

EPHRATA TOWNSHIP SUPERVISORS' MEETING

June 19, 2018

The Ephrata Township Supervisors met this date at 7:00 a.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
Engineer: Jim Caldwell

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

A motion was made by Tony Haws to dispense with the reading of the June 5, 2018 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

JAMES TSHUDY SUBDIVISION PLAN

Ted Cromleigh of Diehm and Sons and Jim Tshudy were present to present the Subdivision Plan for 56 East Mohler Church Road to the Board of Supervisors. Mr. Tshudy has lived on the property for 45 years. The farmhouse was built in 1764 and has been restored. The subdivision is for estate planning purposes only and no development is proposed at this time. The existing farmhouse will be connected to public sewer as part of the subdivision. 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 May 22, 2018.

A motion was made by Ty Zerbe to approve the request to defer a requirement for Section 602.A.7, 603.B and 603.C Reconstruction of Existing Streets Including Curb and Sidewalks until a subdivision or land development plan is submitted to the Township for Lot 1 and/or Lot 2, at which point the improvements on both Lots will need to be completed. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the request to defer a requirement for Section 611 – Dedication of Park and Recreation Land or payment of a fee in lieu to the Township until a potential future subdivision of Lot 2 or a new dwelling is proposed on Lot 2. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the request to defer a requirement to provide a Storm Water Management Plan based on the justification provided and subject to the applicant providing a Storm Water Easement on Lot 1 allowing the conveyance of storm water from any future storm water management facilities on Lot 2 to Mohler Run. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve the Subdivision Plan based on the conditions contained in Rettew Associates letter dated May 22, 2018. The motion was seconded by Ty Zerbe and carried unanimously.

REIFF FARM MARKET – WAIVER OF PLAN PROCESSING

At a previous meeting Nathan and Ed Reiff presented their plan to remove the current market sales building and construct a new retail market in a proposed addition onto the existing barn. Several possible improvements were discussed to the access drives and parking lots. The Board also suggested that the Reiffs have a Sketch Plan prepared and also contact an Architect to find out what improvements would be required for the existing barn to comply with the Commercial Building Code. Ed Reiff was in attendance at today's meeting to present a Schematic Site Plan prepared by Mark Schillaci, Architect as requested and submitted a Waiver of Plan Processing. The Reiffs are also interested in having a bakery in the new retail market. After discussion, it was decided that the Township would not be able to approve the bakery as part of the Waiver of Plan Processing. Zoning Hearing Board approval would be required to operate a bakery in addition to the Farm Market.

A motion was made by Ty Zerbe to approve the waiver request for Section 305 Plan Processing Procedure to Reiff Farm Market for the removal of the existing retail Farm Stand and an addition to their existing barn and parking lot improvements as shown on the Site Plan. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **David & Rhoda Martin – Land Development Plan/Subdivision Plan.** At the last Supervisors' Meeting David and Rhoda Martin presented a sketch of a proposed subdivision plan. The Martins are proposing to construct a second dwelling unit on their farm and are working with Attorney Kenelm Shirk to possibly subdivide instead of having two (2) dwelling units on one (1) parcel. Mr. and Mrs. Martin's son is planning to move into the existing residence and farm the property. Mr. and Mrs. Martin plan to reside in the newly constructed home. The subdivision would create a flag lot. The Board of Supervisors had some concerns with the shared driveway shown on the sketch plan due to the location of the chicken houses. The Board of Supervisors suggested moving forward with soil testing for on-lot

sewer systems and then meeting with staff to discuss the project. Since the last meeting, Manager Sawyer notified the Board of Supervisors that the Sewer Enforcement Officer did perk testing and it was successful. The Martin's are asking the Board of Supervisors if they would consider a flag lot subdivision versus a Land Development prior to moving forward to avoid unnecessary engineering fees. Proposed language for an access easement was discussed. The Board of Supervisors directed staff to contact Mr. and Mrs. Martin and notify them that the Board of Supervisors will consider a Subdivision Plan of the flag lot as presented on the sketch plan conditional upon a recorded access agreement acceptable to the Township and plan notes concerning the proposed shared driveway shown on the plan. The Township does not want to be involved with disputes between future property owners.

