

EPHRATA TOWNSHIP SUPERVISORS' MEETING

April 3, 2018

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 Assist: Jennifer Carvell
Police: Lieutenant 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 was made by Ty Zerbe to close the Public Comment Period. The motion was seconded by Tony Haws and carried unanimously.

APPROVAL OF MINUTES

Clark Stauffer stated that the motion under the Rail Trail Bridge Project of the March 20, 2018 minutes should be clarified. Warwick Township and Ephrata Township have an agreement to share the engineering fees for the rail trail bridge project. Each municipality will pay 50% of the cost.

A motion was made by Ty Zerbe to correct the motion under Rail Trail Bridge Project to approve the Engineering Services Agreement – Supplement 1 submitted by Wilson Consulting Group for \$5,000.00 of additional engineering services with Ephrata Township' of the additional cost being \$2,500 and to dispense with the reading of the March 20, 2018 Supervisors' minutes and to approve them as corrected. The motion was seconded by Tony Haws and carried unanimously.

LAKESIDE VILLAS – PRELIMINARY SUBDIVISION PLAN

Chris Venarchick from RGS Associates was in attendance to present the Lakeside Villas Plan. Mr. Venarchick reviewed the proposed layout for 39 single family lots, street access, utilities, storm water management and other features of the plan. There are a number of waivers being requested. 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 April 3, 2018.

A motion was made by Ty Zerbe to deny the waiver request for Section 305 – Preliminary Plan Processing Procedures. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the modification request for Section 602.B.2 – Street Centerline and Street; and Roadway Specifications – Figure 1 Typical Street Section based on the justification and alternative provided subject to the condition that the applicant provide an agreement, in a recordable form acceptable to the Township, that will allow the Township to access the adjoining New Life Fellowship property for maintenance of Lake View Road. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a Waiver Request to Section 602.D.4 – Dead End Streets subject to the following conditions:

1. The applicant adds a note to the preliminary and final plans stating that Quarry Ridge Drive will not be offered for dedication until it is constructed to meet PennDOT's minimum standards to allow the Township to collect liquid fuels for Quarry Ridge Drive;
2. The applicant obtains approval from emergency service providers for the proposed emergency access;
3. The applicant submits and receives approval of the final plan authorizing construction of Quarry Ridge Drive from the Lakeside Villas project to and intersecting with Pleasant Valley Road within twenty-four (24) months of recording the final plan for Lakeside Villas;
4. The applicant will construct a cul-de-sac in accordance with the Township's requirements if Quarry Ridge Drive is not constructed to and intersecting with Pleasant Valley Road by the time Street A is offered for dedication; and
5. The applicant will construct a temporary or interim gravel cul-de-sac or turnaround area at the termination of Quarry Ridge Drive.

The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the waiver request to Section 602.G.1.B – Cartway Width, subject to the applicant providing a traffic engineering study that demonstrates that the section of Lake View Road from East Fulton Street to Lot 1 meets warrants to prohibit parking along the north side of the street and the applicant providing and installing "No Parking" signs. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver request to Section 603.B.3 – Sidewalk based upon the justification and alternative provided subject to the applicant revising the asphalt trail detail to the width shown on the plan. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a waiver request to Section 606.E – Storm Water Easement Width based upon the justification and revised alternative provided subject to the applicant providing an easement width of thirty (30') feet for all pipes and structures and twenty (20') feet for all swales. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a waiver request to Section 602.A.7 – Reconstruction of Perimeter Streets subject to the applicant milling and overlaying the wearing course of Fulton Street, a minimum 1.5" depth while providing the required 2% cross slope, from a point north of I-B8 to the south side I-B7 and provide a transition to the existing pavement cross-section south of I-B7 that is acceptable to the Township. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to deny a modification request to the Street and Roadway Specifications – Figure 2 - Street Pavement Specifications. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the modification request to the Street and Roadway Specifications - Figure 3 – Slant Curb Construction based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve the waiver request for the Storm Water Management Ordinance Section 402.8.A – 50% Reduction in Peak Rate based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the waiver request for the Storm Water Management Ordinance Section 409.1.B.3.B – Loading Ratios based upon the justification and alternative provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the waiver to SWMO Section 407.24.A.4 - Minimum Pipe Diameter within the public street right-of-way due to the justification provided with the condition that the Township and applicant's engineers' research the alternative of adding two (2) 8" pipes instead of the proposed (1) one 8" pipe from SWMF-2 to I-B7. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Preliminary Subdivision Plan subject to the Rettew Associates review letter dated April 3, 2018, the condition that the applicant add notes to the plan regarding the responsibilities of the Home Owner's Association, that the HOA documents be submitted to the Township for review by staff and that the applicant and Township engineer research the alternative of adding two 8" pipes instead of one 8" pipe from SWMF-2 to I-B7. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

Lakeside Villas – Temporary Construction Easement. At the March 20, 2018 Supervisors' Meeting, a motion was made authorizing staff to amend the Temporary Construction Easement Agreement requiring the developer to pay the Township an amount equal to ½ of the cost of an installed fence, plus the material estimate provided by the Township for the pipe replacement project in the amount of \$8,787.20. Manager Sawyer notified the Board of Supervisors that he received an estimate for a fence from Agway of \$6,655.00. The Temporary Construction Easement Agreement has been amended to include the grantee paying the grantor \$12,200.00 as consideration for the easement rights. Manager Sawyer discussed this with developer and the amendment is acceptable to him. Attorney Schimaneck stated that the amended Agreement was reviewed by his office and he does not recommend any changes.

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

Police Report – Lieutenant McKim

- **Reports.** Lieutenant McKim provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of March totaling 135 actions. The monthly report will be provided to the Township and will be kept on file in the office.

Manager Sawyer (continued)

- **Ephrata Borough Solar Production Facility.** A letter dated March 21, 2018 from D. Robert Thompson, Ephrata Borough Manager, was presented to the Board of Supervisors. The purpose of the letter was to request that Ephrata Township accept the commitment stated in the letter that the Borough will accept the responsibility to ensure proper decommissioning of the site and pledges Borough resources to provide the financial security. The Borough has executed a Power Purchase Agreement with Turning Point Energy its successor and assigns. This Agreement requires Turning Point Energy to construct and operate the solar facility and to remove the facility and return the site to the pre-installation condition at the termination of the lease.

A motion was made by Ty Zerbe to approve the request and accept Ephrata Borough's commitment to accept full responsibility to ensure proper decommissioning of the site and pledge Borough resources to provide the financial security. The motion was seconded by Tony Haws and carried unanimously.

- **Seasonal Maintenance Department – Start Date.** Manager Sawyer notified the Board of Supervisors that Randy Groome, Road Superintendent has asked if William Zimmerman could begin his seasonal full-time position sooner than May 1, 2018. Manager Sawyer stated that the Township budgeted 5 months of seasonal employment for 2018. After discussion, the Board of Supervisors directed Manager Sawyer to notify Randy Groome that William Zimmerman's start date is at his discretion but that he is not to exceed 5 months of seasonal employment.
- **Millway Road Parking Lot – Fencing and Road Crossing.** Manager Sawyer showed the Board of Supervisors the plan for a 19-space parking lot and proposed fencing at the rail trail along Millway Road. The Board was in favor of moving forward with the parking lot and fencing as shown on the plan. Manager Sawyer also received a quote for rail trail gates from Mellinger Manufacturing Co., Inc. This is a replica of the gates that are used in Warwick Township's crossing locations. The estimate is \$633.00 per gate which does not include powder coating.

A motion was made by Ty Zerbe to approve the purchase of 2 gates from Mellinger Manufacturing in the amount of \$1,266.00. The motion was seconded by Tony Haws and carried unanimously.

Manager Sawyer recommended that the Township purchase road signs for the street crossing. He recommended four (4) different signs that he stated are consistent with Warwick Township in the amount of \$504.00.

A motion was made by Tony Haws approving the purchase of four (4) road signs for the Rail Trail road crossing at Millway Road in the amount of \$504.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Community Park Fence Project.** Manager Sawyer and Randy Groome met with Mark Sensenig of Agway at the Rail Trail Millway Road Parking lot area and at the Ephrata Township Community Park for estimates. Manager Sawyer notified the Board of Supervisors that a section of the fence around the large lake at the park needs to be relocated due to section of the high wall caving in. Manager Sawyer is recommending moving approximate 100 feet of fencing 15 feet from the high wall edge. Manager Sawyer hopes to have an estimate from Agway by the next meeting.
- **Creek Corner Heights, LLC - Time Extension.** Manager Sawyer notified the Board of Supervisors that Ephrata Township received a letter from James Henke of Pioneer Management, LLC on behalf of Creek Corner Heights dated April 2, 2018 granting an extension of time of 90 days for the Township to act on the Preliminary Plan. The new deadline for the Township to act on the plan would be August 16, 2018.

A motion was made by Ty Zerbe to accept the ninety (90) day time extension granted by Creek Corner Heights, LLC for the Township to act on the Preliminary Plan. The new deadline for the Township to act on the plan will be August 16, 2018. The motion was seconded by Tony Haws and carried unanimously.

- **Cocalico 4 Bridge – Guiderail Repair.** A Memorandum dated March 30, 2018 from Dave Hoglund of Rettew Associates was received by Ephrata Township regarding a vehicle crash that took place at the Garden Spot Road Bridge over the Cocalico Creek. The bridge is owned by Lancaster County and is known as the Cocalico 4 Bridge. The crash damaged the bridge and the guiderail on the eastern side of the bridge. The memorandum states that the County is responsible for the repairs to the bridge but that the Township is responsible for the repairs to the guiderail. The County included the guiderail repair with the bids for the bridge repair. The County is requesting that the Township provide notification of whether the Township will reimburse the County for the guiderail repair in the amount of \$2,260.75 or if the Township would prefer to hire their own contractor to repair the guiderail. Manager Sawyer recommended that the Township reimburse the County for the repair because the estimated cost to hire our own contractor would be more than \$2,260.75.

A motion was made by Tony Haws to approve the guide rail repair through the Lancaster County bid as presented in the amount of \$2,260.75. The motion was seconded by Ty Zerbe and carried unanimously.

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

515 N. Reading Road, LLC
Ephrata Crossing
Lakeside Villa
Dave & Rhoda Martin
Creek Corner
James Tshudy

At the last Supervisors meeting, Jim Caldwell stated that Rettew Associates will move forward with preparing the grant application and have a Resolution prepared for approval at the next Supervisors' meeting. Mr. Caldwell presented to the Board of Supervisors a Resolution authorizing Manager Sawyer to execute all necessary documents needed for the DCNR Grant Application.

A motion was made by Ty Zerbe approving the Resolution prepared by Rettew Associates authorizing Steven Sawyer to execute the necessary documents for the DCNR Grant Application. The motion was seconded by Tony Haws and carried unanimously.

Solicitor – Tony Schimaneck

Attorney Schimaneck stated that he did not have any additional information to report at this time.

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.

A motion was made by Tony Haws to adjourn the meeting at 9:16 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe