

EPHRATA TOWNSHIP SUPERVISORS' MEETING

August 15, 2023

The Ephrata Township Supervisors met this date at 7:00 a.m. at the Ephrata Township Office Building, 265 Akron Road, Ephrata, Pennsylvania.

Present were Supervisors: Clark Stauffer
Tony Haws
Ty Zerbe
Manager: Steve Sawyer
Admin Assist: Jennifer Carvell
Engineer: Jim Caldwell
Police: Sgt. Matt Randolph

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

PUBLIC COMMENTS NON-AGENDA ITEMS

There was no one in attendance to provide public comment on an item that was not on the agenda.

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 1, 2023 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

MARZAC PROPERTIES – WAIVER OF PLAN PROCESSING AND SWM PLAN

The Board of Supervisors were provided with a letter from D.C. Gohn Associates, dated June 23, 2023, requesting a waiver of land development plan processing for a project located at 875 East Main Street owned by the Marzec Properties, LLC. Marzec Properties is proposing to construct 40' x 60' accessory building to be used for storage by the existing storage shed in the rear of the property which will be used by the existing business. The shed will be used to store equipment for the existing contracting business. There is no increase in employees or traffic. There is no change to the access to East Main Street or the existing parking area. The plans contain all relevant information and the project meets all of the requirements of the zoning ordinances. A modification for Section 305.A and 306.A – Preliminary /Final Land Development Plan is being requested. A Review Letter from Rettew Associates dated July 31, 2023 was also provided to the Board of Supervisors prior to the meeting.

A motion was made by Ty Zerbe to approve the waiver of Land Development Plan Processing for the Marzec Properties LLC project subject to Rettew Associates letter dated July 31, 2023. The motion was seconded by Tony Haws and carried unanimously.

SCHMIDT / BEAM Revised Final Plan

Tom Matteson of Diehm & Sons was present to present the proposed Schmidt – Beam Revised Final Plan. The Board of Supervisors were provided with a Review letter from Rettew Associates dated August 9, 2023.

A motion was made by Tony Haws to approve a modification request for Section 402.A.1 – Plan Scale based upon the justification and alternative provided. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve a modification request to Section 402.C.3 – Existing features within 200 feet of the subject tract based upon the justification provided. The motion was seconded by Tony Haws and carried unanimously.

A motion was made by Tony Haws to deny a waiver request to Sections 602.A.7, 603.8.3, and 603.C.1 – Reconstruction of Existing Streets including Curb and Sidewalks but allow the applicant to defer the reconstruction of Mohler church Road and the installation of curbing and sidewalk until such times as the Township, at its sole discretion, determines that the improvements are necessary in the area. The motion was seconded by Ty Zerbe and carried unanimously.

A motion was made by Ty Zerbe to approve the Schmidt-Beam Revised Final Plan based on the Township Engineer's letter dated August 9, 2023. The motion was seconded by Tony Haws and carried unanimously.

STAFF REPORTS

Police Department – Sgt. Matt Randolph.

Sgt. Matt Randolph was in attendance and provided the Supervisors with a summary of the calls for service within Ephrata Township for the month of July totaling 489 incidents. There were 22 arrests and 9 traffic citations. The monthly report will be kept on file in the office.

Tony Haws stated to Sgt. Randolph that he has seen a lot more presence from police officers in the Township area since the negotiations for a new contract has begun. He thanked the department for being more involved with the public and asked if the department will be able to continue providing this level of service in the future. Sgt. Randolph assured the Township that they would be able to continue this level of service.

Manager Steve Sawyer

- **Discussion on Setting Up a Special Meeting for Presentations and Public Input Concerning Future Police Services for Ephrata Township.** Manager Sawyer requested direction from the Board concerning setting up a special police meeting for presentations from both the Northern Lancaster County Regional

Police Department and Ephrata Police Department in the near future. A date that suits all parties has not yet been established, but staff is requesting authorization to move forward with scheduling the meeting at an off-site facility with more seating than the Township Building. The Board authorized staff to move forward with scheduling a meeting in September at an off-site location.

There were multiple people in attendance that requested to make public comments in support of the Ephrata Police Department staying in their community. It was also discussed as to how the public would be notified of the date, time and location. Manager Sawyer stated that information concerning the date and location of the special meeting and both Police Departments' power point presentations will be placed on the Township's Website.

Trevor Graham, prior resident and business owner of the Township stated that he is in support of keeping Ephrata Police Department and would not have been aware that the Township was pursuing the option of switching to Northern Lancaster County Regional Police Department if he did not have Facebook and internet access. He stated that there are residents that do not have the ability to go onto the Township's website, therefore a mailing to all residents would be beneficial. He asked how much something like that would cost. He offered to give a donation to fund the mailing, if needed.

Pete Beckary, resident of Ephrata Township, also made comments supporting keeping Ephrata Police Department in the community because he felt that the Ephrata Police Department will give the best relationship, communication and response time to the community. He shared that there are safety concerns with switching police departments.

Rumina Feyerherm, a non-resident of the Township, asked to speak regarding her relationship as a business owner in Ephrata Borough. She did not feel that it would be beneficial for Ephrata residents if the Township did not keep Ephrata Police Department. She said that Ephrata Borough and Ephrata Township is one community in many ways.

Cheri Kline, Ephrata Township resident, spoke in support of keeping Ephrata Police Department in the community as well. She stated that they went above and beyond when their assistance was requested at intersections for a Motorcycle Charity Ride. This was an 80-mile long ride in multiple municipalities. They had reached out to multiple police and fire departments and Northern Lancaster County Regional Police Department refused to assist during the event as requested.

Samuel Silva, resident of Ephrata Township stated that safety is important and he would like the Township to hold the special police meeting as soon as possible. He felt it was very important for the Township residents to have the opportunity to see and hear the presentations from both Police Departments.

Elton Mountz, Ephrata Township resident, was also in attendance and expressed his support of keeping the Ephrata Police Department.

Matthew Adams, business owner in Ephrata Township, stated that as a business owner he has experienced multiple cost increases due to recent economic impacts and inflation. He is willing to pay the extra cost of keeping the Ephrata Police Department.

- **Summer's Trucking Solar Project – SWM Determination.** The Board of Supervisors were provided with a letter dated July 24, 2023 from Skelly and Loy on behalf of Paradise Solutions and Lester R Summers, Inc. regarding a proposed solar project on the Summer's Trucking property located at 70 Garden Spot Road. The proposed project would include ground mounted solar panels on approximately 0.073 acres. The applicant is requesting a waiver from a Storm Water Management Plan. Jim Caldwell stated that DEP has published current guidance for municipalities concerning storm water impacts of solar projects. Based on the DEP guidance and the fact that the applicant is proposing to maintain the grass that currently exists under the proposed solar panels, Mr. Caldwell recommended approval of the request.

A motion was made by Tony Haws to approve the request to waive storm water management for the proposed Summer's Trucking Solar Project based on the justification provided. The motion was seconded by Ty Zerbe and carried unanimously.

- **Denver Wholesale Foods – Release of Financial Security.** An email was received from Denver Wholesale Foods requesting that the remaining \$5,000.00 of financial security be released for their Land Development Plan. A letter dated July 31, 2023 from the Lancaster County Conservation District stating that a final inspection was completed and the NPDES permit has been terminated for the project.

A motion was made by Ty Zerbe to release the remaining financial security being held by the Township for the Denver Wholesale Foods Land Development Plan. The motion was seconded by Tony Haws and carried unanimously.

- **Resolution for Ephrata Township Non-Uniform Employees' Pension for 2024.** Manager Sawyer stated that the Township is required to pass a resolution each year approving a Non-Uniformed Pension Plan Minimum Municipal Obligation for the following year. The Township receives State funding for the majority of the

pension plan contribution. The Township's actuary, Jeffrey Myers of Conrad Siegel, reviewed and approved the proposed MMO amount prior to meeting.

A motion was made by Tony Haws to approve the 2024 Ephrata Township Employees' Pension Plan Minimum Municipal Obligation (MMO) in the amount of \$34,875.00. The motion was seconded by Ty Zerbe and carried unanimously.

Township Engineer – Jim Caldwell reported that the following plans/projects are in the review process:

CB Burkholder – Site Inspections
MS4 – Ephrata Township
Ephrata Crossing Phase 3 – Traffic Study
Tommy's Carwash – As-built Plans
Schmidt Ridge Avenue - Revised Plan
Marzac Properties – Waiver of Plan Processing/SWM Plan
East Mohler Church Subdivision – site inspections
Ephrata Mennonite School – site inspections

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 the Township Supervisors received an invitation to a meeting being held at Ephrata Borough for municipal officials from State Representative Greiner. There was no additional information to add to the meeting.

A motion was made by Tony Haws to adjourn the meeting at 8:49 A.M. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe