

EPHRATA TOWNSHIP SUPERVISORS' MEETING

August 2, 2016

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
John Weber
Ty Zerbe
Manager: Steve Sawyer
Police: Chief William Harvey
Solicitor: Charles Sheidy
Engineer: Jim Caldwell
Admin Asst: 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 John Weber and carried unanimously.

APPROVAL OF MINUTES

A motion was made by John Weber to dispense with the reading of the July 19, 2016 Supervisors' Minutes and to approve them as written. The motion was seconded by Ty Zerbe and carried unanimously.

NELSON NOLT/NOLT SERVICES PROJECT

Nelson Nolt owns and resides at 728 Rettew Mill Road, Ephrata Township. The property is zoned Agricultural. The property contains approximately 74 acres of which 65 acres is utilized by Mr. Nolt for farming. Mr. Nolt owns and operates Nolt Services, LLC which is a farm based business to supplement his farming income. Mr. Nolt recently received Zoning Hearing Board approval to expand the farm based business to include the pumping, storage, and disposal of food processing residual waste ("FPR") and additional manure storage. FPR contains nutrients which are beneficial to agriculture when land applied. Mr. Nolt will be constructing a 120 foot diameter concrete storage facility, 16 feet in depth 11,304 square feet which will hold approximately 1,400,000 gallons of FPR and manure. The proposed storage facility will be constructed of concrete and utilize a leak detection system as required by DEP. The expansion of Mr. Nolt's business will add no more than one (1) truck trip in and out per day. An E&S Plan was provided for the Board of Supervisors review. Manager Sawyer stated that Mr. Nolt is asking for a waiver from the planning process. Melissa from Rettew stated that they did not have any objections to the project and waiver request for the planning process.

A motion was made by John Weber to approve Nelson Nolt's waiver request for land development plan processing and to approve issuance of a building permit for the project per the E&S Plan presented and DEP approval. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police – Chief Harvey

- **Monthly Report.** Chief Harvey gave a brief overview of the counts reported for the month of July. A full report was also given to the Township and will be kept on file in the office.
- **SEO Officer Paul Moore.** Chief Harvey notified the Township that Ephrata Area School District and Officer Moore have been working closely together to prepare for the start of the school year.
- **Martin's Grocery Store – Community Yard Sale.** Manager Sawyer notified the Board of Supervisors that he received a letter from Randy Eshleman of Martin's Country Market notifying the Township that they are planning to host a community yard sale on Saturday, September 3, 2016 in the parking lot of their property at 1717 West Main Street, Ephrata. Chief Harvey stated that he has no concerns or objections to this event.

A motion was made by Ty Zerbe directing staff to notify Randy Eshleman of Martin's Country Market that the Township does not object to the proposed event. The motion was seconded by John Weber and carried unanimously.

Manager Steve Sawyer

- **Financial Security Releases – Paul Wenger, Trout Run Industrial, Justin Oberholtzer, and Schmidt-Ridge Ave.** Manager Sawyer provided the Board of Supervisors with an email from Jim Caldwell of Rettew Associates dated July 20, 2016 recommending full release of the remaining financial security for the Paul Wenger property.

A motion was made by John Weber to approve full release of the remaining financial security for the Paul Wenger property. The motion was seconded by Ty Zerbe and carried unanimously.

Manager Sawyer provided the Board of Supervisors an email dated July 20, 2016 from Jim Caldwell recommending the release of the remaining financial security for Trout Run Industrial Park conditioned upon three minor corrections.

A motion was made by Ty Zerbe to approve the release of the remaining financial security subject to completing the three (3) items listed in Jim Caldwell of Rettew Associates' email dated July 20, 2016. The motion was seconded by John Weber and carried unanimously.

Manager Sawyer submitted to the Board of Supervisors an email dated August 1, 2016 from Jim Caldwell of Rettew Associates recommending full release of the remaining financial security for Justin Oberholtzer.

A motion was made by John Weber approving the release of the remaining financial interest for the Justin Oberholtzer's property. The motion was seconded by Ty Zerbe and carried unanimously.

Manager Sawyer presented to the Board of Supervisors a letter dated July 21, 2016 from Jim Caldwell of Rettew Associates recommending full release of the financial security subject to providing as-built plans and evidence of acceptance of the NPDES Notice of Termination for the Friedrich Schmidt project.

A motion was made by Ty Zerbe to approve the release of the financial security for the Schmidt property. The motion was seconded by John Weber and carried unanimously.

- **Disposition of Records.** Staff prepared a Resolution for the disposition of Township records. The proposed disposition of Township records was in accordance with the PA Records Manual.

A motion was made by John Weber to approve the disposition of Township records as identified on the Resolution. The motion was seconded by Ty Zerbe and carried unanimously.

- **Ephrata Youth Soccer-Use of Fields in Fall.** Manager Sawyer received a request from Ephrata Youth Soccer to use the field at the Ephrata Township Community Park for the 4 to 8 year old group. It was decided in the spring that it would be best to rest the fields and not to allow any organized soccer groups at the park. Since that time the grass has improved.

A motion was made by John Weber to direct staff to notify the Ephrata Youth Soccer Organization that they are permitted to use the field at the Ephrata Township Community Park this fall season as requested. The motion was seconded by Ty Zerbe and carried unanimously.

- **Road Projects –Grandview and Buch Mill Road.** Manager Sawyer notified the Board of Supervisors that the Grandview and Buch Mill Road paving projects have been scheduled and shall be completed in the near future. In addition, the excavating work at the intersection of Ridge Avenue and Mohler Church Road will also start in the near future. Stewart and Tate have been scheduled to complete the micro surfacing of Ridge Avenue and signs will be posted to inform residents of the road closure.
- **Martin Energy Easement.** Diehm & Sons on behalf of their client Martin Energy contacted Ephrata Borough requesting that the Borough relinquish their rights to the former railroad right-of-way on the Martin Energy site. In exchange, Martin energy has offered an easement across the northern portion of their property if the rail trail is ever extended beyond the Autumn Hills development. Ephrata Borough has requested input from the Township since the Township will most likely own the trail if it would be extended across the Martin Energy

property. The Board of Supervisors directed staff to contact Ephrata Borough to notify them that the Township believes securing an easement for a possible future trail extension makes sense and the Board has no problem with the plan presented.

- **Playground Replacement at Ephrata Township Community Park.** The cargo climb over section of the playground needs to be replaced. Manager Sawyer contacted Liberty Parks and Playgrounds and confirmed that this is no longer under warranty and received a proposal to replace them in the amount of \$469.50. The maintenance department will be able to provide the labor to replace it.

A motion was made by Ty Zerbe to replace the parts needed for the playground set as proposed in the amount of \$469.50. The motion was seconded by John Weber and carried unanimously.

Solicitor Charles Sheidy

Attorney Sheidy discussed his *Solicitor's Report* with the Board of Supervisors; it is on file in the Township Office.

- **Delinquent Street Light.** Charlie Sheidy provided the Board of Supervisors with a listing of each delinquent street light customer and provided a brief summary.
- **Petition to Rezone.** Ephrata Township received a Petition to Rezone a 12.54 acre tract and zoning map from Commercial to Residential Medium Density from Creek Corner Heights LLC. The petition was reviewed by Lancaster County Planning Commission and Ephrata Township Planning Commission at their last meeting on July 27, 2016. The Ephrata Township Planning Commission recommended approval of the proposed rezoning.

A motion was made by Ty Zerbe to direct Attorney Sheidy to advertise a public hearing with the intent to adopt an Ordinance amending the Ephrata Township Zoning Ordinance by changing the classification of property located on the south side of Meadow Valley Road and on the west side of North Reading Road on Tuesday, September 6th at 7:00 PM. The motion was seconded by Jon Weber and carried unanimously.

Engineer Melissa Kelly reported that the following plans are in the review process:

Evangelical Assembly of God – Final Plan
Autumn Hills Phase 3 Final Plan
ALDI Grocery Store – Traffic Impact Assessment

Melissa Kelly reported that Rettew continues to work on the Township's MS4 Program.

APPROVAL OF BILLS

A motion was made by John Weber to accept the list of checks written and to pay any bills pending. The motion was seconded by Ty Zerbe and carried unanimously.

CORRESPONDENCE

John Weber reported that there was no additional correspondence to report at this time.

August 2, 2016 Supervisors' Meeting minutes continued

A motion was made by John Weber to adjourn the meeting at 8:08 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

John L. Weber

J. Tyler Zerbe