

EPHRATA TOWNSHIP SUPERVISORS' MEETING

March 2, 2021

The Ephrata Township Supervisors met this date at 7:00 p.m. at the Ephrata Township Office Building, 265 Akron Road, Ephrata, Pennsylvania. The meeting was conducted in person and virtually utilizing Microsoft Teams which is a telecommunications application that provides video chat and voice calls between computers, tablets and telephones.

Present were: Supervisor Clark Stauffer
 Supervisor Tyler Zerbe
 Supervisor Tony Haws
 Township Manager Steve Sawyer
 Township Engineer Jim Caldwell
 Township Solicitor Tony Schimaneck

Participating Virtually: Administrative Asst. Jennifer Carvell

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

PUBLIC COMMENT PERIOD

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 February 16, 2021 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **887 East Main Street – Sketch Plan Discussion.** Manager Sawyer provided the Board of Supervisors with a Review Letter from Rettew Associates dated February 24, 2021 and a copy of the Sketch Plan showing a proposed new building with a retail use on the first floor and five (5) apartments on the second floor which would replace the current convenience store / gas station located at 887 East Main Street, Ephrata. Manager Sawyer stated that apartments are not permitted by right or special exception in the Mixed-Use Zoning District. Stephen Bensinger of Stackhouse Bensinger, Inc. is the engineer representing the developer and he notified the Township that he was unable to attend the meeting. Manager Sawyer recommended tabling the sketch plan discussion to a future meeting.

A motion was made by Ty Zerbe to table the discussion concerning action for 887 East Main Street Sketch Plan until a future meeting that Mr. Bensinger is able to attend. The motion was seconded by Tony Haws and carried unanimously.

- **Ephrata Community Park – Athletic fields and Pavilion.** At the last Supervisors' Meeting the Board of Supervisors were presented with an application from the Ephrata Youth Soccer Club to reserve the fields at the Ephrata Township Community Park for their practices and games from March through June. A Certificate of Insurance along with their COVID-19 Safety Plan was also provided. Ephrata Youth Soccer found a different location to hold games and practices in 2020. Manager Sawyer recommended allowing EYS to use the soccer field for practices and games with conditions that they follow their COVID-19 safety plan and CDC guidelines. In addition, Manager Sawyer also stated that a decision to reopen the pavilion at the park should also be decided in the near future. The Board of Supervisors stated that they will consider allowing Ephrata Youth Soccer and Ephrata Youth Baseball to use the athletic fields and renting the pavilion in 2021 but directed staff to contact the Township's Solicitor to prepare additional Covid-19 conditions to be signed by Ephrata Youth Soccer and the Ephrata Baseball Association and each party renting the pavilion. Manager Sawyer stated that he contacted Attorney Schimaneck and he provided the Board of Supervisors language that he prepared for their review and discussion prior to the meeting along with CDC Guidelines for outdoor events. Currently outdoor events are limited to 20% of the maximum occupancy capacity for the facility. Manager Sawyer stated that the pavilion's occupancy limit is 100 people therefore that would allow groups of no more than 20 to be able to occupy the pavilion at this time. It was discussed that the Township should provide sanitizing/cleaning products for the pavilion rental use and post signage concerning the current rules and occupancy limit. Manager Sawyer stated that he contacted the Lancaster County Parks Department and they are renting their pavilions in 2021 with similar restrictions and guidelines.

A motion was made by Tony Haws to authorize staff to move forward with allowing Ephrata Youth Soccer and Ephrata Baseball Association along with Pavilion Rental Reservations with the added guidelines, waivers and signage as discussed. The motion was seconded by Ty Zerbe and carried unanimously.

- **Communication Tower / Antenna Ordinance Discussion.** The Board of Supervisors were given a draft of a Zoning Ordinance Amendment concerning Communication Towers and Antennas to review prior to the meeting. Manager Sawyer stated that the Township Solicitor's Office had prepared this draft in the spring of 2020 but the draft was not finalized and forwarded to the County and Township Planning Commissions for recommendations. The main reason for the proposed ordinance is to establish regulations for towers, poles and antennas for 5G facilities. Jim Caldwell stated that other municipalities are starting to get 5G network projects and it is expected to become more wide spread. The 5G projects typically use existing utility poles but could include new pole facilities either within the street right-of-way or on private property. The current Zoning Ordinance does not include regulations for pole facilities or small wireless

communication facilities. It was recommended that approval be by Special Exception and not by Conditional Use.

A motion was made by Ty Zerbe authorizing staff to finalize the draft ordinance including the requirement of Special Exception approval. The final draft shall be presented to the Board at a future meeting before it is forwarded to the LCPC and ETPC for review. The motion was seconded by Tony Haws and carried unanimously.

- **Weaverland Mennonite Homes – Financial Security Reduction.** The Board of Supervisors received a letter from Rettew Associates dated February 24, 2021 recommending a financial security reduction for Weaverland Mennonite Homes in the amount of \$22,550.63 leaving a new outstanding balance of \$16,929.74 to cover the costs of the remaining work listed following a site visit.

A motion was made by Tony Haws authorizing the financial security reduction for Weaverland Mennonite Homes in the amount of \$22,550.63 leaving a new outstanding balance of \$16,929.74 subject to Rettew Associates letter dated February 24, 2021. The motion was seconded by Ty Zerbe and carried unanimously.

- **Cyber Liability Insurance.** Manager Sawyer notified to the Board of Supervisors that it has been recommended by Trout CPA during the Township's most recent audit that purchasing Cyber Insurance was highly recommended. Manager Sawyer reached out to Clayton Bell of Myers & Bell Insurance Company for a quote. Manager Sawyer provided the Board of Supervisors a quote that he received that would provide coverage for both the Township and the Sewer Authority. If the Board authorized staff to proceed with the Cyber Insurance Manager Sawyer would contact the Sewer Authority Members for approval so that the cost could be split between the Township and Authority.

A motion was made by Tony Haws authorizing staff to secure a Cyber Insurance Policy through Myers & Bell Insurance Agency in the amount of \$1733.45 with participation of the Sewer Authority. The motion was seconded by Ty Zerbe and carried unanimously.

- **Sink Hole in Pleasant View Road.** The Road Crew was notified by Clay Township of a sinkhole along Pleasant View Road in Ephrata Township. The sinkhole repairs were completed today at an estimated cost of \$3,000 - \$4,000.

Engineer Jim Caldwell reported that there are several plans in the review process and construction observation phase:

NPDES Permit Submittal – Autumn Hills Project

Comcast – Area F

Creek Corner Heights – As-built Plans

790 – 794 East Main Street Traffic Study – Scoping Meeting w/ PennDOT

East Mohler Church Subdivision
887 East Main Street – Sketch Plan
East Mohler Church - Sketch Plan

Solicitor Tony Schimaneck

Tony Schimaneck stated that he did not have any additional information to share at this time.

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 at this time.

A motion was made by Tony Haws to adjourn the meeting at 8:11 p.m. The motion was seconded by Clark Stauffer and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe