



**EPHRATA TOWNSHIP BOARD OF SUPERVISORS
AGENDA
November 5, 2024**

1. Meeting called to order by Chairman Clark Stauffer at 7:00 P.M.
2. Pledge of Allegiance to the Flag.
3. Public Comment Period on Non-Agenda Items.
4. Approval of the minutes from the October 15, 2024 meeting.
5. Ordinance – Amendment to the Ephrata Township Traffic Ordinance
Prohibiting right turns for trucks with trailers over thirty-five feet
in length at the Schoneck Road / Stevens Road Intersection
6. Staff Reports
 - Manager – Steve Sawyer
 - 887 East Main Street (Racetrack) – Action on Waiver of Land Development
 - East Mohler Church Road Subdivision – Financial Security Reduction
 - Constellation Electric Contract
 - Sale of Irrigation Machine – 12-12-24 Bid Opening
 - Akron Road Culvert Project Update
 - Solicitor – Tony Schimaneck
 - Township Engineer- Jim Caldwell
 - Plans Under Review
 - Administrative Actions
 - Approval of payment of bills
 - Correspondence – Secretary

EPHRATA TOWNSHIP SUPERVISORS' MEETING

October 15, 2024

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
 Ty Zerbe
 Tony Haws
Twp. Manager: Steve Sawyer
Bookkeeper: Valerie Roark
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 October 1, 2024 Supervisors' minutes and to approve them as presented. The motion was seconded by Ty Zerbe and carried unanimously.

STAFF REPORTS

Police Department – Sgt Matt Randolph.

- **Monthly Report.** 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 September totaling 417 incidents. There were 12 arrests and 16 traffic citations. In addition, the Supervisors were provided with Reports from September of 2023 and August of 2024 for comparisons. The monthly report will be kept on file in the office.

Manager Steve Sawyer

- **Autumn Hills Phase 3 – Financial Security Reduction.** The Township received a request for a financial security reduction for Autumn Hills Phase 3. The Board was provided with a letter from Rettew Associates dated October 11, 2024 recommending a

financial security reduction of \$29,578.00 which will leave an outstanding balance of \$19,200.00.

A motion was made by Ty Zerbe authorizing a reduction in the financial security for Autumn Hills Phase 3 to a new outstanding financial security amount of \$19,200.00. The motion was seconded by Tony Haws and carried unanimously.

- **Akron Road Culvert Project – Project Update.** Manager Sawyer reported that he was in contact with Eric from A.H. Moyer about the timing of the project. The precast headwall and end-wall are in production and should be ready in three to four weeks. The project will begin shortly after that. A preconstruction meeting will be conducted in the next few weeks.

Township Engineer Jim Caldwell was not present at the meeting.

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

Supervisor Haws reminded the board of the upcoming LCATS meeting on Thursday, November, 7 2024.

2025 BUDGET WORK SESSION

Manager Sawyer presented the proposed 2025 general fund budget and the 2025 liquid fuels / highway budget to the Board. Staff has prepared two versions of the draft budget, one with no tax increase and one with a .1 mill tax increase.

The Board discussed a possible tax increase. Manager Sawyer stated that a .1 mill tax increase will result in \$85,968 of additional revenue for the Township. The Board was in favor of a tax increase primarily due to the increasing cost of police services. Total 2025 expenditures for police services will be \$2,124,140, which is 48.8% of the general fund budget. This amount is \$242,540 more than the 2024 police cost due to a one-time loyalty credit of \$200,000 the Township received from Ephrata Borough in 2024 for signing a new five-year police contract with a term of 1/1/2025 to 12/31/2029. Ephrata Township's police cost has increased by \$310,754 over the past five years. The Board reviewed and discussed the entire preliminary budget and the liquid fuels / highway budget.

A motion was made by Tony Haws to approve the 2025 Ephrata Township preliminary budget with a .1 mill tax increase and the liquid fuels / highway budget as presented. The motion was seconded by Ty Zerbe and carried unanimously.

The 2025 preliminary budget will be advertised and available for review by the public during regular business hours. The 2025 budget is scheduled to be adopted by the Board at their regular meeting on December 3, 2024 at 7:00 p.m.

A motion was made by Tony Haws to adjourn the meeting at 9:45 AM. The motion was seconded by Ty Zerbe and carried unanimously.

Clark R. Stauffer

Anthony K. Haws

J. Tyler Zerbe

Notice is hereby given that the Ephrata Township Board of Supervisors at its meeting on Tuesday, November 5, 2024, at 7:00 p.m., at the Ephrata Township Office, 265 Akron Road, Ephrata, Pennsylvania, shall consider, and, if appropriate, at that meeting or at a meeting held within 60 days of the date of publication of this advertisement, shall enact an ordinance, the caption of which is as follows:

AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 279, THE EPHRATA TOWNSHIP TRAFFIC ORDINANCE, AS PREVIOUSLY AMENDED, TO PROVIDE FOR RESTRICTIONS AGAINST RIGHT HAND TURNS FOR TRUCKS WITH TRAILERS EXCEEDING 35 FEET AT THE INTERSECTION OF SCHOENECK ROAD AND STEVENS ROAD.

The proposed ordinance amends Ordinance 279, the Ephrata Township Traffic Ordinance, as previously amended, and may be summarized as follows: Section 1 amends Section 203 by adding a new Subsection B, prohibiting vehicles with trailers exceeding 35 feet in length from making right turns at the intersection at Schoeneck Road and Stevens Road, and updating the penalty provision to include violations of the new Subsection 203.B; Sections 2, 3 and 4 of the proposed ordinance provide for severability, non-impairment of other ordinances, and the effective date. A copy of the proposed ordinance may be examined without charge at the offices of this newspaper and at the Ephrata Township Office, 265 Akron Road, Ephrata, Pennsylvania, Mondays through Fridays from 8:00 a.m. until 4:00 p.m. A copy of the proposed ordinance may be obtained for the cost of reproduction at the Ephrata Township Office during the above hours.

Steve Sawyer, Township Manager

TOWNSHIP OF EPHRATA

Lancaster County, Pennsylvania

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 279, THE EPHRATA TOWNSHIP TRAFFIC ORDINANCE, AS PREVIOUSLY AMENDED, TO PROVIDE FOR RESTRICTIONS AGAINST RIGHT HAND TURNS FOR TRUCKS WITH TRAILERS EXCEEDING 35 FEET AT THE INTERSECTION OF SCHOENECK ROAD AND STEVENS ROAD.

WHEREAS, on December 6, 2022, the Board of Supervisors of Ephrata Township enacted Ordinance No. 279, which updated and restated off traffic control regulations of the Township (the "Ephrata Township Traffic Ordinance"); and

WHEREAS, on October 1, 2024, the Board of Supervisors of Ephrata Township enacted Ordinance No. 283, which amended the Ephrata Township Traffic Ordinance to provide updates to sections of the Ephrata Township Traffic Ordinance regulating speed restrictions, stop intersections, restrictions as to size of vehicles on certain streets, parking restrictions and penalties for violations; and

WHEREAS, following numerous complaints and the completion of a traffic study, the Township also wishes to update the Ephrata Township Traffic Ordinance to set restrictions against right hand turns for trucks with trailers exceeding 35 feet in length at the intersection of Schoeneck Road (SR 1047) and Stevens Road (T-625); and

WHEREAS, because Schoeneck Road (SR 1047) is a state highway, the Township sought, and subsequently obtained, permission from PennDOT to place restrictions against right hand turns off Schoeneck Road.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Ephrata, Lancaster County, Pennsylvania, as follows:

Section 1. Ordinance No. 279, the Ephrata Township Traffic Ordinance, Section 203, Turning at Certain Intersections or Locations Restricted, is hereby amended by adding a new Subsection B, and amending and re-lettering the existing Subsection B to become Subsection C as follows:

B. It shall be unlawful for the driver of any vehicle with a trailer exceeding 35 feet in length to make a right turn from the following first-named street (“Street of Travel”) to the following second-named street (“Intersecting Street”) traveling in the indicated “Direction(s) of Travel” as follows:

<u>Street of Travel</u>	<u>Intersecting Street</u>	<u>Direction(s) of Travel</u>
Schoeneck Road (SR 1047)	Stevens Road (T-625)	Both directions
Stevens Road (T-625)	Schoeneck Road (SR 1047)	Both directions

C. Any person convicted of a violation of Section 203.A or 203.B shall be sentenced to pay those fines and costs established by the applicable provisions of the Vehicle Code or any subsequent act of the General Assembly which amends the Vehicle Code. Disposition of a fine or fines shall be made in accordance with the provisions of the Vehicle Code.

Section 2. Severability.

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 3. Non-Impairment of Other Ordinances.

This Ordinance is intended as an amendment to provisions set forth in Ordinance No. 279, as previously amended. As such, any regulation set forth under Ordinance 279, as previously amended, to the extent inconsistent with provisions set forth herein, are superseded. Any other traffic regulation previously enacted by Ephrata Township not inconsistent with the regulations herein, shall remain in full force and effect and shall not be deemed repealed by the enactment of this Ordinance. Other than any amendments to ordinances expressly set forth herein, this Ordinance shall not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances; provided, however, that where this Ordinance imposes a greater restriction or greater penalty than is imposed or required by such existing provisions of law or ordinance, the provisions of this Ordinance shall control. The provisions of this Ordinance shall not affect any suit or prosecution pending, or to be instituted prior to the effective date of this Ordinance, to enforce any ordinances, whether or not consistent with this Ordinance.

Section 4. Effective Date.

This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Ephrata as provided by law.

DULY ORDAINED AND ENACTED this _____ day of _____, 2024, by Board of Supervisors of the Township of Ephrata, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF EPHRATA
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) Chairman
Board of Supervisors

[TOWNSHIP SEAL]



We answer to you.

3020 Columbia Avenue, Lancaster, PA 17603 • Phone: (800) 738-8395
E-mail: rettew@rettew.com • Website: rettew.com

Engineers

Environmental
Consultants

Surveyors

Landscape
Architects

Safety
Consultants

October 24, 2024

Mr. Steven A. Sawyer, Manager
Ephrata Township
265 Akron Road
Ephrata, PA 17522

RE: East Mohler Church Rd. Subdivision
Financial Security – Reduction No. 2
RETTEW Project No. 011142079

Dear Mr. Sawyer:

In accordance with your request, we have performed a site inspection and reviewed the documentation provided for financial security reduction number two for the East Mohler Church site work. The developer is requesting a reduction of the financial security in the amount of **\$101,361.60**. This request was received by our office on October 10, 2024.

Our records indicate that the financial security status for this project is as follows:

Original Amount	\$ 298,718.31
Previous Reductions	\$ 188,321.31
Outstanding Balance (prior to this requested reduction)	<u>\$ 110,397.00</u>

The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security.

Based on our site visit on October 16, 2024, we have the following comments:

1. Upon completion of all construction activities, the raingardens will need to be converted to their permanent stormwater condition.
2. Sidewalk needs to be installed along Lot 9.
3. The infiltration bed and downspout piping need to be installed on Lot 9.
4. The curb has been cracked and chipped. The curb will need to be inspected prior to dedication of the additional right-of-way to determine if the curb needs to be replaced or repaired to the satisfaction of the Township.
5. The street trees need to be installed per the approved plan.
6. Iron pins and concrete monuments need to be installed at locations depicted in the approved plans.
7. The erosion and sedimentation controls need to be maintained in a first-class condition until all construction is completed and all disturbed soils are fully stabilized.

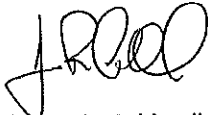


8. An as-built plan, meeting all the requirements of Section 508 of the Ephrata Township Subdivision and Land Development Ordinance, must be submitted prior to final approval of the installed improvements and prior to dedication of any improvements, including streets. Along with the required as-builts, detention basin routings that compare the as-built outflows to the design outflows must be provided prior to the final release of the financial security for all stormwater management and conveyance facilities.

Based on our site visit and a review of the documentation, we recommend that the financial security for this development be reduced by **\$64,976.00**, which will leave a new outstanding financial security balance of **\$45,421.00**. This amount is adequate to cover the costs of the remaining work listed above. The Municipalities Planning Code (MPC), Section 509 (j) states that the Township may require the retention of ten percent of the original amount (\$298,718.31) prior to final release of the financial security. Therefore, until completion of all outstanding work to the satisfaction of the Township, the financial security should not be reduced to an amount below \$29,871.83.

Should you have any questions or require additional information, please feel free to contact us at any time.

Sincerely,



James R. Caldwell
Municipal Team Lead

copy: Steven A. Sawyer, Ephrata Township (ssawyer@ptd.net)
Randy Dautrich, Dautrich Engineering (dauteng@ptd.net)

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Memorandum

To: Ephrata Township Supervisors
From: Steven A. Sawyer, Township Manager
Date: 10/28/2024
Re: Electric Contract

Attached is a copy of an email from Matt Shortall from Constellation Energy. Our current electric contract with Constellation will expire in August/September of 2025. According to Matt, the energy market continues to see upward pressure based on the forecast of increasing demand. He informed me regardless of the outcome of the election and other factors, he does not see this changing in the next couple of years.

Our current rate per kWh is \$.07589 and the current PPL price to compare is \$.09237. If we want to extend our contract with Constellation, the best option would be an 8/29/2025 to 12/26/26 (16 month) term at \$.08356. Our current rate of \$.07589 would continue until the new contract term begins on 8/29/2025.

The best time to shop electric rates are in the spring and fall. We can either extend our contract now or wait until spring. Matt Shortall does not believe the rates will be lower in the spring. It is my recommendation that the Board consider approving an extended contract with Constellation Energy this fall.