

**EPHRATA BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
JANUARY 11, 2016**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on January 11, 2016 in the Council Chambers of the Borough Office, 124 South State Street.

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

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

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

Attending for the press were Gary Klinger of The Ephrata Review and Val Lacis of the Reading Eagle. The following visitors were present:

Dennis Rowe, 214 East Main Street, Ephrata  
The Gregson's, 885 North Maple Street, Ephrata  
Richard Gehman, 1191 Marilyn Avenue, Ephrata  
Rich Ritter, 38 South Market Street, Ephrata  
Tom Matteson, Diehm & Sons  
Tim Auker, 542 North State Street  
Tina Thompson, Sen. Ryan Aument Office

**APPROVAL OF MINUTES**

It was moved by Mr. Reinhold, seconded by Mr. Barr, and unanimously passed that Borough Council approve the December 7, 2015 Work Session Minutes and the December 14, 2015 Regular Meeting Minutes.

**OPPORTUNITY FOR CITIZENS TO BE HEARD**

There were no comments or questions from attendees.

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

**ACCEPTANCE OF REPORTS**

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

**DEVELOPMENT ACTIVITIES COMMITTEE REPORT – 1/11/2016**

1. The Committee reviewed a proposed subdivision plan for 44 Bethany Road. The plan is proposing to subdivide an existing developed lot into 2 lots in a neighborhood commercial zoning district. In the future when the applicant develops the lots they will need to file a land development plan and they will address any stormwater issues. The applicant has requested four waiver/modifications and two deferrals. The Committee will recommend that Borough Council approve the four waiver/modifications and two deferrals and approve the plan as a final subdivision plan at the January meeting. This item will appear on the January Consent Agenda.

December General Ledger Report  
Lincoln Fire Company – December 2015  
Pioneer Fire Company – December 2015  
Ephrata Community Ambulance Association – December 2015/2015 Yearly Report  
Emergency Management Coordinator December 2015 Report  
Civil Service Commission Minutes  
December Shade Tree Commission Report

4<sup>th</sup> Quarter Financial, Police, Inspection/Codes, Wastewater Treatment Division, Public Works

Division, Water Division, Ephrata Recreation Center

DEI

Historical Society of the Cocalico Valley

Merchants Association

Mayor's Revenue Report

The following reports were not received – Electric, Sanitation, Ephrata Public Library, EEDC, EPAC

### **NEW BUSINESS ITEMS**

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

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

1. That Borough Council approve a waiver/modification of submission of Preliminary Plan, section 281-14 of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for 44 Bethany Road. (Development Activities Committee)
2. That Borough Council approve a waiver/modification of Existing Features, section 281-26.B.2.j of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for 44 Bethany Road. (Development Activities Committee)
3. That Borough Council approve a waiver/modification of Lots Abutting a Major Collector Street, section 281-31.D of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for 44 Bethany Road. (Development Activities Committee)
4. That Borough Council approve a waiver/modification of Dedication of Additional Right-of-way, section 281-34.D of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for 44 Bethany Road. (Development Activities Committee)
5. That Borough Council approve a Deferral of Recreational and Open Space Fee-in-lieu-of, section 281-52.C of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for 44 Bethany Road. (Development Activities Committee)
6. That Borough Council approve a Deferral of Street Trees, section 281-56.B of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for 44 Bethany Road. (Development Activities Committee)
7. That Borough Council approve the Final Land Subdivision Plan for 44 Bethany Road, dated November 12, 2015, containing 3 sheets prepared by Diehm and Sons, Lititz, PA as a final plan subject to the following;
  - A. The applicant must address the comments from the December 8, 2015 memorandum of Nancy Harris, Planning and Engineering Manager. Comments 4 and 5 cannot be complied with at this time and will be addressed and documented as notes on the plan for inclusion with the future land development plan submission. (Development Activities Committee)

#### **APPROVAL OF ACH REGISTER DATED JANUARY 7, 2016 AND CHECKS 24847 THROUGH 25182 (Checks 25128-25132 were voided due to print error)**

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed that Borough Council ratify the payment of bills performed by the staff since the last regular Council meeting in the aggregate amount of \$1,683,220.37.

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

There were no comments or questions from attendees.

#### **DISCUSSION/ANNOUNCEMENTS**

Mr. Hertzog requested that a committee do deliberation on an update to Ordinance 1494.

President Rowe said she will look at the ordinance and refer it to one of the Committees for discussion in January.

Mr. Richard asked what Ordinance 1494 is. Mr. Hertzog said it is the not for sale alcohol on Borough owned properties.

Mr. Hertzog asked Mr. McManus in preparing for an upcoming meeting he has he referenced a booklet he received from the Borough. This booklet listed Borough owned properties, EAJA properties, Ephrata Borough Authority properties.

Mr. Hertzog recollected that this Borough Council sold a parcel of land at Wastewater Treatment Plant 2 – Springhouse Road.

According to that the Borough Authority owned that land. Is it totally and wholly appropriate for the Borough to sell a parcel of land that is owned by another governmental entity?

Mr. McManus said if the title is in the Borough Authority it is for the Borough Authority to convey that tract of land.

Mr. Hertzog asked if Mr. McManus could tell him if the Borough Authority conveyed that tract.

Mr. McManus said he could not.

Mr. Hertzog asked if the Borough Authority owns that tract or had they previously owned that tract.

Mr. Thompson said he believes it's in the name of the Borough. When the Borough Authority purchased the farm for Wastewater Treatment Plant 2 there were two parcels carved out. That where the State Police barracks is and the parcel on the north side of the street. Mr. Thompson said he believes they are in the name of the Borough. That is consistent to what we're finding now. Mr. Thompson said he is pretty certain that the deeds do say that they are in the name of the Borough.

Mr. Hertzog said he would like a review of that particular item.

Mr. Hertzog asked what is the relationship that exists between the Authority and the Borough as it relates to a property. Can the Authority convey it to the Borough very easily? Mr. McManus said yes.

Mr. Barr thanked the Mayor and Chief Harvey for being officials at the Chili Cook off on Saturday night.

Mr. Richard requested that he be removed as a board member from the EEDC.

President Rowe reviewed the final Committee lists for 2016.

Municipal Enterprises @ 5:30 PM on the Third Monday  
Chair Reinhold, Members Hertzog & Richard

Public Safety @ 6:30 PM on the Third Monday  
Chair Weiler, Members Reinhold & Martin

Special Projects @ 7:30 PM on the Third Monday  
Chair Ressler, Members Barr & Martin

Community Services @ 4:30 PM on the Fourth Monday  
Chair Barr, Members Reinhold & Ressler

Highway @ 5:30 PM on the Fourth Monday  
Chair Richard, Members Barr & Ressler

Budget & Finance @ 6:30 PM on the Fourth Monday  
Chair Hertzog, Members Richard & Weiler

Development Activities @ 7:30 PM on the Fourth Monday  
Chair Martin, Members Hertzog & Weiler

**ADJOURNMENT**

It was moved by Mr. Barr, seconded by Mr. Richard to adjourn. The meeting was adjourned at 7:15 PM.

Respectfully submitted,

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D. Robert Thompson, Secretary