

EPHRATA TOWNSHIP SUPERVISORS' MEETING

November 21, 2017

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
John Weber
Ty Zerbe
Manager: Steve Sawyer
Admin. Asst.: 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 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 November 7, 2017 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Manager Steve Sawyer

- **Ephrata Crossings – PennDOT Traffic Impact Study Meeting.** Manager Sawyer notified the Board of Supervisors that a meeting occurred with PennDOT regarding a Traffic Impact Study for Ephrata Crossings' proposed Commercial Project. Manager Sawyer, John Schick of Rettew Associates, David Burkholder of Ephrata Borough attended the meeting along with Rick Stauffer, his traffic engineer and his attorney. Mr. Stauffer is proposing to reconstruct the Pleasant Valley Road approach to the Route 322 intersection but no capacity improvements to Route 322 are projected to be completed with his project. Complaints have been received by Ephrata Township regarding the congestion along Route 322 now and his project will generate significantly more traffic along the 322 corridor. Manager Sawyer expressed to PennDOT that the Township feels strongly that capacity improvements to Route 322 are needed now but especially if there is another commercial development along the corridor. Manager Sawyer is requesting the Board authorize him to send a letter to PennDOT expressing the Township's concern with future development along Route 322 without capacity improvements because of congestion and the safety of team traffic in this area.

A motion was made by John Weber to authorize staff to send a letter to PennDOT expressing the Township's concerns for additional commercial development on Route 322 without capacity improvements. The letter should also be copied to our local legislators and Ephrata Borough. The motion was seconded by Ty Zerbe and carried unanimously.

- **Lancaster County Reassessment – New Millage Rate.** Manager Sawyer notified the Board of Supervisors that due to the Reassessments all municipalities are required to adjust their millage rates. The Township is not proposing to raise taxes with the 2018 budget. Based on the letter from the Lancaster County Assessment Office dated November 10, 2017, the millage rate should be adjusted from 1.47 mills to 1.17 mills to generate the same amount of real estate tax revenue.

A motion was made by Ty Zerbe to approve adjusting the Ephrata Township Real Estate millage rate from 1.47 to 1.17 for 2018. The motion was seconded by John Weber and carried unanimously.

2018 Dump Truck. At the November 7, 2017 Supervisors' Meeting, the Board of Supervisors approved the purchase of the 2018 International 7400 Stock White Unit for \$139,255.00. Manager Sawyer notified the Board that the paperwork has been completed and the delivery date is scheduled for the week of December 4, 2017 and the plow the end of December. Manager Sawyer requested permission to use 2017 funds even though this was a budgeted 2018 item. Manager Sawyer stated that there was enough funds leftover in 2017 in the Liquid Fuels/Highway Account and remaining funds needed would be available from the Supervisors Snow and Ice Removal account which also was under budget for 2017.

A motion was made by Ty Zerbe to approve the purchase of the dump truck in December of 2017 as recommended by staff. The motion was seconded by John Weber and carried unanimously.

- **Emergency Management Coordinator.** Manager Sawyer notified the Board of Supervisors that the Township received an email from Donald Whitcraft dated October 28, 2017 notifying the Township that he is resigning as the Ephrata Township Emergency Management Coordinator effective January 1, 2018. The email recommended Jim Kiefer and/or Troy Beard as his replacement. Since the email was sent Jim Kiefer had a serious health issue and is not able to fill the position. Manager Sawyer contacted Chief Harvey who is the Ephrata Borough's Emergency Management Coordinator to see if he would be interested in filling the position for the Township as well. Chief Harvey stated that he was willing to help someone with the position but did not want to take on full responsibility at this time. The Supervisors directed staff to contact both Pioneer Fire Company and Lincoln Fire Company to see if there was anyone there that would be interested.
- **Route 272 Sinkhole.** Manager Sawyer notified the Board of Supervisors that he received an email from Mike Forester from PennDOT notifying the Township that a sinkhole has opened up at 515 North Reading Road due to a storm sewer pipe connection that has failed. PennDOT feels that this is the responsibility of

the Township to correct the problem. Manager Sawyer stated that he disagreed with PennDOT's decision and spoke with the Township's legal counsel. Manager Sawyer and Attorney Hess reviewed the Highway Occupancy Permit issued by PennDOT to PP&L dated March 23, 1999. Attorney Jason Hess wrote a letter on November 17, 2017 responding to Mike Forester's email explaining the Township's position. A copy of Attorney Hess' letter was presented to the Board of Supervisors. Staff is requesting that the Board of Supervisors ratify the decision to send the letter to PennDOT.

A motion was made by John Weber to ratify the action taken by staff and the Township's Attorney to submit the letter to PennDOT. The motion was seconded by Ty Zerbe and carried unanimously.

