

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
APRIL 8, 2019**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on April 8, 2019, in the Council Chambers of the Borough Office, 124 South State Street.

A moment of silence was held 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 and Council Members Timothy Barr, Linda Martin, Ricky Ressler, Victor Richard, and Gregory Zimmerman. Absent from the meeting was Mayor Ralph Mowen.

Also in attendance were Administrative & Finance Director Christine H. Moore, Police Chief William Harvey, Recording Secretary Stephanie Fasnacht, and Borough Solicitor James R. McManus, III, Esq.

The following visitors were present:

Randy Gockley, 62 Robert Road, Ephrata
Tim Auker, 542 N. State Street, Ephrata
Lowell Haws, 712 Vinemont Road, Reinholds
Jim Summers, Ephrata Recreation Center
Jay Snyder

PROCLAMATION – PENNSYLVANIA 811 SAFE DIGGING MONTH

President Rowe read a proclamation from Mayor Mowen proclaiming April 2019 as Pennsylvania 811 Safe Digging Month advising "... this unique service provides an easy to use one-call notification about excavation projects which may endanger workers and jeopardize utility lines while promoting workplace and public safety, reducing underground utility damage and minimizing utility service interruptions while protecting the environment."

PROCLAMATION – CELEBRATE ARBOR DAY

President Rowe read a proclamation from Mayor Mowen proclaiming April 23, 2019 as Arbor Day in the Borough of Ephrata as a "special day set aside for the planting of trees."

APPROVAL OF MINUTES

It was moved by Mr. Zimmerman and seconded by Mr. Barr to approve the March 4, 2019, Work Session Minutes, and the March 11, 2019, Regular Meeting Minutes.

After a few minor revisions to the minutes, President Rowe then took a vote and it was unanimously passed that Borough Council approve the revised March 4, 2019, Work Session Minutes, and the March 11, 2019, Regular Meeting Minutes.

MUNICIPAL MOMENT – HISTORICAL SOCIETY OF COCALICO VALLEY

Mr. Lowell Haws, President of the Historical Society of Cocalico Valley, extended his gratitude to Borough Council for their continued support of the organization. Mr. Haws then presented information regarding the various programs currently being offered as well as the education and outreach programs extended within the Cocalico Valley. Mr. Haws provided an overview of the abundance of donations being added to the exhibits due to various organizations dissolving and donating various historical belongings. In closing, Mr. Haws discussed various fundraising efforts being done throughout the year and advised of some building issues which need attention and repair.

FIRST OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. Randy Gockley, 62 Robert Road, advised he is aware traffic lights within the Borough are being converted to include the Opticon emergency vehicle feature. Mr. Gockley requested two additional traffic lights – Market Street/West Main Street and Academy Drive/West Main Street – be looked at in the near future as those intersections are heavily utilized by the Lincoln Fire Company when responding to emergency events within the Borough.

President Rowe extended her thanks to Mr. Gockley for bringing the matter to Council's attention and requested the topic be added to the Highway Committee's agenda to look into the possibility of including in the 2020 budget. Chief Harvey advised he has already requested that the State Street/Fulton Street location be looked into as well as it is heavily utilized by emergency vehicles.

After a brief time allotted for additional citizen comments and with no one in attendance coming forward, it was moved by Vice President Reinhold, seconded by Mr. Weiler, and unanimously passed that the public comments section of the meeting be closed until the end of tonight's agenda.

ACCEPTANCE OF REPORTS

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

Budget and Finance Committee

The Budget & Finance Committee met on March 25, 2019 and discussed the following:

Action Items:

1. The Staff brought in Brent Saylor from GDS to review the results of the Electric Cost of Service and Rate Study with the Committee. Mr. Saylor provided a PowerPoint presentation which he reviewed. He explained that in order to cover all expenses and provide a net of \$250,000 the report recommends a modest 0.5% increase in all rate categories. The increase will be effective with all invoices issued after May 1st. In 2014, the last Cost of Service and Rate Study was performed and as a result, the rates were decreased by an average of 7.14%. Mr. Saylor also provided a brief explanation of the cash flow of the proposed AMP Peaking Project which will help us to keep our peak usage low which will in turn keep our rates low. The funding needs for year 1 and 2 of the peaking project will be covered by fund balance. The Committee will recommend that Borough Council enact the ordinance to establish the new rates per the study at the April 8th voting session.
2. The Committee reviewed the request from the EDO aka Mainspring of Ephrata for the release of the \$87,028 approved by the Committee at their September 2018 meeting. The Committee will recommend approval of the funding request at the April 8th voting session.

Discussion Items:

1. The Staff reviewed the details of the virus that attacked the Borough computer system on March 6th. It was a new ransomware virus so even the computer security was not aware of it. The restore process was much longer than expected due to an excessive amount of data. The staff has a number of steps that will help mitigate the risk in the future. Staff has started the process of implementing these steps and will continue with the project until all are completed. Any items that will exceed budgeted costs for IT will be reviewed and approved with Council prior to implementation.
2. The Staff provided the Free Electric Report for 2017 and 2018. There were no questions and no further action is required.
3. The Committee had requested that all McManus invoices be included in the packet each month. Staff provided copies of January, February and March of 2019. Others will be added when received. The Committee would like a total cost for each project when complete. The staff will discuss how to implement this for future projects.
4. The Staff suggested that in order to provide budget information to Council earlier than November that a meeting will be held the week of 10/28/19, during which Staff will provide a detailed explanation of the budget to Council. This would give Council 3 or 4 weeks to review and ask any questions prior to committee meetings. In addition, the Committee asked if they could receive a list of the Capital Improvement Projects in May when the Staff is starting to work on that portion of the budget. Staff will implement these changes with the 2020 budget process.
5. The Staff communicated to the Committee that the PILOT program will be completed annually in an attempt to receive funds in lieu of taxes. The Committee asked if it was worth the staff time since we only receive approximately \$7,000 per year. Staff has a process in place and would like to continue for 2019 before reevaluating. Staff also met with Carrie Willets, President of WellSpan Ephrata Community Hospital, and a request was made by the Police Department for a new more capable drone to aid them in community safety. Mr. Thompson also reviewed the bike share program with Ms. Willets, who expressed interest in looking for ways to help with the bike share program. No further action is required.
6. The Staff discussed with the Committee the request to research changing the payment of credit card fees from the Borough to the customers. The credit card fees and usage have increased substantially over the last two years. An increase of \$50,000 in fees was paid by the Borough and the numbers of transactions have increased by 17.5%. The other three municipalities in the top four of municipal electric providers in PA are charging the customer the fees. Quakertown charges \$3.50 per transaction but there is no charge if they come into the office and pay at the counter. Chambersburg charges \$1.00 for bills \$33 and under and 3% for anything over that amount. Lansdale is in the process of converting to customer pay and will charge a fee of \$3.50 per transaction. The Committee is interested in pursuing this change so Staff will work on this and will provide updated information at the next committee meeting.
7. Staff provided the Check and ACH registers to the Committee for March to date. No further action is required.

8. President Rowe received a request from a citizen regarding missing usage history on our bill pay site. In the past, many years of history were available to our customers. Staff is looking into this and will provide an update when we have additional information.

Development Activities Committee

The Development Activities Committee met on March 25, 2019 and discussed the following:

Action Items:

1. The Committee reviewed the request from Mainspring of Ephrata to use Whistle Stop Plaza for the 2019 Night Market every third Saturday from May to October. The first date will not have any vendors. Mrs. Rowe recommended that they coordinate the September date with the Fair Association. The request includes using the entire property from East Main Street to Rose Alley, providing electric for the event and selling beer and wine during all the dates. The Committee will recommend that Borough Council approve the request at the April meeting to use the plaza and to sell beer and wine only subject to the receipt of a certificate of insurance naming the Borough as an additional insured, an incident support plan approved by the Police Chief and receipt of a copy of the VFW's PLCB special occasion permit.
2. Kelly Withum provided an update on the proposed usage of Whistle Stop Plaza for small public events throughout the year. None of the events would have alcohol. The small events could include opportunities like: yoga and exercise classes, weekday brown bag lunch with music, board game competitions, storytelling, outdoor family movies. They would all be Mainspring of Ephrata sponsored events/activities. It was discussed that Mainspring should take over scheduling use of the plaza for private events from the Rec Center. The Committee will recommend that Borough Council approve at the April meeting Mainspring of Ephrata's request to host small public events at the Whistle Stop plaza throughout the year.
3. The Committee reviewed a request from WellSpan Ephrata Community Hospital to release financial security for the land development improvements associated with the construction of the Health Pavilion addition and site improvements at the hospital campus located at 169 Martin Avenue. The improvements have been inspected and approved. The Committee will recommend that Borough Council release the remaining amount of \$28,967.00 at the April meeting. This will appear on the consent agenda.

Discussion Items:

1. The staff provided an Economic Development update. The name is in place and the website is up and running. The committees are working on prioritizing the goals from the Strategic Plan.
2. There were no decisions from the March Zoning Hearing Board meeting.
3. There are no new applications for the April Zoning Hearing Board meeting.

Public Safety Committee – March 18, 2019

The Public Safety Committee met on Monday, March 18, 2019 and discussed the following:

Action Items:

1. 2019 Ephrata High Agricultural Project (Lamb) – Sarah Stauffer, Agriculture Educator of the Ephrata Area School District requested to waive Ephrata Borough Code §123.1 *Livestock: hives of bees. No person, firm or corporation shall keep any hog, cattle, goat or sheep or any*

hive of bees at any place within the Borough of Ephrata, in order to conduct her senior project on lamb Boer goats at the Ephrata High School. This project will begin in March 2019 until the last day of the school year - June 2019. Dates are unknown depending on goats' availability. This project is under the direction of Mrs. Sarah Stauffer, Agriculture Teacher. This approval is subject to the receipt of a certificate of insurance naming the Borough as an additional insured. This item was unanimously approved by the Committee and is recommended to add to the Consent Agenda for Borough Council approval.

Discussion Items:

1. Comp-Stat (February 2019) – *Received for Informational Purposes Only*
2. EMC Report (February 2019) – *Received for Informational Purposes Only*
3. Fire Service Feasibility Study – There was some discussion regarding feasibility studies that have been completed for other fire services in the county with the goal of learning from them on how to best approach the Ephrata study.
4. Flood Warning Project – No new updates were discussed.

Public Safety Committee – March 28, 2019

The Public Safety Committee met on Thursday, March 28, 2019 and discussed the following:

Discussion Items:

1. Lincoln Fire Company “State of the Fire Company” – Chief Richard Gehman presented on the status the Lincoln Fire Company. There was additional discussion and PSC will continue to follow-up. - *Received for Informational Purposes Only*

Highway Committee

The Highway Committee met on March 25, 2019 and discussed the following:

Action Items:

1. The Committee reviewed a request from Mr. Vince Weichert of Penn State Management, representative owner of Cloister Shopping Center at 108-120 North Reading Road, and heard from Mr. Jere Shultz, owner of Ephrata Beverage Mart at 36 North Reading Road asking for deferrals to complete their required concrete sidewalk installations as part of the 2019 Street and Alley Program at a future date. Both properties, with frontage along Dawn Avenue, currently have an asphalt surface, where concrete sidewalk would be installed, leading to North Reading Road (SR 0272), a divided highway, where no sidewalk exists. Jere Shultz also stated that he would lose 3 parking spaces at his business where parking is already at a premium. The Committee will recommend that Borough Council conditionally approve entering into Deferral Agreements with both property owners subject to both owners agreeing to construct their deferred sidewalk requirements within the timeframe contained in future written notification from Ephrata Borough Council and pay all legal costs associated with establishing the Deferral Agreements at their April 8, 2019 meeting.
2. The Committee reviewed the results of Bid #19-1 Traffic Signal Detection Upgrades at the intersections of South Reading Road (SR 0272)/Meadow Valley Road and South Reading Road (SR 0272)/Old Mill Road/South Academy Drive and will recommend that Borough Council award the bid to apparent low bidder: C.M. High, Inc. from Myerstown, PA in the total bid amount of \$116,500 as part of the Consent Agenda at their April 8, 2019 meeting. This project is associated with a PA Green Light-Go grant which funds 80% of the project

costs up to \$113,278.22. Based on the bid award amount the Borough's cost share is \$23,300 and PennDOT's cost share is \$93,200.

3. The Committee reviewed a request from Josh Collins, Regional Director for the Coalition Against Bigger Trucks (CABT) asking that the Borough support their plan to try to stop federal legislation to allow longer and heavier truck mandates on our interstates and local roads nationwide. The Committee will recommend that Borough Council support CABT and authorize staff to respond appropriately and sign where necessary.
4. The Committee discussed a proposed revision to the 2019 Street and Alley Program due to recent core test results revealing an unexpected subbase of sufficient ballast stone under the existing pavement at Dawn Avenue and Clearview Avenue. In an effort to preserve that ballast subbase it is recommended that the rehabilitation method proposed for those streets be changed from full-depth pavement reclamation to a mill and overlay and with the anticipated savings it is recommended that Sugar Alley be reconstructed from Lake Street to South Maple Street. The Committee will recommend that Borough Council approve amending the budget detail for the 2019 Street and Alley Program.

Discussion Items:

1. The Committee heard from a concerned citizen regarding recent parking restrictions posted along the south side of the 200 block of West Main Street from Arch Street to a point approximately 156 feet west. This parking restriction was ordained in 1996 and never posted or the signage was removed and never replaced until recently. This area of West Main Street and Park Avenue offers limited opportunities for parking and the recent loss of approximately 4-5 parking spaces impacted several residents. Due to the lane configuration at the West Main Street approach to the Arch Street/Parkway intersection the aforementioned parking restrictions are warranted to prevent lane encroachments and traffic movement conflicts. The Committee directed staff to evaluate the area for any potential additional parking openings and report back to Committee at a future meeting.
2. The Committee was advised that staff will meet with Mr. Russ Shirker at his property to discuss his storm water run-off concerns at 741 North Maple Street on Wednesday, March 27, 2019 and report back to Committee at a future meeting.
3. The Committee heard an update by Borough Manager Thompson regarding proposed improvements to the East Main Street/Bethany Road signalized intersection by Property Investing and Management, Inc. (PIM) the developer of Lakeside Villas, Ephrata Crossing and Ephrata Crossing East in Ephrata Township. Although the improvements were not a requirement of the Traffic Impact Study for the aforementioned land developments, PIM has committed to completing the proposed improvements. The improvements consist of widening the Bethany Road approach to East Main Street by adding a dedicated right-turn lane and making certain utility and traffic signal improvements in this area to accommodate the geometric modifications to this intersection. Staff will keep Committee informed of all future plans regarding proposed improvements at this intersection.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on March 18, 2019 and discussed the following:

Action Items:

1. None

Discussion Items:

1. The Committee discussed extending the Borough's Refuse and Recycling contract with Eagle Disposal by exercising optional years 4 and 5 and agreeing to accept the change order request to amend the contract by agreeing to pay the recyclable materials tipping fees as established by the Lancaster County Solid Waste Management Authority. The collection fees in the current contract are determined by from the Consumer Price Index for the month of March. Therefore action of this item will be discussed again at the April Committee meeting for action at the May Council meeting. The extension will go into effect in October 2019.
2. The Committee discussed participating in the American Municipal Power's Eastern Pennsylvania Power Group Reciprocating Internal Combustion Engine (RICE) Peak Shaving Project. The project will install two 2.7MW diesel generators which will run approximately 40 hours per year to reduce the coincident peak values used to calculate transmission and capacity charges to the Borough. The Committee has invited GDS Associates to attend their next committee meeting on April 15, 2019 to make a presentation of the project and costs in anticipation of recommending that Borough Council approved the project at their May 13, 2019 voting session.
3. The Committee reviewed a summary of the Borough wholesale power costs for 2018 as prepared by the AMP staff. No action is required.
4. Borough Manager Thompson provided the Committee with an update on the staff's due diligence efforts regarding the Green Corridor project. Staff is evaluating the cost of the project with and without the manure to Biochar process. Mr. Thompson expects to have a final recommendation to discuss with the committee at their April 15 committee meeting.
5. Mr. Thompson provided the committee with a solar project update. All construction work is completed and internally tested with the exception of one control cabinet which is due to be delivered at the beginning of April. Once delivered there is a week of installation and testing and then the project can be scheduled for a final inspection by PPL. We expect the project to be online in May, in advance of the summer coincident peak period which begins in June.
6. The Committee reviewed the April proclamation for Pennsylvania Safe Digging Month. The Mayor will read the proclamation at the April 8, 2019 council meeting.

Community Services Committee

The Community Services Committee met on March 25, 2019 and discussed the following:

Action Items:

1. The Committee reviewed and discussed the Memorandum of Understanding (MOU) between the Susquehanna Area Mountain Bike Association (SAMBA) and the Borough of Ephrata. Mainspring and SAMBA requested to move forward with the Heatherwood Park Project. The Borough has minimal responsibility related to the Project. SAMBA is responsible for providing volunteers, the concept & design of the Project, meeting permit requirements, routine maintenance, providing insurance and other responsibilities as outlined in the MOU. The Borough (Codes) will approve the design and permits. It was unanimously approved by the Committee to allow Mainspring & SAMBA to move forward with the Project. The Committee will recommend that Borough Council approve the request at their April 8, 2019 meeting.

2. The Committee reviewed a request from Mainspring of Ephrata to participate in the Great America Cleanup. A national event, on Saturday, April 13, 2019 from 8:00 am to 2:00 pm. The rain date will be Saturday, April 27, 2019. Mainspring is interested in the Event to engage community volunteers to clean up Heatherwood Park and the Whistle Stop Plaza. There are other areas of interest as well, as long as there are enough volunteers. The Borough will provide a location for the collected trash to be unloaded. The Committee will recommend that Borough Council approve the request at their April 8, 2019 meeting, subject to Mainspring having all volunteers sign a waiver form (provided by the Borough) absolving the Borough from any and all liability.
3. The Committee reviewed a request from Kimberly and William Porter, d/b/a Happy Dog Kettle and Grill, to continue operating the Ephrata Community Pool concession stand for the 2019 season. Their required deposit is still being held and the certificate of insurance has been updated and submitted. The Committee will recommend that Borough Council approve the request at their April 8, 2019 meeting.
4. Jim Summers, Executive Director of the Ephrata Recreation Center, reviewed the 2019 pool rate recommendation. Customarily, pool rates go up every other year. This is the year that there would be no rate increase. It is proposed that rates remain the same as 2018. The Committee will recommend that Borough Council approves no rate increase for 2019 at their April 8, 2019 meeting.

Discussion Items:

1. Jim Summers, Executive Director of the Ephrata Recreation Center will be submitting a formal request at the April Committee meeting but wanted to make the Committee aware of his plans. Last year the members' only event was so well received that he is planning a second event. The biggest proposed change will be that the beer and wine will not be provided by the pool but will be a BYOB event. It is a 21 and over event.
2. The Bike Share Program will be on the April Committee meeting agenda. There will be a formal presentation shown to the Committee. Borough Manager Thompson reported that a visit was made to WellSpan Ephrata Community Hospital to reach out for a donation. It was received positively. WellSpan has \$5000.00 - \$6000.00 budgeted to donate to the Borough and is awaiting approval.

Personnel Committee

The Personnel Committee met on March 11, 2019 and discussed the following:

Action Items:

1. The Committee received and discussed two changes to the By-Laws and Rules of Order for Ephrata Borough Council. President Rowe suggested adding language to both documents to ensure they are ratified annually as recommended by the Pennsylvania State Association of Boroughs (PSAB). Rowe also recommended adding language to provide any new council member a copy of the documents. Both suggestions were agreed upon unanimously by the committee; the documents will be revised by President Rowe and discussed by the Personnel Committee at the April 1, 2019 work session with a motion to approve at the April 8, 2019 voting session. Since language appears in both documents to provide a 28-day notice prior to amendment, Rowe will send written notice to all council members and the Mayor on March 12, 2019, which will be exactly 28 days prior to the April vote.

Discussion Items:

1. President Rowe shared the Committee Meeting Guidelines with the suggested revisions with the committee. Several ideas and additional language were discussed. Rowe will further revise the document for the next committee meeting. The committee agreed the document should be shared with the Borough Manager for his input prior to a council vote.
2. President Rowe discussed with the committee various ideas and suggestions for revision of the Evaluation Process by Ephrata Borough Council for the Borough Manager and the Chief of Police. Rowe has participated in one seminar and one webinar on the municipal evaluation process to learn more about the way other communities complete evaluations. The committee agreed the evaluation would comprise three parts, with a fourth section for employee self-evaluation. They expressed a desire to keep the process as simple as possible. The idea of a 360° Evaluation was discussed and determined to be unnecessary. Rowe provided a proposed outline of a sample evaluation and at the committee's request will complete the forms for discussion at the April Personnel Committee meeting. Rowe also provided the committee with a draft copy of Guidelines for Employee Evaluations to explain the procedure to current and new council members. This document also includes an Appendix with tips for the Chair of the Personnel Committee. The committee agreed the Guidelines and Appendix were thorough; they will discuss further at the April Personnel Committee meeting. Both the Evaluation Forms and Guidelines should be ready for council approval at the May 13 or June 10 meeting. The committee also discussed the possibility of meeting with full council to ensure everyone understands the new process. The Evaluation Forms and Guidelines will be shared with the Borough Manager and the Chief of Police (and Mayor) for their input before a council vote.
3. The committee discussed the finalized plans for the Ephrata Borough Council Retreat to be held April 29. Due to time limitations, Rowe suggested moving several topics off the Retreat schedule and create several Workshops for council members to attend. The committee agreed the idea of Workshops was feasible and suggested the possibility of meeting prior to the Ephrata Borough Council Work Session for approximately 30 minutes to cover these topics. President Rowe was asked to send an email to elected officials and staff to inform them of the Retreat. An agenda for the Retreat will be finalized and forwarded prior to the April committee meeting.
4. The committee meeting was recessed while the committee discussed a potential personnel issue.
5. The committee set goals for the April meeting; an agenda will be prepared and placed on the Borough website.

NEW BUSINESS ITEMS

Consent Agenda

Vice President Reinhold advised the items on tonight's consent agenda have been discussed in detail at their respective committee meetings and were brought forward for additional discussion at last week's Work Session. These items are considered routine in nature and voted upon under one umbrella. These items are not open for discussion unless an individual or Council Member wishes to have the item removed from the consent agenda. If an item is removed it will be handed over to the Committee under which it was originally discussed during the standing committee recommendations.

1. That Borough Council release the remaining financial security of \$28,967.00 for the WellSpan Ephrata Community Hospital land development plan for the Health Pavilion addition. (Development Activities)
2. That Borough Council award Bid #19-1 Traffic Signal Detection Upgrades to apparent low bidder: C.M. High, Inc., from Myerstown, PA, in the total bid amount of \$116,500. (Highway)
3. That Borough Council approve the request from Sarah Stauffer, Agriculture Educator of the Ephrata Area School District requested to waive Ephrata Borough Code §123.1 Livestock: hives of bees. *No person, firm or corporation shall keep any hog, cattle, goat or sheep or any hive of bees at any place within the Borough of Ephrata*, in order to conduct a Boer goat project at the Ephrata High School. This project will begin in March 2019 and last day of school year - June 2019. Dates are unknown depending on goats' availability. This project is under the direction of Mrs. Sarah Stauffer- Agriculture Teacher. This approval is subject to the receipt of a certificate of insurance naming the Borough as an additional insured. (Public Safety)

It was moved by Mr. Richard, seconded by Mr. Barr, and unanimously passed that Borough Council adopt, authorize and/or approve/conditionally approve the items listed on the Consent Agenda.

STANDING COMMITTEE RECOMMENDATIONS

Budget and Finance Committee

It was moved by Vice President Reinhold, seconded by Mr. Weiler, and unanimously passed via roll call vote that Borough Council accept the Final Electric Cost of Service Study from GDS Associates dated April 8, 2019.

It was moved by Vice President Reinhold, seconded by Ms. Martin, and unanimously passed via roll call vote that Borough Council enact Ordinance #1547 to establish the new electric rates.

It was moved by Vice President Reinhold, seconded by Mr. Zimmerman, and unanimously passed via roll call vote that Borough Council approve the funding request of the EDO DBA Mainspring for \$87,028.

Development Activities Committee

It was moved by Mr. Weiler, seconded by Mr. Zimmerman, and unanimously passed that Borough Council approve the 2019 Night Market request subject to the receipt of a certificate of insurance naming the Borough as an additional insured, an incident support plan approved by the Police Chief and receipt of a copy of the VFW's PLCB special occasion permit.

It was moved by Mr. Weiler, seconded by Mr. Barr, and unanimously passed that Borough Council approve the Mainspring of Ephrata's request to host small public events at the Whistle Stop plaza throughout the year.

Highway Committee

It was moved by Mr. Barr, seconded by Mr. Richard, and unanimously passed that Borough Council conditionally approve entering into a sidewalk construction Deferral Agreement with the property owner of Cloister Shopping Center and the property owner of Ephrata Beverage Mart

subject to execution of a Deferral Agreement in a form satisfactory to the Borough Solicitor and payment of all legal costs to form the agreements.

It was moved by Mr. Barr, seconded by Mr. Richard, and passed by a roll call vote of six yeas by Messrs. Barr, Reinhold, Ressler, Richard, Weiler, and Zimmerman, and two nays by Ms. Martin and Ms. Rowe that Borough Council support the Coalition Against Bigger Trucks attempt to try to stop federal legislation allowing longer and heavier truck mandates and authorize staff to respond appropriately to their request and sign as necessary.

It was moved by Mr. Barr, seconded by Mr. Richard, and unanimously passed via roll call vote that Borough Council approve amending the budget detail for the 2019 Street & Alley Program revising the rehabilitation method for Dawn and Clearview Avenues to a mill and overlay and adding Sugar Alley reconstruction between Lake Street and South Maple Street.

Municipal Enterprises Committee

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council adopt Resolution 2019-6 authorizing participation in the monthly, annual and long-term financial transmission rights (FTR) auctions.

Community Services Committee

It was moved by Ms. Martin, seconded by Mr. Zimmerman, and unanimously passed that Borough Council authorize the President of Borough Council to execute a Memo of Understanding with the Susquehanna Area Mountain Bike Association (SAMBA) to develop a mountain bike trail in Heatherwood Park.

It was moved by Ms. Martin, seconded by Mr. Ressler, and unanimously passed that Borough Council approve the request from Mainspring of Ephrata to participate in the Great America Cleanup Event on Saturday, April 13, 2019 from 8:00 am to 2:00 pm with a rain date of Saturday, April 27, 2019 subject to Mainspring obtaining waiver forms, provided by the Borough, from all volunteers participating in the Event.

It was moved by Ms. Martin, seconded by Mr. Zimmerman, and unanimously passed that Borough Council award the 2019 Community Pool concessions to the 2018 concession operator, Kimberly & William Porter, d/b/a Happy Dog Kettle and Grill.

It was moved by Mr. Martin, seconded by Mr. Ressler, and unanimously passed via roll call vote that Borough Council establish the 2019 Community Pool rates as the same amounts as charged for the 2018 season.

Personnel Committee

It was moved by Vice President Reinhold, seconded by Ms. Martin, and unanimously that Borough Council approve the Ephrata Borough Council By-Laws as revised by the Personnel Committee March 11, 2019.

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council approve the Ephrata Borough Council Rules of Order as revised by the Personnel Committee March 11, 2019.

APPROVAL OF CHECKS 37378 THROUGH 37700 AND THE ACH REGISTER DATED MARCH 28, 2019

It was moved by Mr. Barr, seconded by Ms. Martin, 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 \$685,840.06.

SECOND OPPORTUNITY FOR CITIZENS TO BE HEARD

After a brief time allotted for citizen comments and with no one in attendance coming forward, President Rowe closed the public comments portion of the meeting.

DISCUSSION/ANNOUNCEMENTS

President Rowe advised she found an article of interest regarding the increase of electric rates titled, “Think Your Electric Usage is High?” President Rowe advised if there is any interest from Council and/or the public to review the article, to email her a request noting her email address is listed on the Borough’s website.

President Rowe advised last month, a citizen requested that Borough Council look into obtaining the Sustainable Pennsylvania Community Certification. President Rowe advised she researched the topic and provided information to Mr. Thompson to include on the Development Activities Committee Meeting agenda.

President Rowe concluded by extending a “thank you” to Ms. Moore who filled in for Mr. Thompson at tonight’s meeting.

ADJOURNMENT

It was moved by Ms. Martin, seconded by Mr. Barr, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 8:07 PM.

Respectfully submitted,

Christine H. Moore, Assistant Secretary