

EPHRATA TOWNSHIP SUPERVISORS' MEETING

December 17, 2019

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
Engineer: Jim Caldwell
Admin Assist: Jennifer Carvell

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 December 3, 2019 minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

- **Conrail Easement Agreement – Autumn Hills.** Gerry Horst, Developer of Autumn Hills was in attendance requesting the Board of Supervisors approve an Easement Agreement located within land that was conveyed to the Township for an extension of the rail trail and the Township's MS4 Pollution Reduction Project within the Autumn Hills Development. Gerry Horst and Manager Sawyer provided plans for review to the Board of Supervisors. Robert Gabriel Associates completed a survey and provided Exhibits showing the proposed easement. Manager Sawyer discussed with the Board of Supervisors some language changes that were recommended by the Township's Attorney. This Agreement would be exclusively for subsurface communication, fiber optic and telecommunication lines, systems and appurtenances and that the Easement prohibits the construction or placement of utility poles and / or any other above ground Facilities.

A motion was made by Ty Zerbe to approve the execution of a Grant of Easement Agreement with Consolidated Rail Corporation subject to staff adding language as discussed and recommended by the Township's Solicitor. The motion was seconded by Tony Haws and carried unanimously.

- **Autumn Hills Phase 3 – Financial Security Reduction.** Manager Sawyer provided the Board of Supervisors with an email from Kyle Horst of Autumn Hills requesting a financial security reduction for Autumn Hills Phase 3. In addition, the Board of Supervisors were provided with a letter from Rettew Associates dated December 16, 2019 in response to the Financial Security Reduction request. The outstanding balance is currently \$676,845.19 and Rettew Associates is recommending reducing the amount by \$242,504.19 leaving a new outstanding financial security balance in the amount of \$434,341.00.

A motion was made by Tony Haws approving the Financial Security Reduction for Autumn Hills Phase 3 in the amount of \$242,504.19 leaving a new outstanding financial security balance in the amount of \$434,341.00. The motion was seconded by Ty Zerbe and carried unanimously.

- **Bob Hurst – ETSA Resignation.** Manager Sawyer notified the Board of Supervisors that the Township received a resignation letter from Bob Hurst because he is moving out of Ephrata Township. Bob Hurst attended his last Sewer Authority Meeting on December 10th. The next scheduled Sewer Authority Meeting is Monday, January 27, 2019.

A motion was made by Ty Zerbe to accept Bob Hurst's resignation letter as an Ephrata Township Sewer Authority Member. The motion was seconded by Tony Haws and carried unanimously.

- **Agreement – Administrative Services for ETSA.** Manager Sawyer provided the Board of Supervisors with a draft Agreement for Administrative Services between Ephrata Township and Ephrata Township Sewer Authority. At the last audit conducted by Trout Ebersol and Groff it was discussed that there was not a formal Agreement stating the arrangement for administrative services between Ephrata Township and Ephrata Township Sewer Authority. Manager Sawyer researched the minutes and found that the current practice has been followed since 1994. Currently the Sewer Authority is paying 50% of the salary and benefits of the administrative assistant, 50% of the salary and benefits of the bookkeeper and 10% of the salary and benefits of the Township Manager. At their last meeting the Ephrata Township Sewer Authority formally approved this arrangement. The Agreement that was presented to the Board of Supervisors states that the parties agree that this arrangement will continue into the future until either party provides written notice of their intent to change this arrangement. Modifications and/or

changes to this agreement shall only occur and become effective at the beginning of the calendar year.

A motion was made by Ty Zerbe to approve the Administrative Services Agreement by and between Ephrata Township and Ephrata Township Sewer Authority as presented. The motion was seconded by Tony Haws and carried unanimously.

- **515 North Reading Road – Financial Security Reduction.** Ephrata Township received a Financial Security Reduction request from Scott Cover of 515 North Reading Road, LLC for the Land Development Plan at 515 North Reading Road. Jim Caldwell of Rettew Associates recommended full relief of the Escrow Agreement in the amount of \$21,905.85 as of June 30, 2019 plus any additional interest to date.

A motion was made by Tony Haws to approve the full release of the Financial Security for 515 North Reading Road in the amount of \$21,905.85 plus interest to the date of closure of the escrow account. The motion was seconded by Ty Zerbe and carried unanimously.

- **James & Esther Hoover – Financial Security Reduction.** Manager Sawyer received an email dated December 12, 2019 from David Mease of Diehm & Sons, on behalf of Mr. and Mrs. Hoover requesting full release of the financial security for their one lot subdivision plan. Jim Caldwell notified the Board of Supervisors that as-built plans that are required on the recorded plan have not been provided to the Township and the Hoovers are asking for relief. Jim Caldwell showed the plan to the Board of Supervisors and indicated that the storm water management facility was the main reason for requiring as-built plans.

A motion was made by Tony Haws to approve an abbreviated as-built plan as recommended by staff to fulfill the intent of the requirement. The motion was seconded by Ty Zerbe and carried unanimously.

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

Glenwood Foods – Revised Land Development
Ephrata Crossings – Phase 2
Autumn Hills Plan – DEP Submittal
Autumn Hills – Easements for Adjoining Land Owners

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.

December 17, 2019 Supervisors' Meeting minutes continued

Tony Haws stated that he and Larry Ray attended the Fire Company Study Meeting on December 12, 2019. As a result of that meeting, Jerry Ozog requested to schedule a meeting with Ephrata Township in the near future.

A motion was made by Tony Haws to adjourn the meeting at 8:20 a.m. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe