

EPHRATA TOWNSHIP SUPERVISORS' MEETING

October 1, 2019

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
Tony Haws
Ty Zerbe
Manager: Steve Sawyer
Admin Asst: Jennifer Carvell
Police: Chief Harvey
Engineer: Jim Caldwell
Solicitor: Anthony Schimaneck

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

PUBLIC COMMENT PERIOD

Scott Cover publicly thanked Chief Harvey for his community service and everything that he has done for the Ephrata community. He also congratulated him on his retirement.

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 September 17, 2019 Supervisors' Minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Report – Chief William Harvey

- **Reports.** Chief Harvey provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of September totaling 437 incidents. There were 12 arrests and 19 traffic citations. The monthly report was provided to the Township and will be kept on file in the office.

Chief Harvey stated that he attended his first Ephrata Township Board of Supervisors Meeting in March of 2009 and tonight will be his last meeting due to his decision to retire as the Chief of the Ephrata Borough Police Department on October 4th.

Each Supervisor and the Township Manager personally thanked Chief Harvey for his years of duty and community service and his interest in agricultural issues within the community. His leadership was a tremendous asset for the Ephrata community. Chief

Harvey thanked each Supervisor personally and stated that he has very good staff and he reassured the Board of Supervisors that his position will be filled with a competent individual. He was very optimistic that the Department will continue to be run as well as it is currently.

501 ALEXANDER DRIVE LAND DEVELOPMENT PLAN

Ed Ostrowski from the ELA Group and Scott Cover, Developer, presented the plan to the Board of Supervisors. The 7.8-acre property contains an existing 55,000 square foot building that was formerly used by American Dying and Finishing. The proposed new use is an organic chicken processing plant. The use has been approved by the Zoning Hearing Board. The project includes a proposed 11,200 square foot addition onto the existing building. A total of 113 parking spaces are proposed. There will be a net reduction in the amount of impervious area on the site. The site has public sewer service through Ephrata Borough. An Industrial Waste Permit will be obtained from Ephrata Borough. The Board was given a copy of the minutes from the Ephrata Township Planning Commission and the Lancaster County Planning Commission's review letter. The Board of Supervisors was also given a copy of the Rettew Associates review letter dated September 26, 2019.

A motion was made by Ty Zerbe to approve a Waiver Request for Section 305 – Preliminary Plan Processing based on the justification that was provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a Waiver Request for Section 406 – Traffic Evaluation Study based upon the justification provided and the contribution of \$4,500.00 in lieu of preparing a traffic study. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to deny a Waiver Request for Section 602.A.7, 603.B – Reconstruction of Alexander Drive and Sidewalks, but to allow the applicant to defer these improvements until such time as the Township, at its sole discretion, determines that the improvements are necessary in the area. Scott Cover stated that he understood and accepted the deferral. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Ty Zerbe to approve a Waiver Request for Section 602.E.5 - Street Intersections based on the justification that was provided and the condition that the applicant provide signage indicating all trucks are to access the site using the northern entrance and prohibit right turns by trucks exiting the southern entrance. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a Waiver Request for Section 602.E.7 – Clear Site Triangle based on the justification and alternative that was provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a Waiver Request for Section 603.B.1 – Sidewalk Connection Between the Building and Alexander Drive based on the justification that was provided and based on the condition that crosswalks be provided between the employee parking lot area and the building. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to approve a Waiver Request for Section 609.B.3 – Landscaping based on the justification that was provided and conditional upon the Township reserving the right to require the owner to add additional trees at the Township's sole discretion. The owner of the property shall also be required to maintain the existing landscape buffer shown on the plan. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the Subdivision and Lot Add-On Plan conditional upon Rettew's Letter dated September 26, 2019. The motion was seconded by Tony Haws and carried unanimously.

RIDGE AVENUE TRACT – SUBDIVISION AND LOT ADD-ON PLAN

Tom Shoaff of Pioneer Associates and the Developer, Gary Weaver were not in attendance. Manager Sawyer recommended tabling any action for the Ridge Avenue Tract Subdivision and Lot Add-On Plan until a future meeting.

A motion was made by Ty Zerbe to table the Ridge Avenue Tract Subdivision and Lot Add-On Plan. The motion was seconded by Tony Haws and carried unanimously.

Manager Steve Sawyer

- **Road Ordinance.** A revised draft of the Road Occupancy Ordinance was submitted to the Board of Supervisors for their review prior to the meeting. Manager Sawyer stated that there was language added to page 17 by the Township's Attorney as was discussed at the prior meeting. Manager Sawyer recommended authorizing staff to advertise the Ordinance in the Ephrata Review for the November 5, 2019 regularly scheduled Supervisors' Meeting.

A motion was made by Tony Haws to authorize staff to advertise that the Board will consider adoption of the proposed Road Ordinance at their public meeting on Tuesday, November 5, 2019 at 7:00 PM. The motion was seconded by Ty Zerbe and carried unanimously.

- **Ordinance Prohibiting Parking on Cul-de-sacs during Snow Events.** Manager Sawyer stated that the Ephrata Review will be placing an article in this week's edition of the Ephrata Review regarding no parking on cul-de-sacs during a snow event as recommended by the Road Superintendent for resident feedback. There are (16) sixteen cul-de-sacs maintained by Ephrata Township that will be posted as no parking during a snow event if the Ordinance is approved. A draft of the proposed Ordinance was provided to the Board of Supervisors for their review prior to the meeting.

A motion was made by Ty Zerbe to authorize staff to advertise that the Board will consider adoption of the proposed Ordinance at their public meeting on Tuesday, November 5, 2019 at 7:00 PM. The motion was seconded by Tony Haws and carried unanimously.

- **Blue Ridge CATV Franchise Agreement Extension.** Manager Sawyer stated that the Township received the Blue Ridge CATV Franchise Agreement Extension prepared by the Cohen Law Group. Manager Sawyer stated that there were no changes proposed to the current agreement. The Board of Supervisors directed staff to verify if an Ordinance is required or whether the extension can be approved by resolution.
- **2020 Budget Work Session October 15, 2019.** Manager Sawyer requested to hold a Budget Work Session at the end of the October 15, 2019 regular scheduled Board of Supervisors' meeting. All Supervisors plan to be in attendance. The Board was given a copy of the draft budget for their review.
- **Breakfast with Bryan Cutler – PA House Majority Leader.** All local Lancaster County Municipalities are invited to Breakfast with Bryan Cutler. Rettew Associates along with Univest Bank are hosting the event. The breakfast is scheduled for Wednesday, October 30, 2019 from 7:30 a.m. to 9:30 a.m. at Four Season's Golf Course. RSVP's are due by October 22, 2019.

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

Autumn Hills – PRP Project
Ephrata Crossing – Hotel Site Inspections
Scott Cover – Organic Poultry
Glenwood Foods – Revised Land Development
Gary Weaver – Ridge Ave.
Denver Wholesale Foods
L & B Water Parking Lot Expansion

Jim Caldwell notified the Board of Supervisors that the National Fish and Wildlife Foundation (NFWF), in partnership with the U.S. Environmental Protection Agency (EPA) and the Pennsylvania Department of Environmental Protection (DEP), is soliciting proposals for projects to implement one or more high-priority nutrient and sediment load reduction practices in selected Pennsylvania communities, consistent with Pennsylvania's Phase 3 Watershed Implementation Plan (WIP) and the Chesapeake Bay Total Maximum Daily Load (TMDL). Proposals for the Pennsylvania Local Government Implementation (PA-LGI) funding opportunity will be accepted from eligible local governments¹ and entities specifically authorized by local governments in Pennsylvania to support local government implementation². NFWF estimates awarding roughly \$2.4 million in grants through the PA-LGI with funding made available by the EPA. The deadline to apply for the grant is October 22, 2019. The estimated fee for Rettew Associates to prepare and file the grant application on behalf of Ephrata Township is \$2500.00. The awarded grant amount is up to \$200,000.00 and only 15% needs to be matched by the applicant.

A motion was made by Tony Haws to authorize Rettew Associates to prepare and file the grant application to the National Fish and Wildlife Foundation for the Autumn Hills MS4 Proposed Project. The motion was seconded by Ty Zerbe and carried unanimously.

Solicitor Tony Schimaneck

Tony Schimaneck stated that his staff is working on filing liens for the 2019 street light assessments that have not been paid.

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.

Susan Strosser of Ephrata Township, a Lancaster Catholic High School student was present at the meeting. Susan is attending a Government class and one of the requirements for each student is to attend a Board meeting in the municipality where he or she resides. Susan was provided with an agenda packet and a print-out of the Citizen's Guide to Pennsylvania Local Government.

A motion was made by Ty Zerbe to adjourn the meeting at 8:25 p.m. The motion was seconded by Tony Haws and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe