

EPHRATA TOWNSHIP SUPERVISORS MEETING

January 6, 2020

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: Lt. McKim
Solicitor: Anthony Schimaneck

The meeting was called to order by Chairman Clark Stauffer followed by the Pledge of Allegiance to the Flag.

ORGANIZATIONAL MEETING

A motion was made by Ty Zerbe, seconded by Tony Haws to nominate Clark Stauffer as the Temporary Chairman. The motion carried unanimously. Tony Haws made a motion to close the nominations and appoint Clark Stauffer as Temporary Chairman. The motion was seconded by Ty Zerbe and carried unanimously.

Temporary Chairman Stauffer asked for nominations for the Chairman of the Board of Supervisors for 2020. Ty Zerbe nominated Clark Stauffer as Chairman. There were no other nominations. A motion was made by Ty Zerbe to close the nominations and to appoint Clark Stauffer as Chairman of the Board of Supervisors for Ephrata Township for 2020. The motion was seconded by Tony Haws and carried unanimously.

Chairman Stauffer asked for nominations for Vice-Chairman. Tony Haws nominated Ty Zerbe as Vice-Chairman. There were no other nominations. A motion was made by Tony Haws to appoint Ty Zerbe as Vice-Chairman of the Board of Supervisors for Ephrata Township for 2020. The motion was seconded by Clark Stauffer and carried unanimously.

Chairman Stauffer asked for nominations for Secretary. Ty Zerbe nominated Tony Haws as Secretary. There were no other nominations. A motion was made by Ty Zerbe to appoint Tony Haws as Secretary of the Board of Supervisors for Ephrata Township for 2020. The motion was seconded by Clark Stauffer and carried unanimously.

Chairman Stauffer asked for nomination for Treasurer. Tony Haws nominated Ty Zerbe as Treasurer. There were no other nominations. A motion was made by Tony Haws to appoint Ty Zerbe as Treasurer of the Board of Supervisors for Ephrata Township for 2020. The motion was seconded by Clark Stauffer and carried unanimously.

Chairman Stauffer asked for nominations for Assistant Secretary. Ty Zerbe nominated Steve Sawyer as Assistant Secretary. There were no other nominations. A motion was made by Ty Zerbe to appoint Steve Sawyer as Assistant Secretary of the Board of Supervisors for Ephrata Township for 2020. The motion was seconded by Tony Haws and carried unanimously.

Clark Stauffer requested nominations for the 2020 Police Liaison to represent Ephrata Township and attend the Ephrata Borough Public Safety Committee meetings. Ty Zerbe nominated Tony Haws. There were no other nominations. A motion was made by Ty Zerbe to close the nominations and to appoint Tony Haws as the Police Liaison for 2020. The motion was seconded by Clark Stauffer and carried unanimously.

Clark Stauffer requested recommendations for the Township Elected Auditors concerning the 2020 pay rate for the Secretary, Treasurer, and Supervisors doing work with the Maintenance Department. Ty Zerbe made a motion to recommend to the Auditors that the pay rate for the Supervisors be the same rate as the Assistant Road Superintendent. The motion was seconded by Tony Haws and carried unanimously.

Clark Stauffer requested recommendations for the Township Elected Auditors concerning the 2020 pay rate for a Supervisor performing mowing or snow removal duties. Tony Haws made a motion to recommend to the Auditors that the pay rate for the Supervisors mowing or performing snow removal be \$17.00 for 2020. The motion was seconded by Ty Zerbe and carried unanimously.

Clark Stauffer requested a motion to set the amount for the Treasurer's Bond for 2020. Ty Zerbe made a motion to establish the amount of the 2020 Treasurer's Bond at \$2,000,000.00. The motion was seconded by Tony Haws and carried unanimously.

Tony Haws made a motion to appoint Earl Martin as the 2020 Vacancy Board Chairman. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to appoint Morgan, Hallgren, Crosswell & Kane, P.C. as Ephrata Township Solicitor for 2020 and Rettew Associates as the Ephrata Township Engineer firm for 2020. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to appoint William Howard as the Ephrata Township Emergency Management Coordinator for 2020. The motion was seconded by Ty Zerbe and carried unanimously.

Ty Zerbe made a motion to appoint Dale High as the 2020 Ephrata Township Sewage Enforcement Officer and Rettew Associates as the alternate Sewage Enforcement Officer as required by DEP in the event that Dale High is not available in 2020. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to appoint Associated Building Inspectors, LLC as the Ephrata Township Building Inspectors for 2020. Edward Poorman of ABI, LLC will be the

2020 Ephrata Township Building Code Official. The motion was seconded by Ty Zerbe and carried unanimously.

Ty Zerbe made a motion to reappoint the following individuals:

Planning Commission – James Stauffer – 4-year term; and
Zoning Hearing Board – Larry Ray – 5-year term; and
Sewer Authority – Leon Kurtz – 5-year term
Building Code Appeal Board – James Stauffer
Eric Brubaker
Don Good

The motion was seconded by Tony Haws and carried unanimously.

Tony Haws made a motion to set the 2020 compensation for the Zoning Hearing Board members, Planning Commission members, and Building Code Appeals Board members at \$40 per meeting. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to select Ephrata National Bank as the Township Depository for the 2020 General Fund, Capital Reserve Fund, Liquid Fuels Fund & Non-Uniformed Pension Fund subject to Ephrata National Bank pledging their assets for funds exceeding the amount federally insured. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to appoint Tony Haws as the 2020 Voting Delegate to the State Association Convention. The motion was seconded by Clark Stauffer and carried unanimously.

A motion was made by Ty Zerbe to set the compensation for the maintenance on-call pager responsibilities for 2020 at \$400.00 per year per road department employee. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to appoint Conrad Siegel, Inc. as the Ephrata Township Actuary for 2020 for the employee's Non-Uniformed Pension Plan. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to appoint Trout, Ebersole & Groff as Ephrata Township's Professional Auditors for 2020. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to appoint Manager Steve Sawyer as the 2020 Chief Administrative Officer for the Ephrata Township Non-Uniformed Pension Plan. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to appoint Jennifer Carvell as the 2020 Privacy Officer and Security Officer for the HRA Health Insurance Plan. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the 2020 Non-Uniform Benefit Package and the Employee Policy Manual, originally adopted on June 20, 2006 and last amended on July 2, 2019. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the following paid holidays for 2020:

New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Black Friday and Christmas.

The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Tony Haws to approve the 2020 Ephrata Township Fee Schedule. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to set the Ephrata Township Mileage Reimbursement Rate for 2020 to be the same as the IRS Rate which is currently .575 cents per mile. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to keep the current meeting dates and times for 2020, i.e. the first Tuesday of every month at 7:00 p.m. and the third Tuesday of every month at 7:00 a.m. The motion was seconded by Tony Haws and carried unanimously.

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 December 17, 2019 Supervisors' Minutes and to approve them as written. The motion was seconded by Ty Zerbe and carried unanimously.

PUBLIC HEARING – ZONING ORDINANCE AMENDMENT – SHORT-TERM RENTALS

Manager Sawyer advised the Board that the proposed Ordinance has been advertised and it could be adopted by the Board at the conclusion of the Hearing. Solicitor Schimaneck stated that the changes recommended by the Lancaster County Planning Commission were completed prior to advertising as directed.

Clark Stauffer opened the hearing for:

AN ORDINANCE TO AMEND THE EPHRATA TOWNSHIP ZONING ORDINANCE OF 2000 TO PROVIDE REGULATIONS GOVERNING SHORT-TERM RENTAL UNITS AND TO REVISE REGULATIONS GOVERNING OFF-STREET PARKING, OTHER USES OF THE SAME GENERAL CHARACTER, AMUSEMENT ARCADES, RECREATION FACILITIES, AND ACCESSORY USES.

There was no one in attendance to offer any public comment on the proposed ordinance.

A motion was made by Ty Zerbe to close the hearing. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve the Ordinance to Amend the Ephrata Township Zoning Ordinance of 2000 to provide regulations governing short-term rental units and revise regulations governing off-street parking, other uses of the same general character, amusement arcades, recreation facilities and accessory uses as prepared and advertised. The motion was seconded by Tony Haws and carried unanimously.

The ordinance will be in effect five (5) days from the date of the hearing.

STAFF REPORTS

- **Police – Lt. McKim** – Lt. McKim gave a brief overview of the calls for service in the Township during the month of December totaling 389 incidents. There were 6 arrests and 25 traffic citations. The monthly report was provided to the Township and will be kept on file in the office.

Manager Steve Sawyer

- **West Cocalico Township – Schoeneck Road Safety Study.** Manager Sawyer notified the Board of Supervisors that he received an email dated December 19, 2019 from Carolyn Hildebrand, Manager of West Cocalico Township notifying the Township that West Cocalico is requesting that PennDOT conduct a safety study of Schoeneck Road from Queen Street in Schoeneck to the West Cocalico and Ephrata Township municipal boundary. Manager Hildebrand also asked if Ephrata Township would like to be included in the request to further the safety study of Schoeneck Road to Route 272. After discussion, Manager Sawyer recommended that an accident history be completed by the Ephrata Police Department prior to making a decision. Lt. McKim was directed to provide a five (5) year accident history to make a better decision at the next Supervisors meeting.

A motion was made by Tony Haws to table the decision to request PennDOT to complete a safety study from the West Cocalico / Ephrata Township line to route 272. The motion was seconded by Ty Zerbe and carried unanimously.

- **MH Eby – Relocation of Dumpster.** Manager Sawyer notified the Board of Supervisors that he has received complaints from local residents close to MH Eby regarding noise from dumpsters being used on their property. Manager Sawyer contacted Gary Musselman of MH Eby concerning the complaints. An email from Gary Musselman dated December 17, 2019 showing a site plan and request to relocate two (2) dumpsters was submitted to the Board of Supervisors for their review. Manager Sawyer stated that the proposed relocation of the dumpsters would require new impervious area. The site is “maxed out” for impervious area based on their current storm water management facilities. Manager Sawyer requested that MH Eby consider relocating the dumpsters to an existing impervious location and has not received a response from MH Eby.

A motion was made by Ty Zerbe to table MH Eby's request to relocate two (2) dumpsters as shown on a site plan until the next Supervisors' Meeting. The motion was seconded by Tony Haws and carried unanimously.

- **DCNR Grant – Autumn Hills Park Development.** Manager Sawyer presented to the Board of Supervisors an email from Kelly Rossiter of DCNR dated December 30, 2019 congratulating Ephrata Township on a grant award in the amount of \$195,980.00 from DCNR's Community Conservation Partnerships Program for the Autumn Hills Park-Development. The Township will be notified in the near future to discuss the grant administration timeline and confirm important project information.
- **Office of the County Treasurer Letter.** Manager Sawyer presented to the Board of Supervisors a letter from Matthew Acker of the Office of the County Treasurer dated December 10, 2019 requesting approval to sell a property located at 13 Crystal Avenue to BKMO2 LLC. This property has been placed in the "Repository for Unsold Properties". Manager Sawyer discussed with the Board of Supervisors the amount of outstanding taxes due Ephrata Township at this time and the Section 627 Pennsylvania Real Estate Tax Sale Law.

A motion was made by Tony Haws to approve the sale of 13 Crystal Avenue per Section 627 of the Pennsylvania Real Estate Tax Sale Law. The motion was seconded by Ty Zerbe and carried unanimously.

Solicitor

Anthony Schimaneck thanked the Board of Supervisors for the reappointment.

Randy Groome – Road Superintendent.

Randy Groome provided the Board of Supervisors with an application of employment from Douglas Myer for a seasonal snow plow operator position for their review and discussion. Randy Groome stated that it is hard to find someone with the flexibility and qualifications to plow snow and he recommended hiring Mr. Myers as a seasonal snow plow operator. Manager Sawyer stated that if authorized to hire Mr. Myers he will need to provide proof of his CDL license and mandatory drug testing as required by the State prior to hire.

A motion was made by Ty Zerbe to authorize staff to hire Douglas Myer as a seasonal snow plow operator conditional upon providing the necessary documents needed to fulfill a position as a CDL driver at a starting pay rate of \$20.00 per hour. The motion was seconded by Tony Haws and carried unanimously.

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 there was no additional correspondence that has not already been discussed.

January 6, 2020 Supervisors' Meeting minutes continued

A motion was made by Tony Haws to adjourn the meeting at 8:30 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

J. Tyler Zerbe

Anthony Haws