, April 3, 2019 at 2 pm. The Township requested that someone from the Police Department attend.
- **Short Term Rental Ordinance Draft.** At the last Supervisors meeting, the Board of Supervisors received a draft Ordinance for Short Term Rentals for discussion. In addition, Attorney Claudia Shank and resident, Rebecca Branle were present at the last meeting encouraging the Board to approve an Ordinance that would allow the Branle's to have a short-term rental on their property. Mr. and Mrs. Branle previously were denied by the Zoning Hearing Board for a

Special Exemption to operate a short-term rental on their property. Staff prepared a revised version of the Ordinance with three (3) modifications after receiving individual input from the Supervisors. The Supervisors were given a copy of the revised ordinance prior to the meeting for their review. Attorney Shank and Rebecca Branle were again in attendance. They encouraged the Supervisors to allow short-term rentals in the Agricultural District by Special Exemption so that the Zoning Hearing Board would be able to set restriction for each individual property. They also requested that the board allow an accessory building to be converted to a short-term rental. Porter Stevens of Lancaster County Planning Commission was in attendance and provided a draft Ordinance that the County prepared.

A motion was made by Ty Zerbe to table a decision on the wording of the draft Ordinance so that the Board could consider the input that was given at the meeting. The motion was seconded by Tony Haws and carried unanimously.

- **Highpoint Church (FKA Evangel Assembly of God) – Request to Defer Improvements.** Manager Sawyer notified the Board of Supervisors that he met with Pastor Sylvester and other Church members last week. Highpoint Church is requesting that some of the improvements that are shown on their approved Land Development Plan be deferred until the complete phase 2 of their building. The Church also requested that the Township approve the deferral without holding financial security. Manager Sawyer prepared a Memorandum for the Supervisors to review prior to the meeting along with a plan showing the location of the curbing, paving, sidewalk, landscaping (trees) and lighting that the Church is requesting to defer. Manager Sawyer recommended that the Supervisors defer the blacktop walkway, wearing course of parking lot and trees but to require the remaining improvements be completed due to storm water management and safety. Jim Caldwell recommended having an agreement prepared if the Township approves any deferrals.

A motion was made by Ty Zerbe to approve the deferral of the blacktop walkway, wearing course of the parking lot and eight trees as shown on the plan until phase 2 of the building is completed or until such time as the Township, at its sole discretion, determines that the improvements are necessary. The motion also included a condition that an agreement be prepared documenting the deferral of the improvements. The motion was seconded by Tony Haws and carried unanimously.

- **Alive Church – Withdraw of Plan.** The Township received a letter from Thomas Matteson of Diehm & Sons dated March 25, 2019 notifying the Township that Alive Church has officially withdrawn their Final Land Development and Lot Add-On Plan.

- **2019 Roadwork Bids.** Manager Sawyer notified the Board of Supervisors that the Ephrata Township 2019 Roadwork & Material Bids were opened this morning. A summary of the bid results was prepared and submitted to the Board of Supervisors for their review.

Manager Sawyer notified the Board of Supervisors that the Township received bids for Brossman Road and Church Road paving project. Because this project is over \$100,000.00, the bids include prevailing wages. The lowest bid received was \$210,587.04 from New Enterprise Stone and Lime Company. The Township budgeted \$215,981.00 for the project. Manager Sawyer recommended that the Township award the bid to New Enterprise Stone and Lime Company.

A motion was made by Tony Haws to approve staff's recommendation and award the Brossman Road and Church Road paving project to New Enterprise Stone and Lime Company in the amount of \$210,587.04. The motion was seconded by Ty Zerbe and carried unanimously.

Manager Sawyer gave an overview of the asphalt and stone bids and stated that he recommended awarding each bid to the lowest bidder. An explanation for each recommendation was given to the Board of Supervisors.

A motion was made by Ty Zerbe to award the asphalt and stone bids to the lowest bidder for each category based on staff's recommendation. The motion was seconded by Tony Haws and carried unanimously.

- **Bids for Sale of Cub Cadet Lawn Tractor.** Manager Sawyer notified the Board of Supervisors that 4 bids were received and recommended awarding the sale to the highest bidder. The highest bidder was Larry Ray in the amount of \$651.00. Manager Sawyer stated that he felt that was a fair price.

A motion was made by Tony Haws to authorize the sale of the cub cadet lawn mower to Larry Ray in the amount of \$651.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Municipal Building HVAC System.** Manager Sawyer stated that the heating/air conditioning unit in his office is not working. Manager Sawyer received some quotes to repair or replace the unit. Vertex recommended replacing the heating and cooling system throughout the entire building to an all-electric system. Vertex is projecting a 60%-70% savings in future energy bills. Vertex has offered to put together a design package for bidding purposes. Vertex stated that if they would be the low bidder and awarded the bid that the cost to prepare the design and bid specification would be included in their bid price. If another company was awarded the bid, they would then invoice the Township for their services. Vince Youndt from Vertex estimated the cost to be between \$2,500 and \$4,000 depending on the level of detail required by the Township. The Board of Supervisors directed staff to proceed with working with Vertex on the project to convert the HVAC system in the municipal building.

- **Creek Corner Heights – Traffic Signal Revision.** Manager Sawyer stated that the Township has been requested to approve a resolution as required by PennDot to allow Creek Corner Heights to revise the traffic signal permit at Route 272 and Meadow Valley Road as part of their HOP Permit for the new development project.

A motion as made by Tony Haws to approve the resolution as presented. The motion was seconded by Ty Zerbe and carried unanimously.

- **Supervisors Meeting Date Change.** Manager Sawyer notified the Board of Supervisors that the next scheduled Supervisors Meeting was on the same day as the PSATS Convention. He recommended canceling the meeting and rescheduling it to Wednesday, April 17, 2019 at 7:00 am.

A motion was made by Tony Haws to approve the meeting date change from April 16, 2019 to April 17, 2019 at 7:00 a.m. and advertise accordingly. The motion was seconded by Ty Zerbe and carried unanimously.

- **Snow Removal Budget.** Manager Sawyer notified the Board of Supervisors that at this time the Township is slightly under budget for snow removal expenses. The Township budgeted \$59,500.00 and has spent \$53,638 as of March 31, 2019.

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

Creek Corner Heights  
Ephrata Crossing Phase 1 – Hotel  
Weaverland Mennonite Homes  
Glenwood Foods  
DCNR Grant – Autumn Hills

**Solicitor Tony Schimaneck**

Solicitor Schimaneck stated that he had nothing more to report.

**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 there was no additional correspondence to report at this time.

*April 2, 2019 Supervisors' Meeting minutes continued*

A motion was made by Tony Haws to adjourn the meeting at 8:40 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

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Clark R. Stauffer

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Anthony K. Haws

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J. Tyler Zerbe