

EPHRATA TOWNSHIP SUPERVISORS' MEETING

June 7, 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 May 17, 2016 Supervisors' Minutes and to approve them as written. The motion was seconded by Ty Zerbe and carried unanimously.

DANIEL BURKHOLDER – SWM PLAN FOR POULTRY HOUSES

Cameron Renehan of Team Ag presented the Storm Water Management Plan for two (2) Agricultural Poultry Houses each 50' x 440' at 211 Meadow Valley Road. Rettew Associates letter dated May 23, 2016 was also submitted to the Board of Supervisors for their review prior to the meeting. Cameron Renehan also discussed 2 separate waiver requests.

A motion was made by Ty Zerbe to approve a Waiver request to Section 407.24.d.3 Minimum Swale Slope with the condition that the applicant confirm that the proposed swales are not located in, over, or immediately adjacent to the items listed in Section 403.2.A. The motion was seconded by John Weber and carried unanimously.

A motion was made by John Weber to approve a Waiver request to Section 406.8 – Basin Fencing conditional upon the property owner understanding the liability and responsibility to maintain the basin to keep water levels low and based on the justification that the location of the basin is not near any areas open to the public. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by John Weber to approve the Daniel Burkholder Storm Water Management Plan based on the conditions contained in the Township Engineer's letter dated May 23, 2016. 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 May. A full report was also given to the Township and will be kept on file in the office. Chief Harvey noted that he was happy with the Township's numbers this month.
- **SEO Officer Paul Moore.** Chief Harvey notified the Township that Ephrata Ephrata Area School District Superintendent Dr. Troop contacted the Police Department and notified Chief Harvey that Officer Moore will be receiving an award of excellence for the exemplary work he has done for the Ephrata School District this year. Unfortunately more serious events occurred this year than normal and the school district is very appreciative of Officer Moore and his relationship with the students of Ephrata School District.

Manager Steve Sawyer

- **Ephrata Mennonite 5K.** Ephrata Mennonite School is requesting permission to use Township roads for their annual 5K run again this year. Chief Harvey stated that they have used fire police in the past and there has not been any issues reported. The School has also been required to provide the Township with a Certificate of Insurance for the event.

A motion was made by Ty Zerbe directing staff not to notify Ephrata Mennonite School that the Township does not object to the proposed event subject to the school providing a Certificate of Insurance to the Township and the School following direction provided by the Ephrata Police Department. The motion was seconded by John Weber and carried unanimously.

- **Dean Putt – Fireworks Display.** Manager Sawyer notified the Board of Supervisors that Mr. Putt has requested that the Township allow him to set off a fireworks display at his home over the fourth of July weekend again this year. Chief Harvey said that there were no issues with the event he held last year. Manager Sawyer notified the Board of Supervisors that he had checked with the Township's Building Code Official and no approval is needed through him because fireworks are not covered by the UCC. Mr. Putt is licensed and also has the required liability insurance.

A motion was made by Ty Zerbe stating that since Ephrata Township does not have any local ordinances that regulate fireworks, the Township does not object to Dean Putt's request to set off fireworks at his residence on Buch Mill Road. Mr. Putt is responsible to ensure that his event will comply with all state and/or federal laws. The motion was seconded by John Weber and carried unanimously.

- **Fence Bids.** Ephrata Township is currently working on developing the next section of the Warwick to Ephrata Rail Trail from the Akron – Ephrata Township

municipal boundary off Bomberger Road to Millway Road. This section of the former rail bed is elevated approximately 15 to 20 feet. Due to the steep side slopes, a split rail fence is required for most of this section. Manager Sawyer stated that he prepared a bid package and advertised in the Ephrata Review. The bid opening was held on June 6th at 10:00 AM. Two (2) bids were received and the lowest bidder was Agway in the amount of \$18,750.00 which comes to \$7.31 per linear foot. The second bid received was in the amount of \$9.34 per linear foot.

A motion was made by John Weber to award the fence bid to Agway in the amount of \$18,750.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Part-time Park Mowing Position.** A resume was received from William Zimmerman and submitted to the Board of Supervisors prior to the meeting. Manager Sawyer explained that Ryan McKee gave his two (2) week notice so the Township was in need of a part-time lawn mower. William will graduate from High School this June and will be attending Lebanon Valley College in August. Manager Sawyer interviewed William and recommended to the Board of Supervisors hiring him at the rate of \$12.00 per hour.

A motion was made by John Weber to approve the hiring of William Zimmerman as a part-time mower at a rate of \$12.00 per hour. The motion was seconded by Ty Zerbe and carried unanimously.

ZHB Hearings – June 2016. Manager Sawyer reviewed with the Board two (2) zoning hearing applications for the June meeting. Alive Church located at 510 Stevens Road and Nelson Nolt of 728 Rettew Mill Road. After discussion the Board of Supervisors did not feel that the Township should take a position or present testimony at either Hearing.

- **Grading and Access Easement – Community Park Property.** A Grading Easement & Temporary Construction Easement and an Access Easement for the Ephrata Township Park with the neighboring property owner Property Investing and Management, Inc. was presented to the Board of Supervisors for their review prior to the meeting. Manager Sawyer recommended that the Board approve both agreements. The access easement is needed to allow access to the horse tie area and also access to the trail around the lake for maintenance and emergency response.

A motion was made by Ty Zerbe to approve the Grading Easement and Temporary Construction Easement as presented. The motion was seconded by John Weber and carried unanimously.

A motion was made by Ty Zerbe to approve the Access Easement as presented as part of the consideration for granting PIM, Inc. a Grading Easement on the Township's property subject to getting Joinder approval if necessary. The motion was seconded by John Weber and carried unanimously.

- **Ephrata Baseball Association – Batting Cage @ Park.** A request was received by the Township from Paul Gockley, President of the Ephrata Baseball

Association to request the Township allow the Ephrata Baseball Association to erect a batting cage at the Ephrata Township Park. After discussion at the last Supervisors' Meeting, the Board of Supervisors approved EBA's request with certain conditions. Manager Sawyer notified the Board that EBA requested that the Township reconsider the location of the batting cage and allow them to erect it as they originally requested. A plot plan showing both locations was submitted to the Board of Supervisors for their review. Manager Sawyer recommended denying this request due to the proposed location being close to existing oak trees, eliminating spectator viewing area and maintenance reasons.

A motion was made by John Weber to approve Manager Sawyer's recommendation and notify Ephrata Baseball Association that the batting cage will need to be erected in the location designated by Ephrata Township as shown on the plot plan presented. The motion was seconded by Ty Zerbe and carried unanimously.

- **Update – Autumn Hills Stream Restoration Project.** Manager Sawyer, Jim Caldwell, Gerry Horst and Robert Gabriel met to discuss items that needed to be completed and a schedule for the Autumn Hills Stream Restoration Project. Manager Sawyer provided a tentative schedule to the Board. Jim Caldwell provided a brief overview and sketch plan and stated that DEP approval required for a General Permit can take up to a year to receive the final approval. Jim also explained that this portion of land will be owned and maintained by Ephrata Township and will help the Township meet requirements of our MS4 permit. No action was required of the Board of Supervisors at this time since this was presented for informational purposes only.
- **Storm Drain Markers.** Manager Sawyer provided a sample of a storm drain marker that he received from Berntsen along with pricing information. Manager Sawyer recommended purchasing 250 markers at \$912.50 this year which will allow the Township to begin the project. Manager Sawyer explained that the reason for the storm drain markers is part of the MS4 program and will be part of the Township's requirement for public education.

A motion was made by John Weber to approve the purchase of 250 storm drain markers as recommended by staff in the amount of \$912.50. The motion was seconded by Ty Zerbe 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. Supervisor Zerbe complimented Attorney Sheidy on his work regarding the collection of delinquent street light assessments.
- **Agreement – Well / Septic Isolation Distance – 228 Meadow Valley Rd.** At a previous meeting the Board of Supervisors required the property owner to have the well water tested at his expense by Dale High or another person approved by the Township. It was also decided that if the existing well water is not

contaminated, the Township will approve the waiver subject to a recorded agreement similar to the one prepared by East Cocalico Township. Manager Sawyer notified the Board of Supervisors that well water test was completed by Lancaster Labs and an Agreement has been prepared by Attorney Sheidy. Manager Sawyer stated that Dale High and the property owner are agreeable with execution of the Agreement as presented.

A motion was made by Ty Zerbe to approve the execution of the Agreement between Amos Smucker and Ephrata Township as presented. The motion was seconded by John Weber and carried unanimously.

Engineer Jim Caldwell reported that the following plans are in the review process:

- Evangelical Assembly of God
- Huber Auto Group
- Aldi Grocery Store
- Ephrata Crossings
- Middle Creek Private School

Jim Caldwell reported that Rettew continues to work on the Township's MS4 Program. He also stated that Rettew Associates has hired a new employee to be their MS4 Coordinator.

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 8:43 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

John L. Weber

J. Tyler Zerbe