- **Comcast.** Manager Sawyer notified the Board of Supervisors that Ephrata Township, Ephrata Brough, Lititz Borough, Akron Borough and Warwick Township have been approached by Comcast of Southeast Pennsylvania proposing a limited expansion of its network to service businesses and residences. Comcast is proposing to run service lines along a 40-47 mile path along Route 272 and 322 centered in Akron Borough, Ephrata Borough and Ephrata Township and a 26-32 mile path along East Main Street, Lincoln Avenue, and Broad Street centered in Warwick Township and Lititz Borough. Comcast is proposing to offer internet, cable, and telephone service in these areas. A meeting was held between municipal representatives and Comcast representatives to discuss the proposed project. The municipalities contacted the Cohen Law Group who represented the municipalities with the current Franchise Agreement with Blue Ridge Cable. Cohen Law Group prepared a letter dated May 14, 2018 offering their services to negotiate on behalf of each Municipalities for the amount of \$3,900.00 per Municipality. Manager Sawyer stated that Ephrata Borough, Lititz Borough, and Warwick Township have approved the proposal from the Cohen Law Group and recommended Ephrata Township also participate.

A motion was made by Ty Zerbe to approve participating with the negotiations for a Franchise Agreement with Comcast as outlined in Cohen Law Group's letter dated May 14, 2018 in the amount of \$3,900.00. The motion was seconded by Tony Haws and carried unanimously.

- **Rail Trail Bridge-Mar-Allen Quote.** Manager Sawyer notified the Board of Supervisors that minor bridge repair work is needed at the Cocalico Creek Rail Bridge. Manager Sawyer contacted Mar-Allen to provide an estimate for work to repoint some of the stones on the bridge. Manager Sawyer showed a picture to the Board with the recommended repointing work area identified in a blue box. Mar-Allen quoted \$287.00 per hour for three men plus material and equipment. Mar-Allen estimated that it would take approximately 27 hours to complete the repointing in this area. Manager Sawyer recommended hiring Mar-Allen to complete the work shown in blue on a time and materials basis.

A motion was made by Tony Haws directing staff to proceed with a formal proposal from Mar-Allen to repoint the bridge in the blue section as recommended by staff. The motion was seconded by Ty Zerbe and carried unanimously.

- **Creek Corner Property.** A formal complaint was emailed to Manager Sawyer and a couple other phone calls have also been received regarding the condition of the Creek Corner Property located on the corner of Meadow Valley Road and Reading Road. This property has been vacant and undeveloped for years but is currently in the land development stage. There have been reports of high grass and weeds and abandoned buildings. Manager Sawyer stated that he planned on contacting Cliff Weaver, Property owner but would like direction from the Board of Supervisors as to how much clean up the Township should require since this property is going to be developed into an apartment complex in the future. The Board of Supervisors directed Manager Sawyer to contact Cliff Weaver for an estimated dated that the improvements / construction will begin on the property and request that he takes care of the high grass and weeds.
- **Police Contract.** Manager Sawyer notified the Board of Supervisors that the current Ephrata Borough Police contract will expire December 31, 2019. The current contract states that negotiations for a new contract should begin in June of 2018. Bob Thompson of Ephrata Borough is requesting Manager Sawyer and one Supervisor attend the negotiation meetings and notify him with available dates in the near future to attend a meeting.
- **Road Crew Maintenance Overtime for Trimming/Mowing.** Manager Sawyer reported that William Zimmerman, seasonal employee has been working overtime on Fridays to help with the trimming needed throughout the parks and rail trails in the Township. Manager Sawyer requested direction from the Board of Supervisors for the amount of overtime they would approve for the mowing season. After discussion, Manager Sawyer and Randy Groome, Road Superintendent were advised to communicate with each other if and when there is a need for additional hours each week and the amount of time needed for the remainder of the mowing season.
- **Pavilion Rental Policy.** Manager Sawyer explained that the Ephrata Township Community Park pavilion rentals have increased. There have been more weekday rentals scheduled in addition to Saturday and Sundays. Staff expressed a concern regarding supplies and cleaning in the pavilion and restroom area. The Board of Supervisors requested that staff monitor the expense for the extra usage and allowed additional cleaning and stocking of supplies as needed.

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

Creekside Corner – Land Development Plan
Ephrata Crossing – Subdivision Plan
Lakeside Villa – Final Plan
Martin - Land Development Plan / Subdivision Plan
M.H. Eby – Land Development Plan
Tshudy – Subdivision Plan
Ephrata Borough – Solar Project
Lon Martin – Storm Water Management Plan
Hoover – Final Plan

Rettew Associates is continuing to complete the MS4 – BMP Inspections on behalf of the Township.

Road Superintendent – Randy Groome

Randy Groome reported work that has been completed and scheduled for the road crew for the month of June.

APPROVAL OF BILLS

A motion was made by Tony Haws to accept the list of checks written and to pay any bills pending. The motion was seconded by Ty Zerbe 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 9:09 a.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe