

**EPHRATA BOROUGH COUNCIL  
WORK SESSION MINUTES  
JUNE 1, 2020**

The Ephrata Borough Council Work Session was called to order by President Susan Rowe at 7:00 PM on June 1, 2020, in the Council Chambers of the Borough Office, 124 South State Street. Due to the Coronavirus – COVID-19 guidelines set forth by Governor Tom Wolf not to gather in groups of more than ten (10) and in the respect of the practice of social distancing, President Susan Rowe along with Borough Manager D. Robert Thompson were present within Council Chambers while the remaining Council Members, Solicitor and designated Staff participated via a video conference.

The meeting began with a moment of silence which was followed by the Pledge of Allegiance.

**STATEMENT FROM PRESIDENT ROWE CONCERNING HOLDING A PUBLIC MEETING VIA VIDEO CONFERENCE**

“This public meeting of Ephrata Borough Council is being held in accordance with Act 15 of 2020, signed by the Governor of the Commonwealth of Pennsylvania. This Act allows for participation of Council Members in a public meeting by way of telecommunication devices without a physical quorum present through the duration of the COVID-19 emergency declaration. Declarations of Emergencies occasioned by the COVID-19 pandemic have been declared by the Governor of Pennsylvania and the Mayor of the Borough of Ephrata and remain in effect. This meeting and instructions to allow for citizen comment were advertised as stipulated in Act 15.

All members of Council and the Mayor are participating remotely although the Council President is on site. For the sake of efficiency and continuity, the Borough Manager will act as the Secretary of each committee, unless that Committee Secretary is also participating remotely. When the agenda calls for citizen comment, any citizen in attendance wishing to address Council may do so, followed by residents that are attending by way of a telecommunication device. Any written comments will be read by the Council President.”

**STATEMENT FROM PRESIDENT ROWE OUTLINING HOW MEETING WILL BE CONDUCTED**

“At this time, for those that have not yet been a part of a virtual meeting of Ephrata Borough Council, I would like to mention a few items. The Ephrata Borough Council virtual meetings are very structured to ensure everyone has a chance to speak and is heard by all. At this time, I will remind everyone of some of the basics for participating in a video-teleconferencing meeting:

- We will first ensure everyone in attendance can hear the others and that everyone is able to be heard. When I call your name for attendance, please respond with “Yes, I am present.” If anyone is unable to hear this response, I ask that you raise your hand so we can correct the problem prior to moving forward.
- If you are not speaking, please place your meeting on “mute.” When you are called upon to speak, remember to turn mute off until you have concluded your comments.
- As I facilitate this meeting, I will turn control of the meeting over to the Committee Chair to cover their portion. All Action Items must be covered in their entirety; Discussion Items appearing on the agenda are also of importance and should be discussed.

- Each item should be described in depth one at a time and stated by the Committee Chair verbally for the record before discussion commences. The Committee Chair may ask the Committee Secretary for an explanation or clarification prior to initiating deliberation.
- The Committee Chair should ask questions or make comments first, followed by the Vice-Chair, the remaining Committee member, the alternate Committee member, then remaining members of Council. Please keep in mind the Mayor may comment on any item. It is important to remember the Committee Chair will be leading their portion of the meeting. Please remember that the Council President should always be called upon last.
- Please wait to be recognized by the Chair before speaking, no matter how important you believe your comment to be.
- If you wish to speak further, I ask that you raise your hand ensuring it can be seen on camera.
- When the discussion on the item before the Committee has ceased, the Committee Chair shall request a vote of the Committee (for action items) to either move the item forward for a vote by Council June 8 or to table the item for a future Committee meeting.
- Committee votes shall be roll call votes and taken by the Committee Chair. The Committee alternate is not afforded an opportunity to vote on a Committee Action.
- When all business before the Committee has concluded for the evening, the Committee is asked to turn the meeting back to the Council President.

I again ask for everyone's patience as we proceed with our meeting tonight."

In attendance in addition to the President via video conference were Vice President Thomas Reinhold, President Pro Tem Melvin Weiler, Council Members Timothy Barr, Linda Martin, Ricky Ressler, Victor Richard, Greg Zimmerman and Mayor Ralph Mowen.

In attendance within Council Chambers was Borough Manager D. Robert Thompson. Also in attendance via video conferencing were Borough Solicitor James R. McManus, III, Esq., and Interim Police Chief Thomas Shumaker.

The following visitors were present:

Dana Gettler, 10 E. Mohler Church Road, Ephrata

The following visitors participated via video conference:

Tina Thompson, 872 Fairview Avenue, Ephrata

Tim McCormick, Ephrata Area School District

Jim Summers, Ephrata Recreation Center

### **First Opportunity for Citizens to be Heard**

Dana Gettler, 10 E. Mohler Church Road, Ephrata, approached the podium and advised she is attending the meeting to discuss the concept of a graduation parade for the Ephrata Area School District's Class of 2020. Ms. Gettler stated the parade will be held on Friday, June 5, 2020, with the proposed route to begin on Old Mill Road; turn left onto Oak Boulevard; turn right onto Queen Street; cross over State Street into the Brickyard Development; turn left on Lake Street;

turn left on Fulton Street; after which, the parade will disperse. Ms. Gettler advised she has been in contact with Chief Kiefer, Pioneer Fire Company, to discuss logistics and was directed to bring the matter before Borough Council for their approval.

President Rowe referred this matter to be discussed during the Highway Committee's portion of the meeting; in which, Chairman Richard acknowledged the request.

Tina Thompson, 872 Fairview Avenue, Ephrata, via video conference, advised she has observed that both the Ephrata Park and skate park are roped off/closed to public. Ms. Thompson inquired if there will be any discussion regarding the opening of parks as other public parks have been re-opened. Ms. Thompson stated with the school year closing, kids need something productive to do and would like to see the parks open. Ms. Thompson further stated that enjoying the outdoors is very beneficial for the mental and physical well-being of individuals. In concluding her comments, Ms. Thompson again requested Borough Council to consider the re-opening of the parks without restrictions.

President Rowe referred this matter to be discussed during the Development Activities Committee's portion of the meeting; in which, Chairman Zimmerman acknowledged the request.

With there being no additional visitor comments, President Rowe turned to the Discussion of Committee Agendas portion of the meeting.

### **Discussion of Committee Agendas**

#### **Budget and Finance Committee**

Mr. Ressler advised the Committee has two Action Items:

1. Ephrata Recreation Center: Request to waive payments on their repayment agreement with the Borough from April thru December 2020, in the amount of \$22,006.26 which equals nine (9) payments at \$2,445.14.

After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote to waive payments on their repayment agreement with the Borough from April thru December 2020, in the amount of \$22,006.26 which equals nine (9) payments at \$2,445.14 at the June 8, 2020, Borough Council Voting Session.

Mr. Ressler advised the Committee has two Discussion Items:

1. McManus Invoice: Mr. Ressler referenced the "Jim McManus 2020 Billing Detail by Project" and opened up for comments from the Committee members, remaining Council members and Staff. President Rowe advised at last month's meeting, Councilman Richard requested additional detail regarding "BT – Communicate With" charges and inquired if he is satisfied with the information provided; in which, Mr. Richard advised the information being provided is satisfactory.

2. Check and ACH Register: Mr. Ressler, referencing Check #41920, Turtle & Hughes, Inc. Capital Project, for \$19,050.00, inquired as to what Capital Project is being referenced; in which, Mr. Thompson advised he does not have an answer at this time, but he will look into the inquiry and will send an email response. President Rowe asked Mr. Thompson if any vendors have forgiven or reduced the amount of money invoiced to the Borough during this Declaration of Emergency; in which, Mr. Thompson clarified that the Borough has not been forgiven of any amounts due. President Rowe then sought clarification as to the possibility of the Borough being eligible for funds from Lancaster County (recipient of CARES funds) since the Borough is not eligible for FEMA or PEMA funding; in which, Mr. Thompson confirmed the Borough is not eligible for FEMA or PEMA funds. President Rowe inquired if it is known whether or not funds will be received from the County; in which, Mr. Thompson advised to date no guidelines have been issued/received regarding municipal reimbursements. President Rowe then commented, "... at this point, is it safe to say our expenditures are static ... have remained the same ... but our revenues are declining and are short for the year to date?" In which, Mr. Thompson advised that Ms. Moore has projected, at this point in time, the General Fund will experience an approximate \$430,000 shortfall as a result of the COVID-19 pandemic.

#### Development Activities Committee

Mr. Zimmerman advised the Committee has two Action Items:

1. Opening of Skate Parks: After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote at tonight's Work Session to open the skate park as the Borough moves into the "Yellow Phase" on Friday, June 5, 2020.
2. Opening of Green Spaces within Parks: After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote at tonight's Work Session to open the green spaces within the public parks as the Borough moves into the "Yellow Phase" on Friday, June 5, 2020.

#### Public Safety Committee

Vice President Reinhold advised the Committee has no Action Items for the upcoming Voting Session.

Vice President Reinhold advised the Committee has one Discussion Item:

1. Monthly Police Report: Lt. Shumaker advised that the Department's increasing call volume continues to be monitored resulting in a decision being made to return the Department to full staffing levels.

#### Highway Committee

Mr. Richard advised the Committee has three Action Items:

1. Crown Castle Fiber Optic Underground Cable Installation: Request to conditionally approve the plans and agreements subject to fully executed agreements and required performance bonds in forms satisfactory to the Borough Solicitor and provision of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured.

After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote at the June 8, 2020, Borough Council Voting Session.

2. Proposed Alley Improvements: Request to reconstruct the following alley segments:
  - a. Spruce Alley between Poplar Street and West Locus Street
  - b. Spruce Alley between West Locust Street and the Aqueduct
  - c. Spruce Alley between West Chestnut Street and West Pine Street

After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote at the June 8, 2020, Borough Council Voting Session.

3. Graduation Parade: Request to approve the 2020 Graduation Parade request to be held on Friday, June 5, 2020, with the proposed route being starting on Old Mill Road; turn left onto Oak Boulevard; turn right onto Queen Street; cross over State Street into the Brickyard Development; turn left on Lake Street; turn left on Fulton Street; after which, the parade will disperse.

After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote at tonight's Work Session to approve the 2020 Graduation Parade request to be held on Friday, June 5, 2020.

Mr. Richard advised the Committee has no Discussion Items to bring forward.

#### Municipal Enterprises Committee

Ms. Martin advised the Committee has no Action Items for the upcoming Voting Session.

Ms. Martin advised the Committee has three Discussion Items:

1. FTR 2020-2021 Results / 2027-2030 Base Load Purchase Results: Mr. Thompson advised in March 2020, Borough Council approved the long-term FTR purchases. Mr. Thompson then provided a brief overview of those purchases advising they have being pretty successful for the Borough.
2. Electric Vehicle Charging Stations Update: Mr. Thompson advised three of the four vouchers have been secured for the locations including Borough Hall, Public Works Complex and the Railroad Parking Lot (Rear). Mr. Thompson further advised those projects will be completed in August, September and October. Mr. Thompson advised contact has

been made with Willow Valley (property owner) regarding sharing the costs (50/50) of a charging station to be located in the lower lot (rear) of the Hampton Inn.

3. Solar Actuator Status: Mr. Thompson advised the actuators are still being replaced at the solar field with a drop dead date provided of June 18, 2020.
4. RICE Peaking Project Update: Mr. Thompson advised that essentially construction is complete; however, he noted that PPL is not being responsive regarding the reverse flow from the generators to the grid. Mr. Thompson further advised AMP reached out to PPL resulting in talks being resumed; and as it stands now, it is highly unlikely for the Borough to receive all, if any, of the summer peaks.

#### Community Services Committee

Mr. Weiler advised the Committee has no Action Items for the upcoming Voting Session.

Mr. Weiler advised the Committee has one Discussion Item:

1. Ephrata Recreation Center Update:
  - a. July 4<sup>th</sup> Fireworks: Mr. Summers advised the July 4<sup>th</sup> fireworks event has been cancelled due to inability to promote social distancing during the event. Mr. Summers further advised that the deposit payment will be put toward next year's amount due.
  - b. Playground Structures: Mr. Summers advised this matter was discussed previously and the playground structures will remain closed to the public.
  - c. Summer Day Camp: Mr. Summers advised that the Summer Day Camp program will begin with safety modifications being put in place.
  - d. Outside Group Fitness Classes: Mr. Summers advised until Lancaster County moves into the "Green Phase," the building itself is not open to the public; however, being in the "Yellow Phase" allows for outside classes to occur.
  - e. Ephrata Community Pool: Mr. Summers provided an overview of the safety protocols being proposed in order to open and operate the pool successfully including the following (noting that changes may be made as needed if/when Borough is moved into the "Green Phase"):
    1. Admission for Members Only
      - a. Residents from any municipality can purchase a membership
    2. Limit the Total Number of People on Grounds to 375
      - a. The number was generated based on a calculation provided by DVIT
      - b. It should be noted that 375 is well under the DVIT guidelines
    3. Ongoing Monitoring and Reviewing of Attendance Numbers
      - a. Possibility of Allowing Day Passes (Guests of Members Only) in Future
    4. Improved Safety Features
      - a. Ticket Office
        1. Plexiglas installed with Staff wearing masks

2. Sidewalk to be marked at 6' intervals to promote social distancing
- b. Patrons
  1. Masks
    - i. Must be worn to enter the pool area
    - ii. Patrons will be encouraged (not required) to keep masks on while on the grounds, but not while in the pool
  2. Chairs/Towels
    - i. Patrons must bring their own for their use
- c. Social Distancing
  1. Signage Placed Promoting Social Distancing and Hygiene Recommendations
  2. Announcements Made Promoting Social Distancing
- d. Facilities
  1. No Slides/Fountain Features
  2. No Lounge Chairs or Picnic Tables
  3. No Use of Playground/Volleyball Court
  4. No Use of Showers
  5. No Rentals
  6. All Surfaces and Restrooms will be Disinfected Daily (Multiple Times)
- e. Staff
  1. Office Staff
    - i. Required to Wear Masks
    - ii. Follow All CDC Guidelines for Maintaining Healthy Environments (Staff Training)
  2. Lifeguards
    - i. While Up in Chairs: Not Required to Wear Masks
    - ii. While On Deck: Final Decision Not Made
    - iii. Follow All CDC Guidelines for Maintaining Healthy Environments (Staff Training)
  3. Constable
    - i. Role Eliminated
- f. Snack Bar
  1. Vendor Eager to Open/Operate Snack Bar
- g. Operating Dates
  1. Opening Date: June 20<sup>th</sup>
  2. Closing Date: August 23<sup>rd</sup>
- h. Re-Opening Expense Budget
  1. 2020 Budget Total: \$203,474.00
  2. 2020 Reopening Total: \$88,245.00
- i. Membership Rates
  1. Ephrata Borough Rates
    - i. Preschool (0-5) \$27.00
    - ii. Student (6-18) \$56.00

iii. Individual	\$85.00
iv. Family	\$154.00
v. Senior (62+)	\$65.00
2. Non-Resident Rates	
vi. Preschool (0-5)	\$37.00
vii. Student (6-18)	\$73.00
viii. Individual	\$107.00
ix. Family	\$198.00
x. Senior (62+)	\$83.00
j. Day Pass Rates (If Implemented)	
1. Adult:	\$10.00
2. Student:	\$6.00

After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring the matter forward for action/vote at tonight's Work Session to approve the opening of the Ephrata Pool on Saturday, June 20, 2020 with advertising of membership rates and sales beginning immediately.

#### Special Projects Committee

Mr. Barr advised the Committee has no Action Items for the upcoming Voting Session.

Mr. Barr advised the Committee has no Discussion Items.

#### Personnel Committee

Vice President Reinhold advised the Committee has one Action Item for the upcoming Voting Session.

1. Budget Night Policy: Vice President Reinhold provided an overview of the proposed Budget Night Policy.

After input received first between Committee members, then remaining Council members, Mayor and Staff, the Committee unanimously agreed to bring this matter forward for action/vote to approve the proposed Budget Night Policy.

Vice President Reinhold advised the Committee has no Discussion Items.

#### **Standing Committee Recommendations**

##### Highway Committee

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed via roll call vote that Borough Council approve allowing participating members of the 2020 Class of Ephrata Senior High School to utilize the following parade route: begin on Old Mill Road; turn left onto Oak Boulevard; turn right onto Queen Street; cross over State Street into the Brickyard Development; turn left on Lake Street; turn left on Fulton Street; after which, the parade will disperse. Mr. Richard advised that Lincoln Fire Company will be providing fire police coverage (at no charge) at the intersections of State and Queen Streets, Lake and Fulton Streets, and Fulton



and State Streets with participants being required to obey all traffic laws (including speed limits, stop signs and traffic lights).

Development Activities Committee

It was moved by Mr. Zimmerman, seconded by Mr. Barr, that Borough Council approve the re-opening of Ephrata Borough Parks' green spaces as well as the skate park. Mr. Zimmerman advised that playgrounds will remain closed until the Borough is moved to the "Green Phase." Mr. Zimmerman further advised that the current signage will be revised by the Public Works Department.

Upon further discussion/clarification of the Recommendation, it was then moved by Vice President Reinhold, seconded by Mr. Barr, and unanimously passed via roll call vote that Borough Council approve the re-opening of Ephrata Borough Parks' green spaces as well as the skate park amended with the additional wording of "the following of CDC Guidelines."

Community Services Committee

It was moved by Mr. Weiler, seconded by Ms. Martin, and unanimously passed via roll call vote that Borough Council approve the Ephrata Community Pool operating season from June 20, 2020, to August 23, 2020, operating hours of 11:00 AM to 6:00 PM, with the following membership rates:

1. Membership Rates
  - a. Ephrata Borough Rates
    1. Preschool (0-5) \$27.00
    2. Student (6-18) \$56.00
    3. Individual \$85.00
    4. Family \$154.00
    5. Senior (62+) \$65.00
  - b. Non-Resident Rates
    1. Preschool (0-5) \$37.00
    2. Student (6-18) \$73.00
    3. Individual \$107.00
    4. Family \$198.00
    5. Senior (62+) \$83.00
2. Day Pass Rates (If Implemented)
  - a. Adult: \$10.00
  - b. Student: \$6.00

It was moved by Mr. Weiler, seconded by Mr. Barr, and unanimously passed via roll call vote that Borough Council approve the execution of a pool concession agreement in a form acceptable to the Solicitor.

**Second Opportunity for Citizens to be Heard**

President Rowe advised the citizen in attendance at Borough Hall earlier left prior to the end of the meeting and opened the floor to further comments from those in attendance via video conferencing.

Ms. Thompson extended her appreciation to Mr. Summers regarding his efforts to open the Ephrata Community Pool. Ms. Thompson further advised she believes that Ephrata needs to be a bit more creative and think “outside of the box” prior to cancelling community events such as the fireworks. Ms. Thompson, in referencing the public playgrounds, advised that other municipalities have opened their equipment for public use. Ms. Thompson, in referencing wearing masks in open green spaces, advised that she has observed numerous individuals who are not wearing a mask while on the trail and feels open green spaces fall into the same category. Ms. Thompson expressed her appreciation to Borough Council for allowing the concession stand to operate during the 2020 pool season. Ms. Thompson concluded her comments by extending her thanks to Borough Council for their efforts during this unprecedented time and hoped when looking at future public events, they will be a bit more creative in allowing them to occur.

**Discussion/Announcements**

Mr. Ressler commended Mr. Thompson’s efforts in his daily communication efforts with Borough Staff and extended his appreciation to the workers for their willingness to adjust their work schedules during this time.

Ms. Martin reminded all to mail in their ballots.

Vice President Reinhold commended Ms. Gettler on her efforts in the coordination of the 2020 Graduation Parade. Vice President Reinhold then requested an update regarding the Pine Street/Oak Street matter; in which, Mr. Thompson advised Staff is still waiting on information from the Geotechnical Report. Mr. Thompson further advised a meeting is scheduled with the contractor to begin street restoration. Vice President Reinhold, in referencing the Hibshman Scholarship which is awarded to Ephrata Area School District students, advised that this year, 79 students received a \$4,500 4-year scholarship which is phenomenal.

Mr. Barr wished all to remain healthy.

Mayor Mowen, in referencing the 2020 Ephrata Fair, inquired if there has been any word regarding whether it will be held; in which, Mr. Richard advised a decision should be made and announced in the very near future. Mayor Mowen, in referencing the Graduation Parade, clarified that fire police will be holding traffic as needed; in which, Mr. Thompson advised that Chief Gehman stated fire police will be on hand as an additional security to avoid accidents. Mr. Thompson further advised the motion made earlier included that drivers would be following all of the motor vehicle codes. Mayor Mowen clarified that when fire police are positioned at intersections, they do have the authority to move traffic.

Mr. Thompson advised he would like to get on record for the upcoming 2020 EASD Graduation Parade that the Pioneer Fire Department is participating in that parade and in addition, the Lincoln Fire Department will be providing fire police services for that parade. Mr. Thompson further advised that the Lincoln Fire Department will also be participating in a Clay Elementary Teacher Car Parade that originates at the Ephrata High School traveling to Clay Elementary.

Lt. Shumaker advised earlier this date, police resources were deployed into Lancaster City as a result of ongoing protests.

President Rowe advised that SRO Moore was to present the Municipal Moment for this evening's meeting; however, that presentation has been postponed until July 6, 2020. Additionally, President Rowe advised she received notification that Dr. Troop will not be able to attend the June 8, 2020, Council Meeting to provide the Municipal Moment resulting in it being rescheduled to a future date to be determined.

**Adjournment**

It was moved by Mr. Barr and seconded by Ms. Martin to adjourn. The meeting was adjourned at 10:02 p.m.

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D. Robert Thompson, Secretary

DRAFT