

EPHRATA TOWNSHIP SUPERVISORS' MEETING

September 5, 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: Sergeant Randolph
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 August 15, 2017, Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

MELVIN AND MARTHA WENGER – FINAL SUBDIVISION PLAN

Manager Sawyer explained that Tom Matteson from Diehm and Sons contacted the Township and requested to postpone the Board's review of the proposed subdivision plan to the September 19, 2017 meeting.

LAKESIDE VILLAS – SKETCH PLAN

Chris Venarchick from RGS Associates was present on behalf of his client Rick Stauffer of PIM, Inc. to present to the Board of Supervisors a sketch plan of a proposed residential development. The proposed single-family dwelling development will consist of 39 dwelling units on 14 acres of land adjacent to the Ephrata Township Community Park. The proposed lots will be served by public water and sewer. The proposed main access road will be constructed from East Fulton Street between the Ephrata Township Park and New Life Fellowship Church. Mr. Venarchick reviewed the waivers submitted with the sketch plan. The Ephrata Township Planning Commission reviewed the proposed waivers at their August meeting and their recommendations were provided to the Board of Supervisors prior to the meeting. A review letter from Rettew Associates dated August 22, 2017 was also provided to the Supervisors' for their review prior to the

meeting. Chris Venarchick explained the reason and justification for the waivers and requested that the Board of Supervisors take action on the requests.

A motion was made by Ty Zerbe to table action on waiver requests A, E, and F until the applicant provides additional information as described in the Rettew Associates letter dated August 22, 2017, and to approve waiver requests B., C., and D. based on the justification provided and subject to the conditions in Rettew Associates letter dated August 22, 2017. The motion was seconded by John Weber and carried unanimously.

Tom Rapchinski, 767 East Main Street and a few other neighboring property owners of the proposed residential subdivision were present. There were questions regarding the existing private alley / access easement to the rear of their properties. The main questions were concerning maintenance of this area and that it remains clear for access. Chris Venarchick stated that they are aware of the access easement and the proposed subdivision will address this issue. The adjoining property owners also questioned whether the development will provide pedestrian access from their properties to the Township Park. Chris Venarchick indicated that he thought that adding a walkway to the plan would be possible but that he would need to discuss this matter with his client. Clark Stauffer stated that the Township was in favor of the developer providing pedestrian access from the East Main Street properties to the Township Park.

HOTEL REGISTRATION ORDINANCE

Solicitor Schimaneck advised the Board that the proposed Ordinance has been advertised and it could be adopted by the Board at the conclusion of the Public Comment Period.

Clark Stauffer asked the attendees if anyone had a public comment for Ordinance No. 261:

AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, REQUIRING OWNERS AND/OR OPERATORS OF HOTELS IN THE TOWNSHIP TO MAINTAIN A REGISTER OF INFORMATION ABOUT GUESTS AND FIXING PENALTIES FOR THE FAILURE TO DO SO.

There was no one in attendance to offer any public comment on the proposed ordinance.

A motion was made by John Weber to approve the adoption of the Hotel Registration Ordinance No. 261 as prepared and advertised. The motion was seconded by Ty Zerbe and carried unanimously.

PAWNBROKER ORDINANCE

Solicitor Schimaneck advised the Board that the proposed Ordinance has been advertised and it could be adopted by the Board at the conclusion of the Public Comment Period.

Clark Stauffer asked the attendees if anyone had a public comment for Ordinance No. 262:

AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA DESIGNED TO PREVENT THE RESALE OR RECYCLING OF STOLEN ANTIQUES, PRECIOUS STONES, METALS, JEWELRY, TOOLS, ELECTRICAL DEVICES, COINS, FIXTURES, APPLIANCES HOUSEHOLD GOODS, FIREARMS AND BRIC-A-BRAC BY REQUIRING PAWNBROKERS AND ANTIQUE, SECONHAND AND JUNK DEALERS TO KEEP DETAILED RECORDS OF THEIR PURCHASES AND SALES.

There was no one in attendance to offer any public comment on the proposed ordinance.

A motion was made by Ty Zerbe to approve the adoption of the Pawnbroker Ordinance No. 262 as prepared and advertised. The motion was seconded by John Weber and carried unanimously.

Manager Sawyer explained that a Resolution to establish a fee for licenses required for Pawnbrokers, Antique, Secondhand and Junk Dealers pursuant to Ordinance 262 was required. Manager Sawyer stated that the Borough is currently charging \$250.00 and recommended to the Supervisors that they stay consistent because the Ephrata Borough Police Department will be handling all of the administrative work in regards to this ordinance.

A motion was made by John Weber to adopt a Resolution establishing an annual license fee of \$250.00 for pawnbrokers, antique, secondhand and junk dealers pursuant to ordinance number 262. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Report – Sergeant Randolph.

- **Reports.** Sergeant Randolph gave a summary of the calls for service totaling 164 within Ephrata Township for the month of August. The monthly report will be provided to the Township and will be kept on file in the office.

Manager Steve Sawyer

- **Rufus Martin / NLR Properties – Rezoning Petition.** Manager Sawyer requested that the Board of Supervisors give direction to staff concerning advertising a Hearing for the Board to consider the Rezoning Petition. The Lancaster County Planning Commission has recommended that the Township rezone the 16 acres needed for the NLR expansion to Industrial and keep the remaining 32.5 acres zoned Agricultural until analysis can be completed at the next Comprehensive Plan update. The petition request was also reviewed by the Ephrata Township Planning Commission at their last meeting. Rufus Martin stated at the meeting that he would not object to the Township following the recommendation of the Lancaster County Planning Commission. He said that he has no plans to sell the remaining 32.5 acres and it will continue to be used for

agriculture. The Ephrata Township Planning Commission had a 4 to 1 vote to recommend rezoning the entire 47.8 acres as requested by the applicant. After discussion, the Board of Supervisors directed staff to contact the applicants to discuss the Lancaster County Planning Commission's recommendation and to get their position concerning the two options. It was then discussed that if the applicants agree, the Rezoning Petition could be amended to consider two options; rezoning the full 47.8 acres or rezoning 16 acres as recommended by the Lancaster County Planning Commission.

- **MMO – Non-uniformed Pension Plan.** A motion was made by John Weber to approve the 2018 MMO for the non-uniformed pension plan in the amount of \$37,762.45. The motion was seconded by Ty Zerbe and carried unanimously.
- **Insurance Co-Ops.** Manager Sawyer notified the Board of Supervisors that the Township received \$4,595.71 in claim fund surplus from the Intergovernmental Insurance Cooperative for Ephrata Township's 2016 Health Insurance. In addition, a dividend check was received in the amount of \$5,193.64 from MRM Property & Liability Trust for the Township's Property and Liability Insurance for 2013, 2014 & 2015.
- **Fall Field Reservation Requests – EBA and EYSC.** Manager Sawyer notified the Board of Supervisors that the Township received an Application for use of Recreational Fields at the Ephrata Township Park from the Ephrata Baseball Association and the Ephrata Youth Soccer Club for their fall season again this year.

A motion was made by Ty Zerbe to approve the Applications for Use of the Recreational Fields at the Ephrata Township Park for the Ephrata Baseball Association and the Ephrata Youth Soccer Club. The motion was seconded by John Weber and carried unanimously.

In addition, an Application was received from Ephrata Youth Soccer Club to reserve the Pavilion and Kitchen Facilities on October 28, 2017 from 7a to 1p for an under 8 soccer festival with Cocalico. Approximately 100 players are expected.

A motion was made by John Weber to approve the Application for use of Ephrata Township Facilities on October 28, 2017 as requested by Ephrata Youth Soccer Club. The motion was seconded by Ty Zerbe and carried unanimously.

Solicitor Tony Schimanek.

The Board of Supervisors approved Manager Sawyer's recommendation to authorize the Township Solicitor to move forward with preparing an Amendment to the Storm Water Management Ordinance in regards to regulations for the control of illicit discharges and definitions of major and minor land disturbances within the Agricultural Zoning District at a prior meeting. Attorney Schimanek notified the Board of Supervisors that he is working with staff to complete a draft of the amendment as directed and will be submitting it to them for review in the near future.

Engineer Jim Caldwell reported the plans in the review process.

Creek Corner Heights – Traffic Improvements/PLDP
Amendment to Maximum Building Height
Huber Auto – Field Inspections
Bollinger SWM – Field Inspections
Aldi Land Development Plan – Field Inspections

The Township's required Pollution Reduction Plan has been advertised for public review and comment. The Township did not receive any public comments and Rettew will be mailing the Plan to the PA Department of Environmental Protection for their review and approval prior to the due date of September 16, 2017. In addition, Rettew met with Manager Sawyer to begin working on the plans for the pollution reduction project along the Cocalico Creek next to the Autumn Hills development.

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 stated that there was no additional correspondence to report at this time.

Clark Stauffer read a Thank You card that the Township received from John and Arlene Weber.

A motion was made by Ty Zerbe to adjourn the meeting at 8:33 p.m. The motion was seconded by John Weber and carried unanimously.

Clark R. Stauffer

John L. Weber

J. Tyler Zerbe