- **Drug Task Force.** Manager Sawyer notified the Board of Supervisors that Ephrata Borough Police Department submitted the final invoice to the Township for the Drug Task Force Officer. On June 6, 2017 the Board of Supervisors were notified that the 2017 expense for the Drug Task Officer would be less than the budgeted amount because the Ephrata Police Officer was not assigned to the Task Force until May. It was discussed that the Township would give the remaining budgeted money to the Drug Task Force for the 2017 calendar year. Chief Harvey suggested waiting until final calculations were performed and invoiced because the calculations at that time were estimates. Manager Sawyer recommended that the Board of Supervisors reconsider their decision to contribute the remaining balance to the Drug Task Force because of the added expense that the Township will incur in future years.

A motion was made by Ty Zerbe to approve staff's recommendations in regards to the Drug Task Force contributions for 2017. The remaining funds budgeted in 2017 will be used to offset the added cost in 2018 and 2019. The motion was seconded by John Weber and carried unanimously.

- **DEP Planning Module Exemption Request – Lakeside Villa.** The Ephrata Area Joint Authority and the Ephrata Township Sewer Authority approved the sewer capacity for 39 EDU's for the proposed development. The developer is requesting that the Township approve the DEP Planning Module Exemption.

A motion was made by Ty Zerbe approving the DEP Planning Module Exemption Request for Lakeside Villas. The motion was seconded by John Weber and carried unanimously.

- **PennDOT Letter - Municipal Truck Access Route Request.** A letter dated November 16, 2017 from Jason Bewley, District Traffic Engineer for PennDOT was submitted to the Board of Supervisors for review. The purpose of the letter was to request the Township to allow truck traffic on the section of Stevens Road from Line road to Schoeneck Road. Manager Sawyer explained that residents have complained about existing truck traffic at the intersection of Schoeneck Road and Stevens Road. The geometry of the intersection would not allow tractor trailer traffic to make turns onto Schoeneck Road without using both travel lanes. Manager Sawyer recommended that the Board not approve the request. If the

Township denies the request, a letter must be sent to PennDOT with an explanation of the reason for the action. Manager Sawyer recommended having Rettew Associates prepare truck turning exhibits for the intersection.

A motion was made by John Weber directing staff to send a letter to PennDOT, along with exhibits prepared by Rettew Associates, denying the request to use Stevens Road as a Truck Access Route as recommended by staff. The motion was seconded by Ty Zerbe and carried unanimously.

- **David Martin Land Development Plan**. Manager Sawyer notified the Board of Supervisors that David Martin contacted him about a possible change to his previously approved land development plan which has not been recorded. Mr. Martin is interested in changing the location of the proposed driveway in order to preserve farmland. The driveway shown on the approved plan will disturb current and future orchard trees. Mr. Martin is proposing to convert an existing farm lane into the new driveway. The proposed driveway would exceed the maximum slope permitted by the Subdivision and Land Development Ordinance. A waiver would be required and a new storm water design would be required. Jim Caldwell stated that he does not object to the proposed driveway relocation but recommended that the Township require the parts of the driveway that exceed the maximum slope be paved. The Board of Supervisors directed staff to notify David Martin that the Township did not have any objections to his proposed driveway change subject to the portion of the driveway exceeding the maximum slope be paved. Mr. Martin's engineer will have to revise the plans and resubmit them to the Township for approval.

Township Engineer – Jim Caldwell reported the following plans are being reviewed:

Lamar Martin - SWMP
Lakeside Villas Subdivision Plan
Schmidt Revised Final Plan
Ephrata Crossings – Traffic Study
DWF – Land Development Plan
New Life Fellowship Church – As-Built Plan

- **MS4 Program**. Jim Caldwell explained that every Municipality is required to inventory all of their facilities from 2003 by recording their location, owner information, required maintenance, and inspections completed. Kara Kalupson from Rettew Associates has prepared a recommended procedure for Ephrata Township to follow and will be sending it to the Township for their review and approval.

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.

November 21, 2017 Supervisors' Meeting minutes continued

Manager Sawyer reminded the Board of Supervisors that LCATS has scheduled a breakfast meeting for Road Superintendents at the Ephrata Township Building on Tuesday, November 22, 2017 at 7:30 a.m. Supervisors are invited to attend.

In addition, Manager Sawyer reminded the Board of Supervisors of the Public Officials' Meeting at the Ephrata Pioneer Fire Company on Thursday, November 30, 2017 from 4:00 p.m. to 5:00 p.m. and an Open House Plans Display Meeting for the general public from 6:00 p.m. to 8:00 p.m. The purpose of the meeting is to present the plans for the proposed diverging diamond interchange at Route 322 and Route 222.

A motion was made by Ty Zerbe to adjourn the meeting at 8:40 a.m. The motion was seconded by John Weber and carried unanimously.

Clark R. Stauffer

John L. Weber

J. Tyler Zerbe