

**BOROUGH OF EPHRATA
COUNCIL MEETING AGENDA
MAY 9, 2016**

INVOCATION Reverend Wes Dudley, DOVE Westgate Church

PLEDGE OF ALLEGIANCE

ATTENDANCE/ROLL CALL

PROCLAMATION – 2016 National Police Week Proclamation

APPROVAL OF MINUTES

Borough Council Work Session Minutes – April 4, 2016
Borough Council Regular Meeting Minutes – April 11, 2016

MUNICIPAL MOMENT

SRO Moore Annual Presentation

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

April General Ledger Report
Lincoln Fire Company – April 2016
Pioneer Fire Company - April 2016
Ephrata Community Ambulance Association – April 2016
Emergency Management Coordinator April 2016 Report
April Shade Tree Commission Report

1st Quarter Electric

NEW BUSINESS ITEMS

Consent Agenda (includes the following approvals)

1. That Council approve the stormwater management plan for the Ephrata Area School District Track Renovations, 957 Hammon Avenue subject to the inclusion of HRG's comments dated April 12, 2016. (Development Activities Committee)
2. That Council authorize the Council President and Secretary to execute an Improvement Agreement with the developer, Ephrata Area School District, for proposed stormwater improvements associated with the Ephrata Area School District Track Renovations, 957

Hammon Avenue subject to it being in a form acceptable to the borough solicitor and that Council approve a waiver of posting financial security based on a written commitment from the Ephrata Area School District that they pledge to address any financial shortfalls that may occur during the project. (Development Activities Committee)

3. That Council authorize the Council President and Secretary to execute an Stormwater Operation and Maintenance Agreement with the Ephrata Area School District for the proposed stormwater improvements for the Ephrata Area School District Track Renovations plan, 957 Hammon Avenue subject to it being in a form acceptable to the borough solicitor. (Development Activities Committee)
4. That Borough Council award Bid No. 16-4 2016 Street and Alley Improvements to apparent low bidder: New Enterprise Stone & Lime Co. Inc. from 621 Martindale Road, Ephrata, PA for their total bid price of \$419,634.17. (Highway Committee)
5. That Borough Council conditionally approve the requests from The Ephrata Farmers Day Association, Inc. (TEFDAI) per their letter dated April 8th, 2016 to conduct activities associated with the 98th annual Ephrata Fair from September 20th through September 24th, 2016 subject to Borough receipt of a satisfactory certificate of insurance and Borough receipt of a PennDOT issued Special Events Permit with TEFDAI as Applicant. (Highway Committee)
6. That Borough Council approve the April 19th, 2016 request from the Pioneer Fire Company to close South State Street from West Franklin Street to Fulton Street to conduct demonstrations and activities relative to their annual open house on Tuesday, June 28, 2016 from 5:45 PM to 9:15 PM. (Highway Committee)

Standing Committee Recommendations

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

Approval of Checks 26115 through 26423 and the ACH Registers dated April 28, 2016 and May 4, 2016

OPPORTUNITY FOR CITIZENS TO BE HEARD

DISCUSSION/ANNOUNCEMENTS

ADJOURNMENT

BUDGET AND FINANCE COMMITTEE REPORT– 5/9/2016

The Budget & Finance Committee met on April 25, 2016 and discussed the following:

1. Susan Rowe recommended Linda Martin be appointed as Borough Council liaison to Downtown Ephrata, Inc. The previous liaison was Susan Rowe and she will remain with the organization through year end. The Committee supports President Rowe's suggestion and

will recommend that Borough Council appoint Linda Martin as Borough Council liaison to Downtown Ephrata, Inc. at the May Meeting.

2. The Committee reviewed the First Quarter Budget report. No major issues or concerns were noted by the Committee.
3. The Committee reviewed the Post-Employment Benefit Plan Actuarial Valuation Reports for Police and Non-uniform. The total unfunded liability was reviewed. We pay as we go so it is not necessary to fund the entire balance.
4. The Committee reviewed the 2015 Financial Statements completed by our auditor MaherDuessel. There were no deficiencies found during the audit.
5. The Committee reviewed the revised debt schedule and savings for the \$10 million Sewer Bond refinance. The original estimated savings presented by RBC was \$368,858 which equals 3.689% of the total debt. After the sale of the bonds, our new savings is actually \$614,473 which equals 6.332% of the total debt.

DEVELOPMENT ACTIVITIES COMMITTEE REPORT– 5/9/2016

The Development Activities Committee met on April 25, 2016 and discussed the following:

1. The Committee reviewed a stormwater management plan for the Ephrata Area School District Track Renovations, 957 Hammon Avenue. The applicant is proposing stormwater management improvements associated with track and field facility improvements. The Committee recommends that Council approve the stormwater management plan at their May meeting subject to the inclusion of HRG's comments dated April 12, 2016. This will appear on the May consent agenda.
2. The committee reviewed an Improvement Agreement for proposed stormwater improvements associated with the Ephrata Area School District Track Renovations, 957 Hammon Avenue. The amount of the improvements will be \$79,777.72. The applicant has requested a waiver of posting financial security. The Committee will recommend that Borough Council approve the waiver request based on the written commitment from the Ephrata Area School District that they pledge to address any financial shortfalls that may occur during the project. The Committee recommends that Council authorize the Council President and Secretary to execute the Improvement Agreement with the developer, Ephrata Area School District, subject to it being in a form acceptable to the borough solicitor. This will appear on the May consent agenda.
3. The Committee reviewed an Operation and Maintenance Agreement for the proposed stormwater improvements associated with the plan for the Ephrata Area School District Track Renovations, 957 Hammon Avenue. The Committee recommends that Council authorize the Council President and Secretary to execute an Operation and Maintenance Agreement with the developer, Ephrata Area School District, subject to it being in a form acceptable to the borough solicitor. This will appear on the May consent agenda.
4. The Committee reviewed a request from staff to waive section 275-301.H.3 of the stormwater management ordinance to allow a 1,500 square foot stone parking area to be considered pervious on the Fulton Maintenance Garage project. The staff is proposing to place the impound stalls in 2B stone. The area will only be subject the light traffic. The soil beneath the stoned area was tested by a professional geologist and found to drain. The Committee will recommend that Council waive section 275-301.H.3 for 1,500 square feet of

stoned area at the Fulton Maintenance garage and allow the use of a rounded stone larger than 2B to be considered pervious.

5. The Committee discussed the draft of the proposed rental ordinance that was provided for review and comment. The solicitor reviewed the ordinance with the Committee. The Committee did not have any additional comments. The staff will forward the draft to Council members and the mayor for review and comment. Comments will be reviewed at the May Committee meeting. Once all comments have been addressed, the staff will meet with the representatives from the landlord group and provide them with a copy for review and comment.
6. The Committee reviewed the first quarter budget report for activities under their purview. There were no concerns regarding the budget report.
7. The Committee discussed the process for stormwater management plan approvals. The staff requested that we add these to the consent agenda since they meet the criteria for consent agenda items. The Committee agreed to add them to the monthly consent agenda.
8. There wasn't an April Zoning Hearing Board meeting.
9. There were no applications for the May Zoning Hearing Board meeting.

PUBLIC SAFETY COMMITTEE REPORT – 5/9/2016

The Public Safety Committee met on April 18, 2016 at 6:30 PM and discussed the following:

1. 2016 Fleet Phase 1 extended warranty – Lt. Shumaker presented amending the four-year leasing agreement, which was approved on February 1, 2016 for \$521,569.76. The amendment will be for \$532,369.76, which is for the purchase of the extended MaxCare warranty for the eight Dodge Chargers. It was requested to authorize an amendment to purchase of eight (8) Dodge Chargers and four (4) Ford Interceptor SUV's for the fleet through the COSTARS cooperative purchasing program from Hondru Ford of Manheim that was approved at the February 1, 2016 Council Meeting. The amended amount is not to exceed \$532,369.76. Unanimously approved by Committee- Action by Borough Council
2. 1st Quarter FY2016 Public Safety Budget report. Received for Informational Purposes Only
3. Comp-stat (March 2016) – Received For Informational Purposes Only
4. EMC Report (March 2016) – Received For Informational Purposes Only
5. WERT was a topic of public comments – Early evening hours most language, noise levels, numbers (intimidation), scruffy appearance, picnic table (trash, litter & misuse), basketball court is used but is problematic. Most peaceful time is during the morning hours. A defense of teenagers of good & bad, request for “more things” for kids to do requested. Most issues in areas not supervised by adults. All were thankful for police presence. Extended curfew questions rose. The quality of life for residents who live along the trail reiterated. All comments received by staff for dissemination. Chief Harvey and Mayor Mowen responded to updates. Received for Informational Purposes Only

There being no other business set before it, the meeting was adjourned at approximately 7:20 PM.

Executive Session: Police Personnel Issues

The Public Safety Committee reconvened from executive session at approximately 7:30 PM.

6. Authorization to Begin 2015-2016 Hiring Process – Chief Harvey presented the need to restart a hiring process and requested the authorization to begin to fill one (1) new vacancy created by a resignation - Unanimously approved by Committee- Action by Borough Council.

There being no other business set before it, the meeting was adjourned at approximately 7:32

The next regularly scheduled PSC meeting will be Monday, May 16, 2016 at 6:30 PM.

HIGHWAY COMMITTEE REPORT – 5/9/2016

The Highway Committee met on Monday, April 25, 2016 and discussed the following:

1. The Committee reviewed the results of Bid #16-4 2016 Street and Alley Improvements and will recommend that Borough Council award the bid to apparent low bidder: New Enterprise Stone & Lime Co., Inc. from Ephrata, PA in the total bid amount of \$419,634.17 as part of the consent agenda at their May 9, 2016 meeting. The Committee was advised that additional costs will increase the contract amount for pavement reclamation stabilization, additional base repairs, additional correction of soft and yielding subgrade, bituminous paving price adjustment provisions (escalator clause), and unforeseen conditions, as applicable. The budget estimate for this project is \$640,000.
2. The Committee reviewed the requests from the Ephrata Farmers Day Association, Inc. per their letter dated April 8th, 2016 to conduct activities associated with the 98th annual Ephrata Fair from September 20th through September 24th, 2016. The parade route currently planned in 2016 is the same as in 2015. If the PennDOT SR 0272 bridge over Cocalico Creek replacement is completed in a timely manner and the northbound SR 0272 detour route onto Old Mill Road is removed the parade route could return to its normal configuration. The Committee will recommend that Council conditionally approve the requests subject to Borough receipt of a satisfactory certificate of insurance and Borough receipt of a PennDOT issued Special Events Permit with the Ephrata Farmers Day Association, Inc. as Applicant as part of the consent agenda at their May 9, 2016 meeting.
3. The Committee reviewed a curb and sidewalk evaluation of existing conditions at 227 Church Avenue due to a recent citizen complaint by Mr. Wayne Allen of 40 Rock Road, Ephrata. The Committee will recommend that Borough Council authorize staff to notify the property owner of 227 Church Avenue requiring replacement of approximately four (4) linear feet of concrete curb and replacement of approximately thirty (30) square feet of concrete sidewalk within 60 calendar days from date of notification in accordance with current Borough of Ephrata Concrete Curb and Sidewalk Construction Specifications at their May 9, 2016 meeting.
4. The Committee reviewed the request from the Pioneer Fire Company, per their letter dated April 19, 2016 to close South State Street from West Franklin Street to Fulton Street on Tuesday, June 28, 2016 from 5:45 PM to 9:15 PM to conduct demonstrations and activities relative to their annual open house. The Committee will recommend that Council approve the request as part of the consent agenda at their May 9, 2016 meeting.

5. The Committee reviewed the 1st Quarter 2016 budget report relative to street and storm water maintenance activities, applicable capital funds, highway aid fund, and mobile equipment fund noting that Snow and Ice Control within the General Fund is over budget in the overtime and materials & supplies accounts due to harsh winter conditions. Transfers from other activities will be made later in the year to cover these overages if necessary.
6. The Committee was updated on PennDOT's delayed "Green Light-Go" grant award status for various planned traffic signal upgrades in the Borough. PennDOT's Central Office advised staff that an official announcement should be coming within the next 2 weeks by sometime during the 2nd week of May 2016.
7. The Committee reviewed a request submitted by S.R. Cover Properties regarding removal of an existing Loading Zone in front of 29 Cloister Avenue. The Committee requested that staff provide additional information for subsequent discussion at their upcoming May 23, 2016 Committee meeting.

MUNICIPAL ENTERPRISES COMMITTEE REPORT – 5/9/2016

The Municipal Enterprises Committee met on April 18, 2016 and discussed the following:

1. Director of Operations, Thomas Natarian reviewed a presentation prepared by GDS Associates with results of indicative pricing for various blocks of electric power. Given the favorable results of indicative pricing, now is a good opportunity to layer new blocks of power into the Borough's portfolio consistent with the Power Supply Master Plan. Accordingly, it is Staff's recommendation to maximize the purchasing opportunity pursuing up to four separate blocks of power as outlined in Resolution 2016-14. After much discussion, the Committee will recommend that Council adopt Resolution 2016-14 when they meet on May 9, 2016.
2. Mr. Natarian discussed the Substation Security System project that is included in the 2016 Budget and Program of Services with an estimated cost of \$200,000 with funding from the electric fund balance. Due to limited availability of Staff resources, that project will not be pursued in 2016. In lieu of the Substation Security System, Staff is recommending that the unused funds be utilized for the Substation Automation Project. The Substation Automation Project was approved by Council on September 14, 2015. It was estimated to cost \$120,000 with funding from the electric fund balance. That project was not completed in 2015, and the project was not rolled into the 2016 Budget and Program of Services. The Committee will recommend that Council authorize the use of funds from the electric fund balance, originally allocated for the Substation Security System, to pay for the Substation Automation Project previously approved by Council, when the Council meets on May 9, 2016.
3. The Committee reviewed the 1st Quarter Financial reports prepared by Director of Finance and Administration, Christine Moore for the Water Fund, Electric Fund, Sewer Fund, Sanitation Fund, and Sewer Permit Fund. Water Fund revenues were above budget due to timing of payments from EAJA. Water Fund expenses were within expected range. The Electric Fund revenues were on target while expenses were below budget due to timing of transfers and capital projects. The Sewer Fund revenues and expenditures were both below budget but within expected ranges. The Sanitation Fund revenues and expenditures were both slightly above budget but within expected ranges. Sewer Permit Funds were within expected ranges.

4. Mr. Natarian and Borough Manager, D. Robert Thompson provided an update on the proposed Solar Project. Negotiations continue to finalize the Power Purchase Agreement and work has begun on surveying and engineering services for the distribution line.
5. Mr. Natarian provided an update on the Advanced Meter Project being developed by American Municipal Power (AMP). A project team of Ephrata Staff and AMP Staff has been working to address implementation issues. AMP expects to have their program ready for subscription by mid-May. Once details of the program are available, Staff will develop a recommendation for the Committee to consider at a future meeting.
6. Mr. Natarian reviewed a recommendation from AMP regarding Financial Transmission Rights (FTRs). AMP recommended that the Borough participate in the annual FTR auction for power year 2016-2017. The notification from AMP was received too late for Council to take action in April 2016. Staff has discussed the Council authorization process with AMP in order to provide adequate timing for participation in future FTR auctions. Staff will also work with AMP to provide a recommendation to the Committee for participation in the monthly FTR auctions in lieu of the annual auction.

COMMUNITY SERVICES COMMITTEE REPORT – 5/9/2016

The Community Services Committee met on April 25, 2016 and discussed the following:

1. The Committee reviewed the recommendations from the ad hoc Cultural Arts Grant Committee regarding the 2016 awards. The Committee will recommend that Borough Council make the following awards for 2016 at their May meeting:

Ephrata Public Library Summer Reading Program	\$ 2,700
Ephrata Performing Arts Center Center Stage Theater Camp	\$ 1,800
Ephrata Area Recreation Center ANCHOR Summer Day Camp	\$ 700
Ephrata Concert Band Free Concerts in the Park	\$ 1,900
Ephrata Cloister Associates December Programs	\$ 700
Historic Society of the Cocalico Valley Ephrata Borough 125 year anniversary	\$ 1,100
Ephrata Area Recreation Center Summer Camps Program	\$ 1,100
Eicher Arts Center Free Community Events	<u>\$ 500</u>
Total	\$10,500

2. The Committee reviewed a request from Downtown Ephrata, Inc. asking the Borough of Ephrata to sponsor a planter to be placed in the Downtown Business District. Each year 20 planters are placed, sponsored by a local business or individual, to make the downtown more aesthetic. Sponsorship recently increased to \$275.00 for new sponsors; however, the Board is offering sponsorship to the Borough at the previous rate of \$250.00. A plaque will be placed on the planter as acknowledgment of the contribution. The Committee will recommend that Borough Council approve the request at their May meeting.
3. The Committee reviewed the first quarter budget report for those activities under their authority. No issues or concerns were identified by the Committee.

SPECIAL PROJECTS COMMITTEE REPORT – 5/9/2016

The Special Projects Committee met on April 18, 2016 and discussed the following:

1. The Solicitor reviewed with the Committee proposed changes to the not-for-sale use of alcohol ordinance. The changes require that any proposed use of not-for-sale alcohol on Borough owned properties receive a written opinion from the PLCB regarding the compliance of the proposed use with PLCB regulations. The intent is for the PLCB to provide an interpretation of their regulations not the Borough. The solicitor added two new sections; Section E, that does not require an advisory opinion for each event if there are multiple events of a similar nature and Section F, which exempts the event if it falls under the PLCB definitions of ‘eligible entity’. In addition the Borough Manager reported that he contacted both EPAC and the Eicher House and that both parties were represented at the Special Projects meeting. Following a discussion neither objected to the proposed changes. The Committee agreed to hold off on enacting the proposed ordinance for 60 days to allow EPAC and Eicher to contact the PLCB and receive a response. No action is required at this time.
2. The Committee reviewed a proposed resolution to adopt requirements for the placement of volunteer organizational signs on the gateways to the Borough. The Committee has no objection to the contents of the resolution and authorized the staff to circulate to Borough Council for their comments to be discussed at the May 16 committee meeting.
3. The Solicitor discussed the contents of the proposed draft ordinance regulating mobile food vending with the Committee members. Based on the committee’s feedback the solicitor is working to streamline the ordinance. In order to clarify certain sections of the ordinance the Solicitor issued an outline to the committee and asked them for their comments on each item. The Committee will review the items contained in the outline and provide responses to the Solicitor at their May 16 committee meeting.

BUDGET AND FINANCE COMMITTEE RECOMMENDATIONS – 5/9/2016

The Budget and Finance Committee recommends the following:

1. That Borough Council appoint Linda Martin as the new liaison to Downtown Ephrata, Inc.

DEVELOPMENT ACTIVITIES COMMITTEE RECOMMENDATIONS – 5/9/2016

The Development Activities Committee recommends the following:

1. That Borough Council waive section 275-301.H.3 of the Code of the Borough of Ephrata for a 1,500 square feet stoned area at the Fulton Maintenance Garage and allow 2B rounded

stone to be considered pervious.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS – 5/9/2016

The Public Safety Committee recommends the following:

1. That Borough Council authorize an amendment to the four year leasing agreement with Santander that was approved at the February 1, 2016 Council Meeting in the amount of \$521,569.76 plus leasing costs for the purchase of police vehicles. The amended amount will be \$532,369.76 which is for the purchase of the extended MaxCare warranty for (8) Dodge Chargers. The lease shall be in a form acceptable to the borough solicitor.
2. That Borough Council authorize an amendment to the purchase of eight (8) Dodge Chargers and four (4) Ford Interceptor SUVs for the fleet through the COSTARS cooperative purchasing program from Hondru Ford of Manheim that was approved at the February 1, 2016 Council Meeting. The amended amount is not to exceed \$532,369.76.
3. That Borough Council, per Section 5.2 of the Civil Service Rules, notify the Civil Service Commission of a vacancy in the Police Department and request a certified list of (3) names from the list of eligible applicants for the purpose of filling said vacancy.

HIGHWAY COMMITTEE RECOMMENDATIONS – 5/9/2016

The Highway Committee recommends the following:

1. That Borough Council authorize staff to notify the property owner of 227 Church Avenue requiring they replace approximately four (4) linear feet of concrete curb and thirty (30) square feet of concrete sidewalk in accordance with current Borough of Ephrata Concrete Curb and Sidewalk Construction Specifications within sixty (60) calendar days from date of notification.

MUNICIPAL ENTERPRISES COMMITTEE RECOMMENDATIONS – 5/9/2016

The Municipal Enterprises Committee recommends the following:

1. That Borough Council adopt Resolution 2016-14 to authorize the entering into of power supply contracts consistent with the power supply master plan.
2. That Borough Council authorize the use of funds from the electric fund balance, originally allocated for the Substation Security System, to pay for the Substation Automation Project previously approved by Council.

COMMUNITY SERVICES COMMITTEE RECOMMENDATIONS – 5/9/2016

The Community Services Committee recommends the following:

1. That Borough Council award the following Cultural Art Grants for 2016:

Ephrata Public Library	\$ 2,700
Summer Reading Program	

Ephrata Performing Arts Center	\$ 1,800
Center Stage Theater Camp	

Ephrata Area Recreation Center ANCHOR Summer Day Camp	\$ 700
Ephrata Concert Band Free Concerts in the Park	\$ 1,900
Ephrata Cloister Associates December Programs	\$ 700
Historic Society of the Cocalico Valley Ephrata Borough 125 year anniversary	\$ 1,100
Ephrata Area Recreation Center Summer Camps Program	\$ 1,100
Eicher Arts Center Free Community Events	<u>\$ 500</u>
Total	\$10,500

2. That Borough Council approves the request from Downtown Ephrata, Inc. to sponsor a planter in the Central Business District at a cost of \$250.00.