

**BOROUGH OF EPHRATA
COUNCIL MEETING AGENDA
MARCH 14, 2016**

INVOCATION Pastor Ellen Dooley, Ephrata/Akron Ministerium

PLEDGE OF ALLEGIANCE

ATTENDANCE/ROLL CALL

APPROVAL OF MINUTES

Borough Council Work Session Minutes – February 1, 2016
Borough Council Regular Meeting Minutes – February 8, 2016

MUNICIPAL MOMENT

Mr. Lowell Haws – Historical Society of the Cocalico Valley

Presentation of Anniversary Plaque by Pennsylvania Association of Boroughs Vice President Chuck Mummert

OPPORTUNITY FOR CITIZENS TO BE HEARD

ACCEPTANCE OF REPORTS

Budget and Finance Committee
Development Activities Committee
Public Safety Committee
Highway Committee
Municipal Enterprises Committee
Community Services Committee
Special Projects Committee

February General Ledger Report
Lincoln Fire Company – February 2016
Pioneer Fire Company - February 2016
Ephrata Community Ambulance Association – February 2016
Emergency Management Coordinator February 2016 Report
February Shade Tree Commission Report
Ephrata Farmers Day Association, Inc. Financial Report

NEW BUSINESS ITEMS

Consent Agenda (includes the following approvals)

1. That Borough Council award Bid No. 16-1 Purchase of Bituminous Materials to New Enterprise Stone & Lime Co. Inc. of East Earl, PA for purchase of Superpave 19 mm Asphalt Binder Course Material at the unit price of \$39.70 per ton FOB; Superpave 25 mm Asphalt Base Course Material at the unit price of \$37.20 per ton FOB; and Superpave 9.5 mm Asphalt Wearing Course Material at the unit price of \$42.35 per ton FOB. (Highway Committee)

2. That Borough Council award Bid No. 16-2 Purchase and Delivery of PennDOT #2A Stone to New Enterprise Stone & Lime Co., Inc. of East Earl, PA for the unit price of \$9.43 per ton. (Highway Committee)
3. That Borough Council approve an improvement agreement with Blue Lake Builders for one six unit and one eight unit apartment building along Clay School Road in the amount of \$35,467. (Municipal Enterprises Committee)
4. That Borough Council conditionally approve a request from the Ephrata Recreation Center to use the streets in the Lincoln Heights development to conduct the third annual 5K race series subject to a receipt of a certificate of insurance naming the Borough as additional insured. (Community Services Committee)
5. That Borough Council approve the request from the Ephrata Public Library dated January 18, 2016 to use various parks in conjunction with the Library's and WellSpan Health's Go Ephrata program subject to receipt of a certificate of insurance naming the Borough as additional insured. (Community Services Committee)

Standing Committee Recommendations

Budget and Finance Committee
Public Safety Committee
Highway Committee

Approval of Checks 25432 through 25834 and the ACH Registers dated March 2 and March 10, 2016

OPPORTUNITY FOR CITIZENS TO BE HEARD

DISCUSSION/ANNOUNCEMENTS

ADJOURNMENT

BUDGET AND FINANCE COMMITTEE REPORT- 3/14/2016

The Budget & Finance Committee met on February 22, 2016 and discussed the following:

1. The Committee discussed repealing Resolutions 2016-5 and 2016-6, which are bank resolutions that need to be modified. We will prepare new resolutions for the next council meeting so the bank signature cards can be updated to return Tracy Roseberry onto two accounts where she was accidentally omitted. The Committee will recommend that Borough Council adopt the Resolutions at their March 14, 2016 meeting.
2. The Committee reviewed the Free Electric report for 2015. There were two additions to the report; the Fulton Maintenance Garage and the Parking lot lights at the Skate Park. Concern was expressed regarding the conservation efforts of those who receive free electric. We will keep this item on the agenda for next month under old business.
3. The Committee discussed the consistency of policy regarding the release of civic contributions. All civic contributions are released as lump sum payments except for the library. The library board president told the chair they prefer their civic contribution in quarterly installments. In light of this the chair drafted a letter for their signature as confirmation. Please see letter as footnote AA below.
4. The Committee discussed the possibility of restructuring the library lease in a mutually agreeable fashion. It was decided that we would invite the Library Board President, Vice-

President, and Treasurer to the next meeting. The committee also agreed to discuss the civic contribution letter contents with the library board representatives at that time rather than send the letter just yet.

Footnote AA

*Ms Ann Small
Ephrata Public Library Board President
Pointview Ave
Ephrata, Pa 17522*

Madame President Small:

In a previous conversation you had with me, you stated the library prefers to receive the borough's civic contribution in quarterly installments. The Budget and Finance committee has had some concern the library receive its contribution in a consistent manner similar to how other organizations receive theirs; simply make a written request (email is acceptable) and once received by the borough the disbursement will be made.

What is the desire of the EPL board? Continue with the practice of receiving your civic contribution in quarterly installments, i.e. Feb 1, May 1, August 1, and November 1, OR have access to the borough's civic contribution upon written request? Please provide your written reply identifying your choice.

I look forward to your response. The committee's goal is to be consistent in our policy, while taking into account the preferences of the various organizations.

*Dale Hertzog
Chairman, Budget and Finance Committee*

DEVELOPMENT ACTIVITIES COMMITTEE REPORT- 3/14/2016

The Development Activities Committee met on February 22, 2016 and discussed the following:

1. The staff presented a sketch plan for Hocking Apartments, Tom Avenue. The applicant is proposing to combine 10 existing vacant lots and build two 10-unit apartment buildings along with two parking lots. There would be a total of 20 units on the site. There will be a small lot add-on from an adjoining lot to align the rear property line. The Committee authorized the staff to issue the comments from the staff and HRG to the applicant.
2. The Committee discussed untimely agenda items. The Committee is in agreement with the proposed procedure based on what was presented at the Budget and Finance Committee meeting.

PUBLIC SAFETY COMMITTEE REPORT – 3/14/2016

The Public Safety Committee met on February 16, 2016 at 6:30 PM and discussed the following:

1. Mrs. Harris discussed the proposed ordinance Chapter 183 Floodplain Protection Prevention. Effective April 5, 2016 FEMA is requiring the Borough to revise its current floodplain regulations to become consistent with the National Flood Insurance Program. The proposed ordinance was created using a model ordinance provided by the State and approved by the Borough Solicitor. The existing floodplain requirements are located in two different ordinances (Chapter 183 Flood Damage Prevention & Chapter 319 Zoning). The new proposed ordinance will replace the existing requirements. This proposed ordinance will be advertised, and Mrs. Harris is requesting approval of the new ordinance. The Committee will recommend that Borough Council adopt the ordinance at their March 14, 2016 Council meeting.

2. Chief Harvey discussed the disposition of twelve (12) Electronic Control Devices (ECDs) by Taser for destruction for a discount of \$1,800.00 on the new purchase program. The Committee will recommend that Borough Council approve the disposition at their March 14, 2016 Council meeting.
3. Chief Harvey presented the Ephrata Borough Emergency Operations Plan (EOP). The Committee will recommend that Borough Council adopt the resolution approving the plan at their March 14, 2016 Council meeting.
4. Review Comp-stat (Jan 2016) - *Received For Informational Purposes Only*
5. EMC Report (Jan 2016) - *Received For Informational Purposes Only*

There being no other business set before it, the meeting was adjourned at approximately 7:11 PM.

The next regularly scheduled PSC meeting will be March 21, 2016 at 6:30 PM.

HIGHWAY COMMITTEE REPORT – 3/14/2016

The Highway Committee met on Monday, February 22, 2016 and discussed the following:

1. The Committee reviewed a letter from Downtown Ephrata, Inc. (DEI) dated February 17, 2016 requesting to conduct activities associated with their annual Arts & Crafts and Restaurant Fair and Car Show including several road closure requests from 5:30 AM to 5:30 PM on Saturday, September 10, 2016. A revised letter amending a road closure limit will be provided for the March 7, 2016 Council Work Session. The Committee will recommend that Council conditionally approve the requests subject to Chief Harvey's approval, Borough receipt of a Special Events Permit issued by the Pennsylvania Department of Transportation to close a numbered state route, and Borough receipt of a satisfactory certificate of insurance naming the Borough as an additional insured at their March 14, 2016 Council meeting.
2. The Committee reviewed a letter from Downtown Ephrata, Inc. (DEI) dated February 18, 2016 requesting to conduct activities associated with Santa's arrival including closure of Main Street from State Street to Lake Street on Friday, November 25, 2016 utilizing the "Ephrata Fair" detour routes between 5:30 PM and 9:00 PM. A revised letter amending two (2) times will be provided for the March 7, 2016 Council Work Session. The Committee will recommend that Council conditionally approve the requests subject to Chief Harvey's approval, Borough receipt of a Special Events Permit issued by the Pennsylvania Department of Transportation to close a numbered state route, and Borough receipt of a satisfactory certificate of insurance naming the Borough as an additional insured at their March 14, 2016 Council meeting.
3. The Committee reviewed a letter dated February 2, 2016 from the Ephrata War Memorial Association by Merv Witmer, Co-Director of the Firecracker Run requesting to use the streets of the Borough for the 39th Annual Firecracker Run event on Monday, July 4th, 2016. The Committee will recommend that Borough Council conditionally approve the request subject to Chief Harvey's review and approval and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured at their March 14, 2016 Council meeting.

4. The Committee reviewed the results of Bid #16-1 Purchase of Bituminous Materials and will recommend that Borough Council award the bid to sole bidder New Enterprise Stone & Lime Co., Inc. from East Earl, PA as follows:

- Superpave Asphalt Binder Course Material, 19 mm (FOB) - Unit Price: \$39.70 / Ton
- Superpave Asphalt Base Course Material, 25 mm (FOB) - Unit Price: \$37.20 / Ton
- Superpave Asphalt Wearing Course Material, 9.5 mm (FOB) - Unit Price: \$42.35 / Ton

These unit prices are within budget estimates based on projected quantities and will be subject to price adjustment provisions (escalator) as applicable and identified in the contract documents. The recommendation for award will appear as part of the Consent Agenda at the March 14, 2016 Council meeting.

5. The Committee reviewed the results of Bid #16-2 Purchase and Delivery of PennDOT #2A Stone and will recommend that Borough Council award the bid to sole bidder New Enterprise Stone & Lime Co., Inc. from East Earl, PA as follows:

- PennDOT #2A Stone (Delivered) - Unit Price: \$9.43/Ton

The unit price is within budget estimate based on projected quantity. The recommendation for award will appear as part of the Consent Agenda at the March 14, 2016 Council meeting.

6. The Committee discussed the recently released Lancaster County Complete Streets Guidebook which describes streets that are designed to be safe and convenient for people using all modes of transportation and defines steps to be taken in the complete streets process. The Guidebook cites several examples within Ephrata Borough where complete streets considerations have been implemented. Staff advised the Committee that the only transportation mode not factored into our streets is designated bicycle lanes. Staff and Committee agree that most streets within the Borough are not wide enough to accommodate separate lanes for motor vehicle traffic, motor vehicle parking and a bicycle lane (recommended 5' - 6' wide) without restricting parking on one side of the street. The Major Dick Winters Trail serves as an outlet for those desiring to ride bicycle in the Borough or share the road promotes multi-use functionality for Borough streets. It was suggested that installing bicycle racks at strategic locations throughout the Borough would be beneficial. The Guidebook will serve as a reference for future street improvements and development within the Borough. No further action required at this time.
7. The Committee discussed proposed committee meeting protocol and is open to the concept of establishing a policy regarding untimely agenda items. No further action required at this time.
8. The Committee briefly discussed PennDOT's pending "Green Light-Go" grant award for approximately half of the costs (\$33,000) to install emergency vehicle pre-emption and traffic signal head size upgrades through the CBD which is being held hostage due to a lack of a state budget at this time. The Committee will further discuss what action to take regarding that project and potential grant award at their March 28, 2016 meeting.

MUNICIPAL ENTERPRISES COMMITTEE REPORT – 3/14/2016

The Municipal Enterprises Committee met on February 16, 2016 and discussed the following:

1. The Committee reviewed an improvement agreement with Blue Lake Builders for one six unit and one eight unit apartment building along Clay School Road in the amount of \$35,467.

The Committee will recommend that Borough Council approve the agreement at their March 14, 2016 meeting. This item will appear on the consent agenda.

2. The Committee reviewed two proposals from Land Studies for professional services related to the Borough's Municipal Separate Storm Sewer (MS4) program. The first proposal is to prepare an operation and maintenance plan for the Borough's MS4 program in the amount of \$5,770 and the second is to develop a five year improvement plan to be implemented by the Borough in the amount of \$7,612. Projects will be implemented subject to funding authorizations. Both proposals are within the 2016 budgeted amount. The staff has requested to proceed with the work as soon as possible. The Committee has no objections with staff proceeding since the costs of the proposals are within the staff limits of authorization. No further action is required.
3. Mr. Thompson provided an update on the behind the meter Solar Project. The federal investment tax credit (ITC) for solar projects was extended to the end of 2019. The staff has presented two applications before the Ephrata Township Zoning Hearing Board, and the application for land development plan with the Ephrata Township Planning Commission. The Planning Commission will recommend that the Ephrata Township Supervisors approve the land development plan at their March 1, 2016 supervisors meeting. The decision on the two zoning applications will be issued on Tuesday, February 16, 2016. Staff continues to work on developing our solar site as well as the distribution line from the solar site to the Borough's Substation. Although the requirement to complete a solar project by the end of 2016 in order to take advantage of the ITC has been eliminated, Staff will continue to pursue this project with target completion in 2017.
4. The Committee discussed the AMP Smart Meter Project. While no new information is available it is anticipated that Mr. Natarian will have new information to discuss at the next ME committee meeting.
5. The Committee reviewed a summary of the Borough's 2015 energy usage prepared by American Municipal Power. No action is required by the committee.
6. The Committee reviewed the Borough's current power portfolio and discussed future power purchases. The staff has been working with GDS Associates to develop 2016 power purchases and anticipates having information to share with the committee at their next meeting.
7. The Committee discussed the comments made by Mr. Brian Hoffman at the February 1, 2016 Council working session concerning gas service in the Borough. Mr. Hoffman stated that the Borough's Comprehensive Plan encourages the further development of gas infrastructure. In his comments Mr. Hoffman stated that he heard that the Borough was so difficult to work with to install gas infrastructure that the gas company will not pursue any further gas extensions in the Borough. Staff reported to the committee that during its design meetings with the gas company they agreed to install the gas lines below all Borough/EAJA infrastructures. All drawing prepared by the gas company included a note stating such. When some of the depths reached 8-10 feet and the gas company approached the Borough to discuss the excessive depths the Borough agreed to allow the gas lines to be installed subject to appropriate separation requirements. Staff reported to the committee that it was only enforcing the agreed upon conditions of installation.

COMMUNITY SERVICES COMMITTEE REPORT – 3/14/2016

The Community Services Committee met on February 21, 2016 and discussed the following:

1. Joy Ashley from the Ephrata Public Library (EPL) reviewed a request to use various parks in the Borough for the second annual Go Outdoors Ephrata (GO Ephrata) program. The program which is co-sponsored by Wellspan Health places markers in all municipal parks within the Ephrata Area School District and the EPL issues to children a participation packet whereby children find each of the markers and trace the image on the marker and submit the completed packet to the EPL in exchange for prizes. The Committee will recommend that Borough Council approve the request subject to a receipt of a certificate of insurance naming the Borough as additional insured. This item will appear on the Consent Agenda.
2. Jean Wentz from the Ephrata Recreation Center reviewed a request to use the streets in the Lincoln Heights development to conduct the third annual 5K race series. The Committee will recommend that Borough Council approve the request subject to the receipt of a certificate of insurance naming the Borough as additional insured, the approval by the Chief of Police of the race plan as it relates to public health and welfare, and the issuance of letters to the residents of the Lincoln Heights development notifying them of the events. This item will appear on the Consent Agenda.
3. The Committee discussed a lease document with Ephrata Youth Football, Inc. for the construction of a 20' X 20' shed on Borough Property in the Lincoln Heights Outdoor Recreation Area. The Committee will review the lease and comment for the next committee meeting on March 28, 2016.
4. The Committee discussed the procedure for addressing items received for consideration by the Committee after the Committee has already met but prior to either the work or voting sessions of Council. The Committee supports the procedure recommended by the Budget and Finance Committee whereby if an item is received that requests action by Council at their next meeting staff must discuss the issue with the Committee Chair prior to the Work or Voting Council meeting to determine the appropriate action by the Committee. The chair can deny the request as untimely, schedule it to appear on the next committee agenda or direct the staff to include it on either the work or voting agendas. The chair is also responsible for informing the other committee members of the request and the subsequent disposition of the request.

SPECIAL PROJECTS COMMITTEE REPORT – 3/14/2016

The Special Projects Committee met on February 16, 2016 and discussed the following:

1. The Solicitor discussed the proposed draft ordinance regulating mobile food vending with the Committee members. The Committee will review the ordinance and issue comments at their March 21, 2016 committee meeting.
2. The Committee discussed the procedure for addressing items received for consideration by the Committee after the Committee has already met but prior to either the work or voting sessions of Council. The Committee supports the procedure recommended by the Budget and Finance Committee whereby if an item is received that requests action by Council at their next meeting staff must discuss the issue with the Committee Chair prior to the Work or Voting Council meeting to determine the appropriate action by the Committee. The chair can deny the request as untimely, schedule it to appear on the next committee agenda or direct the staff to include it on either the work or voting agendas. The chair is also responsible for informing the other committee members of the request and the subsequent disposition of the request.

BUDGET AND FINANCE COMMITTEE RECOMMENDATIONS – 3/14/2016

The Budget and Finance Committee recommends the following:

1. That Borough Council repeal Resolution 2016-5, a corporate banking resolution designating signatures for banking account 1038586 at Ephrata National Bank.
2. That Borough Council repeal Resolution 2016-6, a corporate banking resolution designating signatures for banking account 4328185 at Ephrata National Bank.
3. That Borough Council adopt Resolution 2016-9, a corporate banking resolution designating signatures for banking account 1038586 at Ephrata National Bank.
4. That Borough Council adopt Resolution 2016-10, a corporate banking resolution designating signatures for banking account 4328185 at Ephrata National Bank.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS – 3/14/2016

The Public Safety Committee recommends the following:

1. That Borough Council enact Ordinance 1521 Chapter 183 Floodplain Protection Prevention.
2. That Borough Council authorizes the disposition of assets of twelve (12) electronic control devices (ECD) by Taser for the discount of \$1,800.00 on the new purchase.
3. That Borough Council approves Resolution 2016-11 promulgating the Emergency Operations Plan promulgation statement pursuant of the Pennsylvania Emergency Management Services Code.

HIGHWAY COMMITTEE RECOMMENDATIONS – 3/14/2016

The Highway Committee recommends the following:

1. That Borough Council conditionally approve the amended requests from Downtown Ephrata, Inc. (DEI) dated February 23, 2016 to conduct activities associated with the annual Arts & Craft and Restaurant Fair and Car Show including several road closure requests from 5:30 AM to 5:30 PM on Saturday, September 10, 2016 subject to Chief Harvey's approval, Borough receipt of a Special Events Permit issued by the Pennsylvania Department of Transportation to close a numbered state route, and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
2. That Borough Council conditionally approve the amended requests from Downtown Ephrata, Inc. (DEI) dated February 23, 2016 to conduct activities associated with the annual Christmas Tree Lighting and Santa's Arrival including closure of Main Street between State Street and Lake Street on Friday, November 25, 2016 from 4:00 PM to 9:00 PM subject to Chief Harvey's approval, Borough receipt of a Special Events Permit issued by the Pennsylvania Department of Transportation to close a numbered state route, and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
3. That Borough Council conditionally approve the request from the Ephrata War Memorial Association by Merv Witmer, Co-Director of the Firecracker Run per his letter dated February 2, 2016 to use the streets of the Borough for the annual Firecracker Run scheduled for Monday morning, July 4th, 2016. This event is subject to Chief Harvey's approval and Borough receipt of a Certificate of Insurance naming the Borough as additional insured.