

EPHRATA TOWNSHIP SUPERVISORS' MEETING

August 21, 2018

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
Tony Haws
Ty Zerbe
Manager: Steve Sawyer
Admin Assist: Jennifer Carvell
Police: Chief Harvey
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 was made by Ty Zerbe to close the Public Comment Period. 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 August 7, 2018 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

EPHRATA CROSSINGS – PROJECT UPDATE – CHRIS VENARCHICK, RGS

A meeting between Manager Sawyer, Jim Caldwell, Rick Stauffer and Ephrata Crossing representatives took place on August 15, 2018 to discuss required submittals and timelines. A brief memo of the meeting was provided to the Board of Supervisors for their review prior to the meeting. Chris Venarchick of RGS Associates and Rick Stauffer were present to discuss their future plans for Ephrata Crossing East and Ephrata Crossing in regards to planning and timing for submittals and approvals due to their interested user's timelines. Sketch plans were shown for 16 uses on the East and West side of Pleasant Valley Road. A HOP has been submitted and comments should be received by the end of August. The roadway improvements to East Main Street, Pleasant Valley Road and Quarry Ridge Drive (which will connect to the Lakeside Villa Development) are scheduled to be completed in 2019 construction season. The off-site improvements at Bethany Road and Rte. 322 are being submitted as a separate HOP and a meeting with Ephrata Borough has been scheduled for next week. Ephrata Crossing East consists of 2.2 acres and is currently showing 5 users. Zoning approval has been received. Ephrata Crossing is approximately 14 acres and will be submitted as one Preliminary Land Development Plan. This site will consist of a hotel, fitness center, several restaurants and additional users. The hotel site will be subdivided and will be submitted as a separate Final Land Development Plan. Chris Venarchick discussed a timeline of submitting each

plan and requested that the Township consider a waiver of the preliminary plan process for Ephrata Crossing East and also allow the final plan for the hotel lot to be submitted to the Township prior to approval of the preliminary plan for Ephrata Crossing. The Board of Supervisors asked if Lancaster County Planning Commission would review a final plan for the hotel prior to approval of a preliminary plan. Jim Caldwell recommended that RGS submit the Preliminary Plans sooner so that Rettew Associates would be able to provide at least one review letter prior to submitting a final land development plan for the hotel lot.

STAFF REPORTS

Police Report – Chief Harvey

- **EMC Position.** Manager Sawyer stated that the Township appointed Paul Miley as the Township's Emergency Management Coordinator for 2018. Paul Miley began the Training and Certification required as a new EMC. A local EMC is required to complete basic level course in one year and complete advanced level courses within two years. Paul has notified the Township that he will be required to complete 78 hours of online courses and additional classroom courses to complete the basic and advanced certifications. Chief Harvey explained that Pennsylvania in the past has not policed the requirements for EMC positions, but that he expect that to change in the near future. Paul Miley is requesting that the Township look for a replacement, because he did not anticipate the amount of time and commitment the position would require when he accepted the position. Chief Harvey provided the Board of Supervisors with a referral, William Howard. William Howard is currently the EMC for West Earl and is reaching out to neighboring Municipalities in the eastern end of the County to possibly create a regional EMC position. William Howard's resume was presented to the Board of Supervisors for their review. Chief Harvey stated that William Howard has participated in several courses that he has provided and that he is qualified for the position. The Board of Supervisors will review the resume and staff will research the possibility of a Regional EMC Intermunicipal Agreement and whether we can enter into an agreement with Mr. Howard for EMC service for Ephrata Township.

Manager Steve Sawyer

- **Creek Corner – DEP Planning Module Exemption.** At the August 7, 2018 Supervisors Meeting, the Board of Supervisors gave conditional approval of a Preliminary Land Development Plan to Creek Corner for an Apartment Complex consisting of 5 apartment buildings totaling 120 dwelling units located at the corner of Meadow Valley Road and Route 272. Ephrata Township Sewer Authority has approved their sewer capacity request. A DEP Planning Module Exemption is being requested.

A motion was made by Ty Zerbe to approve the DEP Planning Module Exemption to Creek Corner for their Apartment Building Complex as presented. The motion was seconded by Tony Haws and carried unanimously.

- **Eastbrooke Lot.** Staff was directed to research selling the Township property in the Eastbrooke Development. At the last Supervisors' Meeting, a letter from Attorney Schimaneck dated July 23, 2018 was presented to the Supervisors with his legal opinion. The Board of Supervisors reviewed Attorney Schimaneck's letter and directed staff to contact Attorney Schimaneck requesting the proper steps to move forward with selling the property.
- **Reciprocal Maintenance / Indemnification Agreements – PennDOT HOP – SWM Facilities.** Manager Sawyer notified the Board of Supervisors that any new development that requires storm water facilities in a PennDOT road requires that the Township be the PennDOT HOP applicant for the permit and that the Township will be responsible for future maintenance of the storm water facilities. The Township has required a reciprocal maintenance agreement with the developer that requires the developer to maintain the facilities. Manager Sawyer contacted Attorney Bob Sisko to prepare the Reciprocal Maintenance / Indemnification Agreements between Ephrata Township and Creek Corner Heights. Creek Corner wants to submit a utility HOP to PennDOT prior to submitting the Final Land development Plan. Attorney Sisko suggested waiting until the final plan approval is granted to execute a reciprocal maintenance agreement. Jim Caldwell stated the risks to the Township by waiting until final plan approval and recommended an option of having a binding agreement at this time be prepared if the Township decided to wait to require the Reciprocal Maintenance / Indemnification Agreements be executed until a later date. The Board of Supervisors directed staff to contact Attorney Sisko and request that the Reciprocal Maintenance / Indemnification Agreements be prepared for execution at this time instead of waiting for final plan approval.
- **Rail Trail Bridge Project – Addendum for Wilson Consulting.** Manager Sawyer presented to the Board of Supervisors an Addendum to the Engineering Services Agreement with Wilson Consulting Group in the amount of \$8,536.00. This cost will be shared equally with Warwick Township. Manager Sawyer stated that this addendum is for engineering construction services including attending a preconstruction meeting, reviewing shop drawings, processing requests for payment and inspections.

A motion was made by Tony Haws to approve the Engineering Services Addendum submitted by Wilson Consulting Group for an additional \$8,536.00 to be shared equally with Warwick Township for engineering services for the Rail Trail Bridge Rehabilitation project. The motion was seconded by Ty Zerbe and carried unanimously.

Engineer Jim Caldwell reported that there are several plans in the review process.

Lakeside Villa – Field Inspections
Creek Corner – Land Development Plan
Ephrata Crossing – Subdivision Plan

Hoover – Newswanger Road
530 West Trout Run Road – Lot Add-On
Organic Poultry Partners – Land Development Plan

Jim Caldwell stated that Rettew Associates has reached out to the municipalities in the Cocalico Creek Watershed regarding a grant that is now available through the National Fish and Wildlife Foundation - Chesapeake Bay Small Watershed Grants – Planning and Technical Assistance program. As a Technical Assistance Provider, RETTEW Associates will use the grant award to develop a regional pollutant reduction plan (PRP) for the Cocalico Creek and the Chesapeake Bay. A regional pollution reduction plan would allow costs to be shared among multiple municipalities to perform one large project. Rettew is requesting commitments from each municipality so that they can meet the grant application deadline. Jim Caldwell notified the Board of Supervisors that DEP is now allowing municipalities to receive a credit for their next 5-year permit cycle if extra pollution reduction projects are completed within the current five-year permit cycle. The regional PRP will consolidate the existing pollutant loads identified in the individual PRPs each municipality submitted as required by the 2018 MS4 Permit requirements; take credit for BMPs installed during the 2018-2023 permit term; and identify future regional projects that achieve significant pollutant reductions

A motion was made by Ty Zerbe to approve Ephrata Township participating in the NFWF – Chesapeake Bay Small Watershed grant application. The motion was seconded by Tony Haws and carried unanimously.

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

A motion was made by Tony Haws to adjourn the meeting at 8:59 a.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe