

**BOROUGH OF EPHRATA
COUNCIL MEETING AGENDA
MAY 12, 2014**

INVOCATION Reverend Walter Carter, First United Methodist Church

PLEDGE OF ALLEGIANCE

ATTENDANCE/ROLL CALL

PROCLAMATION – Police Week 2014

APPROVAL OF MINUTES

Borough Council Regular Meeting Minutes – April 14, 2014

MUNICIPAL MOMENT

Public Works Superintendent Paul Swangren – 2013/2014 Winter Review

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 2014 Report
Pioneer Fire Company – April 2014
Ephrata Community Ambulance Association – April 2014
Emergency Management Coordinator March April 2014 Report
April Shade Tree Commission Report
Mayor's Vision Committee Minutes

1st Quarter Electric, Sanitation

NEW BUSINESS ITEMS

Consent Agenda (includes the following approvals)

1. That Borough Council execute a land development agreement with the Ephrata Community Hospital in the amount of \$99,411.90 for the proposed land development improvements at the Ephrata Community Hospital Health Pavilion Addition, 169 Martin Avenue.
(Development Activities Committee)

2. That Borough Council approve the request from UGI Utilities, Inc. per their letter dated March 28, 2014 to release all remaining financial security totaling \$7,538.00 held by the Borough to secure satisfactory completion of street restoration within applicable portions of street right-of-way of Industrial Drive and Church Avenue in conjunction with a gas main extension to feed the Autumn Hills development in Ephrata Township. (Highway Committee)
3. That Borough Council approve the request from UGI Utilities, Inc. per their letter dated March 28, 2014 to release all remaining financial security totaling \$7,113.44 held by the Borough to secure satisfactory completion of street restoration within applicable portions of street right-of-way of Old Mill Road in conjunction with a gas main extension to serve the Ephrata High School building. (Highway Committee)
4. That Borough Council approve the request from UGI Utilities, Inc. per their letter dated March 28, 2014 to release all remaining financial security totaling \$1,000.00 held by the Borough to secure satisfactory completion of street restoration within applicable portions of street right-of-way of North Academy Drive in conjunction with gas service installation to serve 212–218 North Academy Drive. (Highway Committee)
5. That Borough Council award Bid #14-11 Church Avenue Improvements to apparent low bidder: Reading Materials, Inc. from Skippack, PA in the total bid amount of \$379,857.20. (Highway Committee)
6. That Borough Council approve a request from Countryside Enterprise, LP “Tents for Rent” Land Development to reduce their financial security from \$62,436.00 to \$12,738.50 upon satisfactory completion of installed sanitary sewer facilities. (Municipal Enterprises Committee)

Standing Committee Recommendations

Development Activities Committee
Public Safety Committee
Highway Committee
Municipal Enterprises Committee
Community Services Committee

Approval of Checks 18848 through 19113 and the ACH Registers dated May 1 & 7, 2014

DISCUSSION/ANNOUNCEMENTS

ADJOURNMENT

BUDGET AND FINANCE COMMITTEE REPORT – 5/12/2014

The Budget & Finance Committee met on April 28, 2014 and discussed the following:

1. The Committee discussed with Jim Brown the lighting of the trees along Main Street during the holiday season. It appears the LED lights purchased in 2011 have only lasted three years and the intensity of the light has faded to the point where the strings of lights can no longer be used. Mr. Brown requested funding of approximately \$10,000 to replace the lights or to find some other method of lighting the downtown area for the holidays. Staff, as well as Mr. Brown, will investigate costs of new lights or an alternate option. Further discussions

will take place at the next meeting.

2. The Committee reviewed the First Quarter Financial Report. In the General Fund the Snow and Ice Control activity is over budget due to the harsh winter conditions. Water Fund expenditures were also negatively impacted by leaks in the system due to cold weather. The weather also had a significant impact upon the Electric Fund where electricity purchases were 39% of the budget at the end of the first quarter.
3. The Committee reviewed the draft minutes from the EEDC meeting held on April 22, 2014. Mr. Kilkuskie spoke briefly about the items discussed at the EEDC meeting. The Committee would like to continue discussions regarding a proposal for the repayment of the outstanding principal and interest. Mr. Hecker will be attending the next Committee meeting on May 26, 2014 to further investigate available options.

DEVELOPMENT ACTIVITIES COMMITTEE – 5/12/2014

The Development Activities Committee met on April 28, 2014 and discussed the following:

1. The Committee reviewed a request from the Ephrata Merchants Association to use Whistle Stop Plaza for an open air Farmers Market. The market would occur one Saturday a month from May to October. The request includes closing the access drive from East Main Street to the parking lot at the rear of the property and providing electric for the event. The Committee is okay with the farmers market occurring September 20th as long as it does not impede the set-up for the fair. The Committee will recommend approval of the request at the May meeting subject to the receipt of a certificate of insurance naming the Borough as an additional insured.
2. The Committee reviewed a proposed land development agreement with the Ephrata Community Hospital in the amount of \$99,411.90 for the proposed land development improvements at the Ephrata Community Hospital Health Pavilion Addition, 169 Martin Avenue. The Committee will recommend that Council execute the agreement. This item will appear on the May Consent Agenda.
3. The Committee reviewed a request from Robert Harter, 301 West Main Street to waive the formal planning process for a proposed 900 sq. ft. building to be used as a brew pub on the existing bed and breakfast property located at the 301 West Main Street. The proposed 20 seat brew pub has been approved by the Zoning Hearing Board. The new building will replace an existing 264 sq. ft. shed. The property will comply with building and impervious coverage and will not require a stormwater management plan. The Committee will recommend approval of the waiver at the May meeting.
4. The Committee reviewed the Phase I environmental assessment report for 35 East Fulton Street. The report indicates there are 3 possible sources of environmental concern; 1) Chemicals may have been released into the building based on visible staining of the walls and there are floor drains in the building that need confirmation of the discharge termination location, 2) Historic release of petroleum products from former oil storage tank site, 3) Historic release of petroleum products from private garage and fuel oil distribution area. The next step is a Phase II assessment to investigate and determine if these potentials areas of concern contain environmental issues. The Committee will recommend that Borough Council authorize an unbudgeted expenditure from the unallocated fund balance of the Capital Reserve Fund (account number 31-39-037-7600) in the amount of \$8,343.00 and that Borough Council authorize the President of Borough Council to execute a professional

services agreement with Environmental Standards to conduct a Phase II environmental assessment of 35 E. Fulton Street in a form acceptable to the Borough Solicitor.

5. The Borough was approached regarding land that could be available for training for emergency services. The Committee reviewed a plot plan of land the Borough owns near Wastewater Treatment Plant 2 in Ephrata Township. A portion of the land is located in the floodplain and is not suitable for development. This tract may work for training. The Committee is authorizing the Borough Manager to discuss options with the emergency services groups. This will be reviewed at a future Committee meeting.
6. The staff reviewed the processing procedure for new stormwater management plans that are not part of a Subdivision and Land Development Plan. The new stormwater management ordinance requires Council approval of plans. Since these plans are a submission and subject to review, the plan submissions will stay with the Development Activities Committee even though the regulatory portion of stormwater has been under the Municipal Enterprises Committee. No further discussion is required.
7. The Committee reviewed two series of dates for the Strategic Comprehensive Plan adoption. The first set would put adoption in August and the second set of dates would put adoption in September. The Committee felt the September adoption schedule was more realistic. No further discussion is required.
8. The Committee reviewed the first quarter budget report for activities under their purview. There were no concerns regarding the budget report.
9. There were three decisions from the April Zoning Hearing Board. The Wenrich Partnership was granted a special exception to put in an office at 116 West Chestnut Street. Ryan Foltz was granted a variance to permit reconstruction of a non-conforming structure and use at 246 South Reading Road. Weaverland Mennonite Homes was granted four variances for a proposed expansion of a personal care home at 1307 Apple Street.
10. The Committee reviewed one new application to the May Zoning Hearing Board meeting. Mary Jane Johnson is requesting a setback variance for a front porch on the existing daycare located at 353 Duke Street. The Committee does not feel that it is necessary to send the solicitor to the hearing.

PUBLIC SAFETY COMMITTEE REPORT – 5/12/2014

The Public Safety Committee met on April 28, 2014 at 7:30 PM and discussed the following:

1. Resolution to Support Radar - The Committee reviewed the sample Resolution provided by staff. The Committee will recommend that Borough Council approve a resolution in support of Senate Bill 1340 and House Bill 1272.
2. Bamboo Ordinance – The Committee received the information on this issue from staff on April 25, 2014 and decided to table the issue until next month's meeting.
3. Parking on Linda Terrace – Ken Weber presented on behalf of Pioneer Fire Company. Pioneer Fire Company has raised concerns about their ability to navigate fire equipment around the cul-de-sac of Linda Terrace due to the on street parking. They are requesting a temporary no parking zone in front of 165 Linda Terrace that will cover the span from their driveway to the fire hydrant located at the Eastern end of the cul-de-sac. The Committee will

recommend that the Highway Committee consider the temporary no parking measure. The Committee will also ask the Development Activities Committee to consider a long term solution to the parking issue.

4. 2014 National Police Week Proclamation – The Committee reviewed the 2014 National Police Week Proclamation that will be presented by Mayor Ralph Mowen. National Police Week will be recognized from May, 11th through May 17th, 2014. The Committee will recommend that Borough Council approve the proclamation to be presented by Mayor Ralph Mowen.
5. 1st Quarter FY 2014 Budget – *Informational*
6. 2014 February Comp-Stat Reports – *Informational*

There being no other business set before it, the meeting was adjourned at 8:53 PM.

The next regularly scheduled PSC meeting will be May 26, 2014.

HIGHWAY COMMITTEE REPORT – 5/12/2014

The Highway Committee met on Monday, April 28, 2014 and discussed the following:

1. The Committee reviewed a letter from UGI Utilities, Inc. dated March 28, 2014 requesting release of all remaining financial security totaling \$7,538.00 held by the Borough to secure satisfactory completion of street restoration within applicable portions of street right-of-way of Industrial Drive and Church Avenue in conjunction with a gas main extension to feed the Autumn Hills development in Ephrata Township. Upon review of work satisfactorily completed to date Staff recommends the reduction in financial security. The Committee will recommend that Council approve the release of all remaining financial security as part of the consent agenda at the May 12, 2014 Council meeting.
2. The Committee reviewed a letter from UGI Utilities, Inc. dated March 28, 2014 requesting release of all remaining financial security totaling \$7,113.44 held by the Borough to secure satisfactory completion of street restoration within applicable portions of street right-of-way of Old Mill Road in conjunction with a gas main extension to serve the Ephrata High School building. Upon review of work satisfactorily completed to date Staff recommends the reduction in financial security. The Committee will recommend that Council approve the release of all remaining financial security as part of the consent agenda at the May 12, 2014 Council meeting.
3. The Committee reviewed a letter from UGI Utilities, Inc. dated March 28, 2014 requesting release of all remaining financial security totaling \$1,000.00 held by the Borough to secure satisfactory completion of street restoration within applicable portions of street right-of-way of North Academy Drive in conjunction with gas service installation to serve 212–218 North Academy Drive. Upon review of work satisfactorily completed to date Staff recommends the reduction in financial security. The Committee will recommend that Council approve the release of all remaining financial security as part of the consent agenda at the May 12, 2014 Council meeting.
4. The Committee reviewed the results of Bid #14-11 Church Avenue Improvements and will recommend that Borough Council award the bid to apparent low bidder: Reading Materials,

Inc. from Skippack, PA in the total bid amount of \$379,857.20. The Committee was advised that additional costs typical of full depth pavement reclamation such as stabilization of the reclaimed roadway and correction of soft and yielding subgrade can be anticipated along with additional costs for rock removal. Also, all bituminous paving materials are subject to price adjustment provisions which could add or deduct several thousand dollars to or from total project costs based on asphalt index at time of asphalt placement in comparison to asphalt index at time of bid opening. These additional costs will remain unknown until addressed as part of the work progression. The Committee was reminded that the budget estimate of \$525,000 included the Borough's cost share of roadway improvements from the revised work limits at Industrial Drive to the Borough boundary at West Mohler Church Road. This additional phase will be planned for improvements in 2015 with PennDOT's concurrence to complete their portion of roadway as part of the project. The Committee will recommend that Council award the bid as part of the consent agenda at the May 12, 2014 Council meeting.

5. The Committee reviewed an Offer to Purchase and Summary of Just Compensation provided by PennDOT for right-of-way required from Borough owned property for a transportation improvement project involving a planned bridge replacement at South Reading Road (SR 0272) over the Cocalico Creek adjacent to the Ephrata Public Library and Wastewater Treatment Facility #1. The acreage required and compensation offered are as follows:

0.171 Acre for Required Right-of-Way in Fee Simple - \$19,400.00

0.209 Acre required for Temporary Construction Easement for 2-year period - \$4,800.00

PennDOT will also be vacating unused right-of-way and legal slope easement in the area of the former entrance to Wastewater Treatment Facility #1. The Committee will recommend that Council accept PennDOT's offer of \$24,200.00 at their May 12, 2014 Council meeting.

6. The Committee discussed a proposed Ordinance prohibiting parking along the west side of Arch Street from West Fulton Street to West King Street. There are existing No Parking signs posted; however, the staff determined that the restrictions were never ordained. This Ordinance will also allow a previously removed No Parking sign along Arch Street at 100 West Sunset Avenue to be replaced. The Committee will recommend that Council enact the Ordinance amending the Code of the Borough of Ephrata, Section 305 Vehicles and Traffic at their May 12, 2014 Council meeting.
7. The Committee reviewed a request from Martin Limestone, Inc. a division of NESL Co., Inc. d/b/a: Burkholder Paving to close East and West Main Streets (SR 0322) to through traffic in the downtown CBD area and utilize the "Ephrata Fair Detour" routes during milling and paving operations associated with PennDOT's SR 0322-039 transportation improvement project. The detour is necessary to protect public safety throughout the downtown area during work activities. Normal hours for nightshift operations per their contract with PennDOT are 6:00 PM – 6:00 AM Sunday night through Thursday night finishing on Friday mornings. No Friday or Saturday night work requiring traffic detours will be allowed without prior approval by Ephrata Borough. Work activities through this area are anticipated to last seven (7) working nights. The contractor will be responsible for establishment and maintenance of the approved detour routes and must remove the detour routes daily allowing traffic to flow normally on SR 0322 between the hours of 6:00 AM and 6:00 PM. The contractor will also be responsible for providing Borough staff with notice at least 24 hours prior to any deviations to their predetermined work schedule. Borough staff will advise the downtown merchants of the originally scheduled dates that SR 0322 will be closed to through traffic via delivered notices with any schedule updates available on the Borough's website.

The Committee will recommend that Council approve this use of Borough streets as a detour route at their May 12, 2014 Council meeting.

8. The Committee reviewed a memorandum from the Ephrata Merchants Association requesting use of sidewalks along Main Street from Church Avenue to Lake Street and State Street from Fulton Street to Rose Alley for “Sidewalk Sales” by the Downtown Ephrata Merchants helping to promote their businesses during Borough Council approved Open Air Market events and special Merchant sponsored events from May through November of 2014. The Committee will recommend that Council conditionally approve the request subject to maintaining a three (3) feet wide, minimum, path for ADA accessibility and provision of a satisfactory certificate of insurance naming the Borough as additional insured at their May 12, 2014 Council meeting.
9. Jim Brown representing the Ephrata Merchants Tree Lighting Committee discussed with the Committee a request to close East Main Street from State Street to Lake Street on Friday, November 28, 2014 from 6:00 PM to 8:30 PM for the tree lighting ceremony and arrival of Santa Claus. It was recommended that the “Ephrata Fair Detour” routes be used to accommodate this event. The Committee will recommend that Council conditionally approve the request subject to PennDOT approval and subsequent issuance of a special events permit and receipt of a satisfactory certificate of insurance naming the Borough as additional insured at their May 12, 2014 Council meeting.
10. The Committee reviewed a Contract Fee Modification Agreement from ELA Group, Inc. for additional engineering and design services for the proposed Salt Storage Facility at the Public Works complex. The additional engineering and design is due to building size/configuration changes necessitating additional cast-in-place concrete wall design and other work scope modifications consisting of design of frame end walls for fabric structure, and additional conceptual design and coordination. The change in building configuration allows for increased bidding competition since a 50-foot truss system is more common in the industry than a 55-foot truss system as originally designed (this change allows at least two (2) local fabric structure manufacturers to bid this project). It is anticipated that construction costs for the proposed facility will be decreased by \$10,900 due to engineering and design modifications which more than offsets the \$8,800 fee for the additional engineering and design services. Funds for the additional design and engineering fees will be transferred from Public Works Complex Construction (Account #31-49-054-7600) to Public Works Complex Engineering and Design (Account #31-49-053-7600). It should be noted that staff is negotiating with ELA Group, Inc. to reduce these additional design and engineering costs but the results of those negotiations will not be known for several weeks. The Committee will recommend that Council amend the current contract with ELA Group, Inc. to include \$8,800 modifying that total contract amount to \$32,560 at their May 12, 2014 Council meeting.
11. The Committee reviewed the 1st Quarter 2014 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 has already exceeded the budgeted amount for the year and we still have winter weather months ahead of us. Borough Manager Thompson explained that transfers from over-funded activities will be made later in the year to cover under-funded activities as monies are available. No further action is required at this time.

The Municipal Enterprises Committee met on April 21, 2014 and discussed the following:

1. Director of Operations, Thomas Natarian reviewed with the Committee Bid #14-9 for Painting of the Final Clarifiers at Wastewater Treatment Plant #2. The low bid of \$79,000 greatly exceeded the budget for the project. It is Staff's recommendation that the bid be rejected and rebid at a future date. The Committee will recommend that Council reject Bid #14-9 at their May 12, 2014 meeting.
2. The Committee reviewed a request by Countryside Enterprise, LP "Tents for Rent" Land Development to reduce their financial security from \$62,436.00 to \$12,738.50. All sanitary sewer facilities have been installed but not tested. Staff has reviewed the installed facilities and is recommending the reduction in financial security. Since no sanitary sewer facilities are planned for dedication to the Borough the subsequent final release of the remaining balance of financial security will be requested by the developer upon satisfactory completion of all remaining work relative to the sanitary sewer facilities associated with this land development. The remaining funds will be held by the Borough for an 18 month warranty period. The Committee will recommend that Council approve the reduction in financial security at their May 12, 2014 meeting. This item will appear on the Consent Agenda.
3. Mr. Natarian reviewed with the Committee the proposed Ordinance 1504 to establish maximum allowable concentrations of industrial pollutants. The limits were established by DEP based upon a headworks analysis of each wastewater treatment plant. It is a requirement of our new NPDES permits that each municipality participating in the individual wastewater treatment plants adopt the list of allowable concentrations. The Committee will recommend that Council adopt Ordinance 1503 at their May 12, 2014 meeting.
4. The Committee met in executive session to discuss a settlement in a legal matter.
5. Mr. Natarian reviewed with the Committee the 1st Quarter Financial reports prepared by Director of Administration and Finance, Gail Bare for the Water Fund, Electric Fund, Sewer Fund, Sanitation Fund, and Sewer Permit Fund. Water Fund expenditures were negatively impacted by leaks in the system due to cold weather. Cold weather also had a significant impact upon the Electric Fund where electricity purchases were 39% of the budget at the end of the first quarter. Sewer, Sanitation, and Sewer Permit Funds were within expected ranges.
6. Borough Manager, D. Robert Thompson, reviewed with the Committee comments from other Pennsylvania Public Power Providers regarding January energy costs. Most of the Pennsylvania Public Power Providers were negatively impacted by the cold weather and are considering their options regarding how to handle the large expenses. One community that owns generation assets indicated that they were positively impacted by selling power on the market at very high rates. Mr. Natarian indicated that several AMP – Ohio members with generation were also positively impacted.
7. Mr. Natarian reviewed with the Committee the status of a proposed Waste to Energy project. This project is a "behind the meter" generation resource that could be a valuable addition to the Borough's long-term energy supply portfolio. Staff will continue to work with the company developing the plan.
8. Mr. Natarian reviewed with the Committee two projects being considered by American Municipal Power. AMP is soliciting member communities to determine the interest level in both a Solar Power project and a Peaking Power generation project. Staff will prepare and submit a non-binding questionnaire expressing interest in both projects as potential "behind

the meter” generation resources.

9. Mr. Natarian reviewed with the Committee a report prepared by American Municipal Power that summarizes the performance of the AMP Fremont Energy Center. Fremont has been a good addition to the Borough’s long term power supply portfolio and 2013 was a good year for AFEC and all the participants.

COMMUNITY SERVICES COMMITTEE REPORT – 5/12/2014

The Community Services Committee met on April 21, 2014 and discussed the following:

1. The Committee discussed a proposal from the Mayor’s Vision Committee to hold a BrewFEST, along South State Street between Main and Franklin Streets, in conjunction with the Merchant’s Association Arts and Craft and Restaurant Fair on Saturday September 6 from 12:00 noon to 4:00 pm. It is also noted that Merv Esh also offered the Farmers Day Association’s parking lot as an alternate site if required. The Committee will recommend that Borough Council approve the request to use S. State Street at their May meeting subject to the receipt of a certificate of insurance naming the Borough as additional insured.
2. The Committee reviewed the first quarter budget report for those activities under their purview. No issues or concerns were identified by the Committee.
3. The Committee discussed the proposal submitted by the Board of Director of the Ephrata Recreation Center to repay all outstanding monies due to the Borough. The Committee appointed Borough Manager Thompson and Director of Budget and Finance Bare to meet and negotiate a formal repayment agreement with representatives of the Recreation Center. The Committee will require a formal written agreement approved through a resolution of the Recreation Center Board.
4. Borough Manager Thompson informed the Committee that the Borough received a request from the Recreation Center for the Borough’s \$6,000 contribution toward the July 4th fireworks display. Recreation Center Executive Director Summers discussed with the Committee that the issue with the display in 2013 was that many more ground displays were offered which resulted in complaints from those that did not have full view of the displays. Mr. Summers explained that the vendor used in 2013 is the Borough’s best value for 2014 in terms of numbers and size of shells. Mr. Summers stated he has requested less ground displays and more aerial displays for 2014. The Committee was satisfied with the explanation for the 2014 event and had no objection to releasing the 2014 contribution.
5. The Committee discussed an applicant for the Carl Fuehrer Memorial Scholarship. The review committee consists of Ephrata National Bank, the Borough Manager and the Chairman of the Community Services Committee. There were no objections to the sole applicant submitted.
6. The Committee discussed a request for DEI to provide a climbing plant to the pergola at Whistle Stop Plaza. The Committee has no objections to the plant. Mr. Thompson will check with the Public Works Division regarding maintenance and upkeep.
7. Jim Summers reported that they have been unable to determine the usage of Redcay Park due to the late spring and poor weather. He will discuss with the Committee when he has completed his assessment.

8. Borough Manager Thompson provided a copy of an ordinance from Lititz Borough regarding the prohibition of the possession of tobacco products by anyone under the age of 18 years old. The Committee will review the ordinance and discuss it further at their May Committee meeting.
9. The Committee discussed a request from Allison Smith, Ephrata High School Junior requesting a donation from the Borough for an upcoming trip to Eberbach Germany. The Committee will not make any recommendation that Borough Council offer a donation to her.
10. Joshua Myers from the Art of Recycle request to be placed on the agenda for the May Committee meeting to discuss his project at the bowling alley beneath the former Borough Hall.

SPECIAL PROJECTS COMMITTEE REPORT – 5/12/2014

The Special Projects Committee met on April 21 and discussed the following:

1. The Committee discussed the identification of Borough vehicles and Borough employees who must enter onto private property. Currently Borough vehicles are not identified as Borough of Ephrata they simply have a red stripe at the bottom of the door line along with a star and are typically recognized as Borough vehicles. The staff explained that the reason the Borough's name is left off the vehicle is due to the fact that the Borough provides services outside the limits of the Borough and then Borough vehicles would be observed operating outside of the Borough. Borough Manager Thompson provided pictures of the stripe on the new Ford Escapes as well as a front license plate with the Borough of Ephrata displayed. The Committee was satisfied that the vehicles had proper identification and no further identification was required.

Regarding employee identification, Borough Manager Thompson indicated that the Borough can provide a high visibility safety vests with the Borough of Ephrata identified for use when outer wear is used (if the outer wear does not already display Borough of Ephrata. During warm weather employees will display their Borough identification. The staff will investigate if a larger ID badge can be provided. The Committee was satisfied with the staff recommendation. No further action is required.

DEVELOPMENT ACTIVITIES COMMITTEE RECOMMENDATION – 5/12/2014

The Development Activities Committee recommends the following:

1. That Borough Council approve the request from the Ephrata Merchants Association to use Whistle Stop Plaza one Saturday a month from May to October for an open air Farmers Market including closing the access drive from East Main Street to the parking lot at the rear of the property and providing electric for the event subject to the receipt of a certificate of insurance naming the Borough as an additional insured.
2. That Borough Council approve a request from Robert Harter, 301 West Main Street to waive the formal planning process for a proposed 900 sq. ft. building to be used as a brew pub on the existing bed and breakfast property located at the 301 West Main Street.

3. That Borough Council authorize an unbudgeted expenditure from the unallocated fund balance of the Capital Reserve Fund (account number 31-39-037-7600) in the amount of \$8,343.00 for a Phase II environmental assessment for 35 East Fulton Street
4. That Borough Council authorize the President of Borough Council to execute a professional services agreement with Environmental Standards to conduct a Phase II environmental assessment of 35 East Fulton Street in a form acceptable to the Borough Solicitor.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS – 5/12/2014

The Public Safety Committee recommends the following:

1. That Borough Council adopt Resolution #2014-5, a resolution in support of Senate Bill 1340 and House Bill 1272 enabling all Municipal Police to use the same motor vehicle speed timing equipment as the Pennsylvania State Police.

HIGHWAY COMMITTEE RECOMMENDATIONS – 5/12/2014

The Highway Committee recommends the following:

1. That Borough Council accept PennDOT's offer of \$24,200 to purchase portions of Borough property for additional rights-of-way in fee simple and temporary construction easements to accommodate a transportation improvement project involving a planned bridge replacement at SR 0272 over the Cocalico Creek and authorize the President of Borough Council and the Assistant Secretary of the Borough to execute all necessary documents.
2. That Borough Council enact Ordinance 1503 prohibiting parking along the west side of Arch Street from West Fulton Street to West King Street amending the Code of the Borough of Ephrata, Section 305 Vehicles and Traffic.
3. That Borough Council approve the use of Borough streets as a detour route while East and West Main Streets through the CBD are closed during nighttime milling and paving operations associated with PennDOT's SR 0322-039 transportation improvement project.
4. That Borough Council conditionally approve the use of sidewalks along Main Street from Church Avenue to Lake Street and State Street from Fulton Street to Rose Alley for "Sidewalk Sales" by Ephrata Merchants in association with other Borough Council approved Open Air Market events and special Merchant sponsored events from May through November in 2014 subject to maintaining a three (3) feet wide, minimum, path for ADA accessibility and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
5. That Borough Council conditionally approve the closure of East Main Street from State Street to Lake Street on Friday, November 28, 2014 from 6:00 PM to 8:30 PM for the arrival of Santa Claus and tree lighting ceremony subject to PennDOT approval and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
6. That Borough Council authorize the President of Borough Council to execute a contract modification agreement with ELA Group, Inc. to increase the contract amount by \$8,800 for additional engineering and design service for the proposed Salt Storage Facility at the Public works complex.

MUNICIPAL ENTERPRISES COMMITTEE RECOMMENDATIONS – 5/12/2014

The Municipal Enterprises Committee recommends the following:

1. That Borough Council reject Bid #14-9 for Painting of the Final Clarifiers at Wastewater Treatment Plant #2.
2. That Borough Council adopt Ordinance 1504 to establish maximum allowable concentrations of industrial pollutants per the Borough's NPDES permits for Wastewater Treatment Plants 1 and 2.
3. That Borough Council authorize Director of Operations, Thomas Natarian, to offer on behalf of the Borough acceptance of an offer to settle a legal matter.

COMMUNITY SERVICES COMMITTEE RECOMMENDATIONS – 5/12/2014

The Community Services Committee recommends the following:

1. That Borough Council approve the request from the Vision Committee to close South State Street from Main Street to West Franklin Street to hold a BrewFEST tasting event in conjunction with the Merchants Association's Arts and Crafts and Restaurant Fair on September 6, 2014 between noon and 4:00 pm. This approval is conditioned on the submission of a plan describing the logistics of the event to the satisfaction of the Chief of Police and the receipt of a certificate of insurance naming the Borough as an additional insured.