

EPHRATA TOWNSHIP SUPERVISORS' MEETING

March 7, 2017

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
Admin Asst: Jennifer Carvell
Police: William Harvey
Engineer: Jim Caldwell
Solicitor: Tony Schimaneck

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 February 21, 2017 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

PREMIER R&G PROPERTIES (884 EAST MAIN STREET) – WAIVER REQUEST

A waiver request was presented to the Board of Supervisors prior to the meeting for their review. Premier R&G Properties is the owner of 884 East Main Street. The existing commercial building contains a tire business and a former mattress retail business. Premier R&G properties is requesting a waiver from land development plan processing to divide the existing 3000 square foot retail space (formerly occupied by the mattress business) into two (2) commercial retail spaces. There are no changes proposed to the property outside of the building. Manager Sawyer stated that he has reviewed the parking requirements and that the property complies with the parking requirements of the Zoning Ordinance. Jim Caldwell recommended that the Board grant the waiver request because no site improvements would be required. Manager Sawyer stated that a commercial building permit will be required and that all commercial building code requirements will be enforced by ABI Associates. Attorney Schimaneck agreed that a waiver request was appropriate for this situation. Rick Stauffer of Premier R&G Properties was present to answer any questions.

A motion was made by John Weber to approve the Waiver Request for Land Development plan processing at 884 East Main Street by Premier R&G Properties to

divide a 3000 square foot commercial retail space into two (2) commercial retail units based on the justification provided. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Report – Chief William Harvey

- **Reports.** Chief Harvey gave a summary of the calls for service within Ephrata Township totaling 146 for the month of February. He stated that overall it was a good month but cautioned that fraud reports were very high in February in all (4) four of the municipalities they serve. The monthly report will be provided to the Township and will be kept on file in the office.
- **Make-A-Wish – Mother's Day Truck Convoy.** Chief Harvey stated that Borough Council approved the execution of the requested Agreements to allow the use of roads within the Borough for this annual event. Chief Harvey stated that there were no changes from last year's request and he had no concerns to report.

Manager Steve Sawyer

- **Make-A-Wish – Mother's Day Truck Convoy.** Manager Sawyer stated that the Make-a-Wish Foundation Convoy is scheduled for May 14, 2017. The Township received a PennDot Event Permit and an Indemnification Agreement from the Make-a-Wish Foundation. The permit and agreement are identical to the forms approved by the Township in prior years. The convoy uses only PennDot roads (Route 222 and Route 322) in Ephrata Township.

A motion was made by Ty Zerbe to accept and authorize the execution of the Event Permit and Indemnification Agreement as presented for the Make-a-Wish Foundation Mother's Day Convoy. The motion was seconded by John Weber and carried unanimously.

- **Traffic Signal at Rte. 322 & Pleasant Valley Road.** This intersection was permitted by PennDot as part of the Ephrata Marketplace Land Development. At the time the permit was approved and the improvements were completed, there was a commercial building very close to the road on the southwest corner of the intersection. The PennDot permit for the signal included a "No Turn on Red" restriction for Pleasant Valley Road traffic due to limited sight distance. After the signal was installed, the building on the southwest corner of the intersection was torn down. Business owners and residents who use Pleasant Valley Road have requested that the "No Turn on Red" restriction be eliminated.

The Township reviewed this issue in 2014. At that time, the Township did not take any action because it appeared that additional development would occur in the near future which would require improvements to the intersection. Manager Sawyer stated that it is now unlikely that additional development will occur in the near future. Manager Sawyer recommended that the Board approve Rettew Associates completing a sight distance study and the required paperwork to seek

PennDot approval to eliminate the no turn on red restriction. The estimated cost to the Township is \$800.00.

A motion was made by Ty Zerbe to authorize staff to move forward with the necessary steps needed to request approval from PennDot to remove the "No turn on Red" restriction and amend the traffic signal permit issued to Ephrata Township for the Route 322 / Pleasant Valley Road traffic signal. The motion was seconded by John Weber and carried unanimously.

- **MOU – PennDot Detours Using Township Roads.** Manager Sawyer notified the Board of Supervisors of three (3) different PennDot bridge projects on Route 222 that will require detours on Township roads. The construction is projected to begin in the spring of 2018 and has an estimated eight (8) month construction timeframe. Manager Sawyer discussed with the Board of Supervisors the detours proposed by PennDot. The detour for the Mohler Church Road bridge concerned Manager Sawyer and therefore he contacted PennDot requesting an amended detour for this bridge project. It was discussed that Ridge Avenue was not the best detour route for large trucks due to the width of the roadway and sharp turns. PennDot is reviewing the Township's requested change and will submit a revised Memorandum of Understanding if approved. No action is needed at this time.
- **2017 Roadwork / Material Bids.** Manager Sawyer notified the Board of Supervisors that the Ephrata Township 2017 Roadwork & Material Bids were opened this morning March 7, 2017 at 10am. A summary of the bid results was prepared and submitted to the Board of Supervisors for their review. After discussion, Manager Sawyer recommended to the Board of Supervisors awarding each bid category to the lowest responsible bidder.

A motion was made by John Weber to approve staff's recommendation and award each roadwork and material bid to the lowest bidder as presented. The motion was seconded by Ty Zerbe and carried unanimously.

- **Lawrence Leid Letter – Rezoning Request.** At the February 7, 2017 meeting Manager Sawyer presented to the Board of Supervisors a letter dated January 13, 2017 from Lawrence Leid of 192 Slate Road requesting the Township rezone his property from Mineral Recovery to Agricultural. Mr. Leid is interested in preserving his entire property which consists of two separate tracts. The 16 acre tract on the south side of Slate Road is currently zoned Mineral Recovery and cannot be preserved unless it is zoned Agricultural. The Township also received a letter from Jeffrey Detwiler of New Enterprise Stone & Lime Co. requesting the Township table their decision on whether to consider the request for 30 days. New Enterprise Stone would like the opportunity to contact Mr. Leid to discuss other options. Manager Sawyer notified the Board that the Township received a phone call from Mr. Leid requesting that the Township table his request for consideration of rezoning until further notice. He stated that he is having discussions with New Enterprise Stone & Lime Company and will contact the Township if he would like to pursue his previous request to rezone.

A motion was made by Ty Zerbe to table the request for consideration of rezoning by Lawrence Leid for a 16 acre tract located at 192 Slate Road, Ephrata Township indefinitely. The motion was seconded by John Weber and carried unanimously.

- **DEP Storm Water Grant Application.** Manager Sawyer notified the Board of Supervisors that DEP is offering a grant program for funding storm water management projects. Because the deadline to submit the grant was March 3rd, Manager Sawyer gave Rettew Associates authorization to submit a grant application on behalf of the Township. The maximum grant is \$200,000 and the grant program does not require matching funds. Grants will be awarded in September of 2017 and the Board will have the option to accept or reject a grant at that time. Staff is requesting that the Board of Supervisors ratify the submission of the grant application completed by staff and the Township Engineer.

A motion was made by John Weber to ratify the action taken by staff and the Township Engineer to submit the DEP Storm Water Management Projects Grant Application. The motion was seconded by Ty Zerbe and carried unanimously.

Solicitor Tony Schimaneck

- **ALDI Project.** Attorney Schimaneck notified the Board of Supervisors that the Developer Agreements have been prepared and submitted to the Developer.
- **Evangel Assembly of God.** Attorney Schimaneck notified the Board of Supervisors that the Indemnification and Storm Water Agreement for the storm water improvements within the PennDot right-of-way have been prepared and submitted to the developer.
- **Burning Ordinance Draft.** At the February 21, 2017 meeting the Board of Supervisors authorized staff to publish a legal notice in the Ephrata Review that the Board of Supervisors will consider adoption of the burning ordinance at their April 4, 2017 meeting. Attorney Schimaneck notified the Board of Supervisors that the legal notice has been prepared and is ready for advertising.

Engineer Jim Caldwell reported that there is **one new** plan in the review process:
Bollinger Storm Water Plan

Rettew Associates has been spending considerable time on the Township's MS4 Program. A DEP Audit of the Township's MS4 program is scheduled for Wednesday, March 15, 2017. A storm water management grant application has been prepared and submitted to DEP; the draft Pollution Reduction Plan should be completed by June with recommended projects. Jim Caldwell suggested scheduling an MS4 Outreach Public Educational Meeting for the next evening meeting scheduled for April 4, 2017. Kara Kalupson from Rettew Associates will prepare a presentation on behalf of Ephrata Township. Staff was directed to advertise the public meeting in the next edition of the Ephrata Review.

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 7:58 p.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

John L. Weber

J. Tyler Zerbe