

**EPHRATA BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
MAY 9, 2016**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on May 9, 2016 in the Council Chambers of the Borough Office, 124 South State Street.

Reverend Wes Dudley, DOVE Westgate Church offered the invocation, which was followed by the Pledge of Allegiance.

In attendance in addition to the President were Vice President Thomas Reinhold, President Pro Tem Melvin Weiler, Council Members Timothy Barr, Linda Martin, Ricky Ressler, Victor Richard, and Mayor Ralph Mowen. Council Member Dale Hertzog was absent.

Also in attendance were Borough Manager D. Robert Thompson, Police Chief William Harvey, Recording Secretary Kathy Holzinger, and Borough Solicitor James R. McManus, III, Esq.

Attending for the press were Gary Klinger of The Ephrata Review and Kurtis Covert of the Lancaster Newspaper. The following visitors were present:

Dennis Rowe, 214 East Main Street, Ephrata  
Gregson's, 885 North Maple Street, Ephrata  
Jean Lausch, 950 Hammon Avenue, Ephrata  
Tim Auker, 542 North State Street, Ephrata  
David Boland, 103 West Main Street, Ephrata  
Zachary Horton, 3083 Lincoln Highway East, 17562

## **PROCLAMATION**

National Police Week Proclamation

Mayor Mowen read a proclamation observing Sunday, May 15, 2016 as Peace Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

## **APPROVAL OF MINUTES**

It was moved by Mr. Barr, seconded by Mr. Richard that Borough Council approve the April 4, 2016 Work Session Minutes and the April 11, 2016 Regular Meeting Minutes.

Mr. Thompson noted on the Work Session Minutes under Public Safety, page 7, when it refers to the lamb project the dates shown are 2015 and it should be for the year 2016.

The motion was unanimously passed to approve the April 4, 2016 Work Session Minutes with the change of dates specified by Borough Manager Thompson and the April 11, 2016 Regular Meeting Minutes.

## **MUNICIPAL MOMENT**

SRO Moore Annual Presentation

Officer Moore thanked Council for their support of the SRO program.

Officer Moore said he has one of the best jobs around. He has an impact on the kids directly inside the school.

Officer Moore said his job entails three big parts – one being law enforcement, the other one being mentoring and a liaison, and the third is teaching and presenting.

Officer Moore said throughout the years he has done several investigations through crimes code, vehicle code, any violations as they come up including the bomb threat the school had this past September. Three individuals were arrested.

School security – Officer Moore goes around to each building. Seven buildings, 4,000 kids, 500 employees and making sure that everyone is good and safe. Anywhere from the minor things to the doors to the bigger pictures of threats.

Crisis team management – Officer Moore said the crisis team specifically picks people in each one of the schools and they meet once a month. They pick a scenario or subject that needs attention. The team discusses and works through the scenario. Lock down drills and evacuation drills are held throughout the district.

Officer Moore assisted with teaching the staff in presenting the Act 71 training, which was required by law this year. Officer Moore attends staff meetings throughout the district discussing general safety.

Officer Moore attends the Safe Schools Focus Group for the Lancaster/Lebanon with the IU13. That is basically all the SROs in the Lancaster and Lebanon areas and administrators will get together a couple times a year and talk about upcoming issues they are dealing with.

Officer Moore is also involved in joint training with the Police Department and School Administration on a new video system. How quickly can we get our Administrators in the school out of the school to an outside location hooked up with our cops and our CERT team. Get the video systems up and running to track the bad guy going through the schools.

Officer Moore said that worked out really well. Officer Moore has twins who will graduate this year. He was able to put one twin in one school and the other in another school. They were able to follow the boys throughout the schools.

Officer Moore also does crisis intruder training through the IU13. They are implementing some new crisis responses this coming year. There is some new direction in intruder training.

Officer Moore said last year they put 20 kids through the Youth Aid Panel. The Youth Aid Panel is a huge success. Officer Moore said the success rate is fantastic. The Youth Aid Panel consists of volunteers trained through the District Attorney's Office.

Officer Moore said he was part of the Rachel's Challenge this year. Rachel is one of the first students killed in Columbine. Her family started Rachel's Challenge which is a system to help create a good environment for kids. They are hoping to get that roll in the high school.

Officer Moore is the liaison between the Borough Public Works and the school district maintenance. Office Moore said they have had some new administration in the maintenance department at the school so getting them on the same page as the Borough snow plowing, cross walks with the school. He has been trying to get everyone on the same page.

Officer Moore obviously assists the students with their personal issues; they come to his office quite often. The students come in to talk to Officer Moore about anything – home problems, school problems, etc. It doesn't matter. Officer Moore said he has learned that the school is one of the safest places that these kids feel they have. They will come in to school and many things that have happened during the weekend they won't talk about until they come into school. They feel comfortable there that they will then explain what is going on and we can act on it. Some of the stuff is pretty nasty – none of it happened at school. They feel safe that they can disclose it there.

Officer Moore also is involved with teaching and presenting. Officer Moore presented the 7 Habits to the Clay School, which is a program they have to get the kids motivated in the right direction.

Cyber safety was done for the Clay 4<sup>th</sup> graders last week.

Officer Moore spoke to the senior class about making good decisions. The Every 15 Minutes program is done every two years. They minimized it a bit this year because of some school issues.

Sgt. Schmitt and Officer Moore taught parts of the Forensic Science this year.

Officer Moore said they saw a need for bus driver training so Officer Moore created a training program for the two bus vendors and went to their locations and taught them about bus safety. Officer Moore is going to try to expand that program this next year.

Officer Moore has taken some training on responding to students impacted by bullying through Trauma-Informed Approach. Also the Multi-Hazard Plan (PSP) a program for administrators and SROs regarding the school's emergency plan making sure everything is good.

Officer Moore has also had training on what to do when things go wrong with student transportation, and sexting investigation training. The South Central Task Force for School Resource Officers involves the south central area SRO's of Pennsylvania who get together and talk about issues that we're having, because generally we're all having the same issues. Officer Moore said the Lancaster County District Attorney's office SROs have a focus group which is tighter because it is just Lancaster County.

Mr. Reinhold asked the about the Youth Aid Panel – how many of those kids get into trouble a second time? Officer Moore didn't have statistics but said it is low. There are some but not very many.

Mr. Reinhold said are the students who come in after a weekend afraid to call 911. Is there any concern about that?

Chief Harvey said one of the reasons why that occurs is SROs naturally build a repoire with their students and if they would call 911 any Officer could come. They feel safe and have seen Officer Moore the whole year. Officer Moore or the SRO is someone who is recognized as the person they can go to during an emergency crisis. Someone they can talk to. The repoire he has built and trust he has established with the students make them a natural conduit.

Mr. Reinhold said hopefully these kids would be sensible enough if it's something that deems action at that time on a Saturday night they know they're not going to wait until Monday.

Chief Harvey said even with the past SRO who is now Detective Sheppard a lot of times young adults will come in and even people no longer school age will ask for Mr. Sheppard.

Office Moore said if a student would come in and explain something to Officer Moore that would have or should have been a 911 call Mr. Moore addresses that.

Officer Moore said today he was working with the Northern Regional Police Department because something happened in their area where a student came in and disclosed it at school. There is a lot of interaction through all the municipalities. Wherever it happens Officer Moore works with them. When that Officer comes into the school Officer Moore is with them and it makes the interviews with the parents and students much quicker and smoother.

The Every 15 Minutes Program is seen by the Juniors and Seniors.

Mayor Mowen said he had the Hibschman Interviews last week, and the Superintendent and Principal of the schools can't say enough about the program and how it has benefited the school and how the interaction between Officer Moore and the Police Department and the school is working very well.

Officer Moore thanked Council for their support.

#### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

There were no comments or questions from attendees.

It was moved by Mr. Reinhold, seconded by Mr. Weiler, and unanimously passed that the public comment section of the meeting be closed until the end of tonight's agenda.

#### **ACCEPTANCE OF REPORTS**

It was moved by Mr. Barr, seconded by Mrs. Martin, and unanimously passed to approve Acceptance of Reports consisting of the following documents:

#### **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 8<sup>th</sup>, 2016 to conduct activities associated with the 98<sup>th</sup> annual Ephrata Fair from September 20<sup>th</sup> through September 24<sup>th</sup>, 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 1<sup>st</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> 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:

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

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.

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

1<sup>st</sup> Quarter Electric

**NEW BUSINESS ITEMS**

**Consent Agenda (includes the following approvals)**

It was moved by Mr. Richard, seconded by Mr. Ressler, and unanimously passed that Borough Council approve the Consent Agenda consisting of the following:

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 8<sup>th</sup>, 2016 to conduct activities associated with the 98<sup>th</sup> annual Ephrata Fair from September 20<sup>th</sup> through September 24<sup>th</sup>, 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 19<sup>th</sup>, 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**

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed that Borough Council appoint Linda Martin as the new liaison to Downtown Ephrata, Inc.

### **Development Activities Committee**

It was moved by Mrs. Martin, seconded by Mr. Weiler, and unanimously passed 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**

It was moved by Mr. Weiler, seconded by Mr. Reinhold, and unanimously passed by roll call vote 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.

It was moved by Mr. Weiler, seconded by Mrs. Martin, and unanimously passed by roll call vote 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.

It was moved by Mr. Weiler, seconded by Mr. Reinhold, and unanimously passed 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**

It was moved by Mr. Richard, seconded by Mr. Ressler, and unanimously passed 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

It was moved by Mr. Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council adopt Resolution 2016-14 to authorize the entering into of power supply contracts consistent with the power supply master plan.

### RESOLUTION 2016-14

#### A RESOLUTION OF THE BOROUGH OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA AUTHORIZING THE ENTERING INTO OF POWER SUPPLY CONTRACTS CONSISTENT WITH THE POWER SUPPLY MASTER PLAN

WHEREAS, the Borough of Ephrata (Borough), a political subdivision organized and existing pursuant to the laws of the Commonwealth of Pennsylvania, owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and customers; and

WHEREAS, in order to satisfy the electric power and energy requirements of its electric utility system, the Borough has heretofore purchased economical and reliable power and energy in accordance with a Power Supply Master Plan that has been endorsed by the Municipal Enterprises Committee; and

WHEREAS, the Power Supply Master Plan consists of a strategy for regular purchases of short-term, mid-term, and long-term power; and

WHEREAS, Borough Council has determined it is appropriate and desirable to continue assembling diversified power supply resources, and to regularly add short-term, mid-term, and long-term power to the Borough's portfolio to enhance stability in customer rates; and

WHEREAS, Borough Council recognizes the need to acquire power supply resources to replace those that are terminating in upcoming years; and

WHEREAS, GDS Associates of Marietta, GA, (GDS) working in conjunction with American Municipal Power, Incorporated, (AMP) has provided indicative pricing consistent with the Power Supply Master Plan; and

WHEREAS, Borough Council has determined that it is in the best interest of Borough electric customers to implement power purchases consistent with the Power Supply Master Plan; and

WHEREAS, indicative pricing has been obtained for a fixed load shape for various monthly blocks for 2017 at less than \$30.95/MWh; and

WHEREAS, indicative pricing has been obtained for a fixed load shape for various monthly blocks for 2018-2020 at less than \$31.15/MWh; and

WHEREAS, indicative pricing has been obtained for 3.4 MW 5X16 annual blocks for individual years from 2021 through 2025 at less than \$41.68/MWh; and

WHEREAS, indicative pricing has been obtained for 2.0 MW 7X24 annual blocks for individual years from 2023 through 2025 at less than \$37.25/MWh; and

WHEREAS, the terms of such indicative pricing are considered favorable to the Borough.

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Ephrata, Lancaster County, Pennsylvania that:

SECTION 1. The Ephrata Borough Secretary is hereby authorized to sign such documents as necessary to commit to the purchase of various energy blocks consistent with the Power Supply Master Plan subject to the limitations set forth in Section 2 hereinbelow.

SECTION 2. The maximum authorized prices for the energy blocks are established as follows:

- a) Fixed load shape for various monthly blocks for 2017 at a maximum price of \$30.95/MWh with delivery point to either PPL Zone or PJM West Hub.
- b) Fixed load shape for various monthly blocks for 2018-2020 at a maximum price of \$31.15/MWh with delivery point to either PPL Zone or PJM West Hub.
- c) 3.4 MW 5X16 annual blocks for individual years from 2021 through 2025 with a maximum price of \$41.68 / MWh for any individual year or combination of years with delivery point to either PPL Zone or PJM West Hub.
- d) 2.0 MW 7X24 annual blocks for individual years from 2023 through 2025 with a maximum price of \$37.25 / MWh for any individual year or combination of years with delivery point to either PPL Zone or PJM West Hub.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of a quorum of the Council, and that all deliberations of this Council and of any its committees that resulted in such formal action, were held in meetings open to the public, in compliance with all legal requirements.

SECTION 4. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 5. That this Resolution shall take effect at the earliest date allowed by law.

It was moved by Mr. Reinhold, seconded by Mr. Richard, and unanimously passed by roll call vote 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**

It was moved by Mr. Barr, seconded by Mr. Ressler, and unanimously passed that Borough Council award the following Cultural Art Grants for 2016:

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

It was moved by Mr. Barr, seconded by Mr. Reinhold, and unanimously passed that Borough Council approve the request from Downtown Ephrata, Inc. to sponsor a planter in the Central Business District at a cost of \$250.00.

**APPROVAL OF CHECKS 26115 THROUGH 26423 AND THE ACH REGISTERS  
DATED APRIL 28, 2016 and MAY 4, 2016**

It was moved by Mr. Richard, seconded by Mr. Barr, and unanimously passed that Borough Council ratify the payment of bills performed by the staff since the last regular Council meeting in the aggregate amount of \$1,789,949.17.

**OPPORTUNITY FOR CITIZENS TO BE HEARD**

There were no comments or questions from attendees.

**DISCUSSION/ANNOUNCEMENTS**

Mr. Richard said he and Jean had the chance to watch the Make-A-Wish Convoy and thought it was a beautiful day. Mr. Richard said he saw that had a record showing for the trucks. The crowds were just phenomenal. Mr. Richard is glad Ephrata continues to be one of the hosting towns for that. It's a good thing for Ephrata to have people come to our town and know we are open for business.

Mr. Reinhold said it was a busy day yesterday. Over at the War Memorial Field, which the school district has poured a lot of money and time into they actually had a college baseball tournament there yesterday. Unfortunately they did not have ample warning to have the snack bar open.

Mr. Reinhold reminded everyone that three weeks from today is Memorial Day. The service is always over there. Mr. Reinhold said if anyone is interested in possibly volunteering time to lay down that decking so people can bring their chairs get a hold of Mr. Reinhold. Come over on Monday. It's always a nice service at 9:00 AM. Mr. Barr said breakfast is to follow at the Amvets.

Chief Harvey said so far this year 34 Officers have lost their lives in the United States. Thirty-two male, two females, and eleven canines in service.

Mr. Thompson said on Wednesday morning, May 25<sup>th</sup> the Borough will host one of three economic development Lancaster Economic Development Corporation workshops. There have been a number of boroughs meeting with the EDC and talking about ways to communicate availability of properties, square footages, rents, locations and discuss common needs that we have that perhaps we can try to solve collectively rather than independently and collectively use resources.

Council is invited. It's at 8:00 AM. If you can't attend that there will be two others that week. One is in the evening. Mr. Thompson will email the announcement to Council tomorrow.

Mr. Thompson said you should have all received the announcement for our Annual Employee Recognition bar-b-que at the Park.

President Rowe said in June the American Public Power Association Conference will be held. The Borough has two representatives from Council attending - Vice President Reinhold and Mr. Richard. President Rowe said at this time she will be designating Victor Richard as the borough voting delegate at the 2016 conference.

**ADJOURNMENT**

It was moved by Mr. Weiler, seconded by Mr. Barr, and unanimously pass by Borough Council to adjourn. The meeting was adjourned at 7:40 PM.

Respectfully submitted,

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D. Robert Thompson, Secretary