

## EPHRATA TOWNSHIP SUPERVISORS' MEETING

December 6, 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: Lt. Chris McKim  
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 November 15, 2016 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

### STAFF REPORTS

#### Police – Lt. McKim

- **Monthly Report.** Lt. Chris McKim gave a brief overview of the counts reported for the month of November. There were a total of 121 actions reported for the month.

#### Manager Steve Sawyer

- **Burning Ordinance Clarification.** Manager Sawyer provided the Board of Supervisors and Lt. McKim a draft of a revised Burning Ordinance for their review and comment. Manager Sawyer explained that the intent of Ephrata Township was not to drastically change the current burning regulations but to make it easier to interpret. The current Burning Ordinance No. 115 was prepared in 1992 and Amended by Ordinance No. 129 in 1994. Having two (2) separate ordinances to try to piece together has caused some interpretation issues for the residents, staff, and the Police Department. Manager Sawyer asked that the Supervisors and Police Department read over the draft of the proposed new Burning Ordinance and provide comments to staff. After all comments have been

received, a new draft will be prepared that can be advertised for a public hearing. Attorney Sheidy stated that he supported the drafting of a new Burning Ordinance and recommended that if the Township adopts a new Burning Ordinance the existing Burning Ordinance should be repealed.

- **School Resource Officer Agreement.** Manager Sawyer notified the Board of Supervisors that at a prior meeting the Board approved the School Resource Office Agreement for 2017 through 2019 subject to the condition that all four municipalities in the Ephrata Area School District approve the agreement and the cost sharing. The Police Department presented to the Supervisors the Agreement that has been approved by the other 3 Municipalities and the School District. The Board of Supervisors executed the Agreement as presented.
- **Township Solicitor Position.** Manager Sawyer notified the Board of Supervisors that he had a meeting with Attorney, Charlie Sheidy; his Secretary, Deb Ebersole; Attorney, Tony Schimaneck; and Jason Hess from Morgan, Hallgren, Crosswell and Kane to discuss procedures and the transfer of Attorney Sheidy's open files. Manager Sawyer notified the Board that Attorney Schimaneck will have two (2) fellow Attorneys, Jason Hess and Bob Sisko fill in for him if a conflict would arise. Manager Sawyer also reported that Morgan, Hallgren, Crosswell & Kane handles collections for many of their municipal clients similar to what Attorney Sheidy has done for the Township. Attorney Schimaneck's main office is located at 700 North Duke St., Lancaster, but beginning 2017 he will be at their satellite office which is located in Lincoln two days per week. There will be no contract or retainer fee required from the Township and the Township may decide what meetings he should attend. Manager Sawyer is also recommending that the Sewer Authority consider this law firm for their representation and collections at the next meeting scheduled for December 13, 2016. Manager Sawyer requested direction from the Board of Supervisors as to when they would like Attorney Schimaneck to attend his first Supervisors' Meeting. Charlie Sheidy's last meeting attendance will be December 20, 2016. The Board of Supervisors directed staff to notify Attorney Schimaneck to attend the Organizational Meeting on Tuesday, January 3, 2016 at 7:00 p.m.
- **ZHB and ETSA Appointments.** Manager Sawyer notified the Supervisors that Kevin Seibert accepted the Chairman position of the Zoning Hearing Board at the last meeting replacing Scott Cover. He also contacted Larry Ray to discuss filling the position as a Zoning Hearing Board Member as directed by the Board of Supervisors at the last Supervisors Meeting. Larry Ray is interested in the position and is willing to begin service as a member at the next Zoning Hearing Board Meeting scheduled for December 20, 2016.

In addition, Manager Sawyer notified the Board that he also contacted Bob Fisher who was recommended to fill the unexpired term of Carl Haws who is planning to move out of Ephrata Township. Mr. Haws would like to stay on as a Sewer Authority Member until such time as his house sells. Manager Sawyer spoke to Bob Fisher about becoming an Alternate Sewer Authority Member beginning in January and Mr. Fisher accepted that position. Mr. Fisher can be appointed at the Organizational Meeting scheduled for January 4, 2016 at 7:00p.m.

A motion was made by Ty Zerbe to approve Larry Ray to fill the unexpired term of Scott Cover as a Zoning Hearing Board Member. The motion was seconded by John Weber and carried unanimously.

- **Raber Tire – Financial Security Reduction.** Raber Tire is requesting a financial security reduction for the work completed. Ephrata Township received a letter from Rettew Associates dated November 14, 2016 recommending a financial security reduction in the amount of \$85,275.85 which will leave a new outstanding financial security balance of \$12,210.00 to cover the costs of the remaining work noted.

A motion was made by John Weber to approve a financial reduction leaving an outstanding financial security balance of \$12,210.00 as recommended by Rettew Associate's letter dated November 14, 2016. The motion was seconded by Ty Zerbe and carried unanimously.

- **Alive Church – Time Extension to Act on the Plan.** A letter from Diehm & Sons, Engineer for Alive Church dated November 21, 2016 granting the Township a time extension to take action on the Alive Church Lot Add-On Plan until April 18, 2017 was received by the Township.

A motion was made by Ty Zerbe to accept the time extension granted by Alive Church. The new deadline for the Township to take action on the plan is April 18, 2017. The motion was seconded by John Weber and carried unanimously.

- **Rail Trail Grant.** Manager Sawyer met with Sue Davidson, Akron Borough Manager regarding the WERT Grant. Akron Borough took the lead for the grant and will need to be the one that submits the request for release of grant funds to Ephrata Township. The project cost estimate is \$87,000.00. DCNR paperwork is being submitted for approximately \$25,000.00. DCNR has also completed their final inspection.
- **Ephrata Township Community Park –Closing Restrooms.** Manager Sawyer requested a date from the Board of Supervisors to winterize and close the restrooms at the Ephrata Township Community Park. After discussion, the Supervisors directed staff to notify the Maintenance Department to close the restrooms as soon as their schedule permits.

#### **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.
- **Pawn Broker Ordinance.** Attorney Sheidy notified the Board of Supervisors that Lt. Shumaker requested that we hold off moving forward with the Ordinance process because he is in the process of making a procedure change and language will need to be added to the Ordinance reflecting the change if approved by Borough Council.

**Engineer Jim Caldwell** 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 – Final Land Development Plan
- Creek Corner Heights
- Denver Wholesale Foods
- Olde Lincoln Property (Elite Coach) – Lot Add-On

**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.

A motion was made by John Weber to adjourn the meeting at 7:59 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

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Clark R. Stauffer

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John L. Weber

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J. Tyler Zerbe