

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
JANUARY 8, 2018**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on January 8, 2018, in the Council Chambers of the Borough Office, 124 South State Street.

Pastor Walter Carter, First United Methodist 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, and Council Members Timothy Barr, Linda Martin, Ricky Ressler, Victor Richard, Gregory Zimmerman, and Mayor Ralph Mowen.

Also in attendance were Borough Manager D. Robert Thompson, Police Lieutenant Thomas Shumaker, Recording Secretary Stephanie Fasnacht, and Borough Solicitor James R. McManus, III, Esq.

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

Dennis Rowe, 214 E. Main St., Ephrata
Walter Carter, 88 N. Church St., Ephrata
Jean Lausch, 950 Hammon Ave., Ephrata
Kory Musser, 340 Washington Ave., Ephrata
Tim Auker, 542 N. State St., Ephrata

APPROVAL OF MINUTES

There were no comments or remarks from attendees.

It was moved by Mr. Zimmerman, seconded by Mrs. Martin, and unanimously passed that Borough Council approve the December 11, 2017, Regular Meeting Minutes.

OPPORTUNITY FOR CITIZENS TO BE HEARD

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

ACCEPTANCE OF REPORTS

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

Highway Committee Report

The Highway Committee met on Wednesday, December 27, 2017, and discussed the following:

1. The Committee reviewed Ordinance No. 1540 to amend the Code of the Borough of Ephrata, Chapter 305, Vehicles and Traffic, Section 305-103, Schedule XX: Special Purpose Parking Zones, by adding certain authorized parking for a loading and unloading zone at 333 N. State Street. The Committee will recommend that Borough Council enact Ordinance No. 1540 at their January 8, 2018, meeting.
2. The Committee reviewed six applications for traffic signal improvements approval associated with previously approved PA Green Light-Go Grant Agreement 2015GLG112 to install emergency vehicle preemption and upgrade signal head sizes at six signalized

intersections in the Borough. PennDOT requires that the Borough complete and execute all six applications to move the project forward to the final design, bidding and construction phases. The Committee will recommend that Borough Council authorize the Borough Council President and Secretary to execute the applications by adopting Resolution #2018-2 at their January 8, 2018 meeting.

3. The Committee heard a citizen concern regarding the existing pedestrian crossing of Railroad Avenue adjacent to the Major Winters Memorial Trail where it intersects with the Fulton Elementary School walkway. The Committee discussed the citizen concern and directed staff to present options to improve motorist visibility of the pedestrian crossing at their January 2018 meeting.
4. The Committee reviewed the 2017 NBIS Route Inspection Summary for the South Oak Street Bridge. The field inspection occurred November 8, 2017, and was conducted by Mackin Engineering Company of New Cumberland, PA, as a contractor for PennDOT. The bridge condition ratings have not changed since the last inspection was completed on November 11, 2015. There were three (3) maintenance recommendations included in the inspection report summary; one of those recommendations will be addressed as part of the vehicular barrier replacement currently under review, the other item to clean and flush the scupper down spouting will be scheduled for completion by Public Works. Repair of undermined sidewalks will be completed by contractor. No further action required at this time.
5. The Committee was updated on the status of the W. Pine Street road closure. Ground penetrating radar was recently performed in the area to assist in determining any large voids or other abnormalities which may pinpoint location(s) of water main breakage or dislocation. Work to repair any water main damage is tentatively scheduled for the week of January 1, 2018. No further action required at this time.

December General Ledger Report

Lincoln Fire Company December 2017 Report

Pioneer Fire Company December 2017 Report

Ephrata Community Ambulance Association – December 2017 and 2017 Yearly Report

Emergency Management Coordinator December 2017 Report

Police Civil Service Commission Minutes

NEW BUSINESS ITEMS

STANDING COMMITTEE RECOMMENDATIONS

Budget and Finance Committee

It was moved by Mr. Richard, seconded by Mr. Reinhold, and unanimously passed to adopt Resolution 2018-1 ratifying and affirming all prior actions of Council appointing individuals to serve on the Boards and Commissions of the Borough for the terms established thereof and to appoint individuals to serve on certain Boards and Commissions of the Borough for terms effective January 1, 2018.

**BOROUGH OF EPHRATA
Lancaster County, Pennsylvania**

RESOLUTION 2018-1

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, RATIFYING AND AFFIRMING ALL PRIOR ACTIONS OF COUNCIL APPOINTING INDIVIDUALS TO SERVE ON THE BOARDS AND COMMISSIONS OF THE BOROUGH FOR THE TERMS ESTABLISHED THEREOF AND TO APPOINT INDIVIDUALS TO SERVE ON CERTAIN BOARDS AND COMMISSIONS OF THE BOROUGH FOR TERMS EFFECTIVE JANUARY 1, 2018

WHEREAS, Section 3301.1(c) of the Borough Code [8 Pa.C.S. § 3301.1(c)] provides that the Borough may adopt resolutions to fill borough-appointed positions; and

WHEREAS, the laws of the Commonwealth of Pennsylvania require the appointment of certain borough-appointed positions by resolution; and

WHEREAS, the Council of the Borough desires to affirm, ratify and confirm all actions previously taken by Borough Council to appoint those individuals who are presently serving borough-appointed positions; and

WHEREAS, the Council of the Borough desires to appoint or reappoint certain individuals to borough-appointed positions for certain terms.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF EPHRATA, PENNSYLVANIA:

SECTION 1. That all actions previously taken by Borough Council appointing those individuals who are presently serving borough-appointed positions to the boards and commissions for the terms set forth in Exhibit “A” attached hereto and incorporated herein are hereby affirmed, ratified and confirmed.

SECTION 2. That the individuals named in Exhibit “B” attached hereto and incorporated herein are hereby appointed to fill the borough-appointed positions to the boards and commissions for the terms set forth therein.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 4. This Resolution shall take effect at the earliest date allowed by law.

"EXHIBIT A"

	<u>Date of Council Action</u>	<u>Term Effective Date</u>	<u>Term Ending Date</u>
Ephrata Borough Authority			
Ralph Mowen	December 12, 2016	January 1, 2017	December 31, 2021
Gil Sager	December 14, 2015	January 1, 2016	December 31, 2020

Gil Ochs	December 9, 2013	January 1, 2014	December 31, 2018
Gail Bare	January 14, 2013	February 1, 2013	December 31, 2017
Gary Snavely	December 8, 2014	January 1, 2015	December 31, 2019'
Ephrata Area Joint Authority			
Thomas Reinhold	February 8, 2016	February 18, 2017	December 31, 2017
Dan Burkholder	December 12, 2016	January 1, 2017	December 31, 2021
Zoning Hearing Board			
James Kiefer	December 12, 2016	January 1, 2017	December 31, 2021
David Martin	December 8, 2014	January 1, 2015	December 31, 2019
Glen Mellinger	December 14, 2015	January 1, 2016	December 31, 2020
Richard Stewart (filled Greg Zimmerman term)	October 10, 2016	October 19, 2016	December 31, 2020
Dennis Rowe	March 13, 2017	March 15, 2017	December 31, 2021
Planning Commission			
William Rohrbach	December 8, 2014	January 1, 2015	December 31, 2018
Roger Leed	December 14, 2015	January 1, 2016	December 31, 2020
David Hunt	December 12, 2016	January 1, 2017	December 31, 2020
Lola Mowen	December 14, 2015	January 1, 2016	December 31, 2020
Joel Callihan	December 9, 2013	January 1, 2014	December 31, 2017
Police Civil Service Commission			
Dan Burkholder	December 12, 2016	January 1, 2017	December 31, 2019
Gary Klinger	December 8, 2014	January 1, 2015	December 31, 2017
George DiIllio	December 14, 2015	January 1, 2016	December 31, 2018
Dr. William Ives	December 14, 2015	January 1, 2016	December 31, 2018
Shade Tree Commission			
Chandra Mast	December 12, 2016	January 1, 2017	December 31, 2019

Justin Snyder	December 8, 2014	January 1, 2015	December 31, 2017
Ephrata Public Library			
Kevin Kohl	December 14, 2015	January 1, 2016	December 31, 2018
Amy Hoover	December 14, 2015	January 1, 2016	December 31, 2018
Ann Small	December 12, 2016	January 1, 2017	December 31, 2019
Property Maintenance Appeals Board			
Robert Hoffman	December 14, 2015	January 1, 2016	December 31, 2020
David Albright	December 8, 2014	January 1, 2015	December 31, 2017
UCC Appeals Board			
Robert Hoffman	December 14, 2015	January 1, 2016	December 31, 2020
David Albright	December 8, 2014	January 1, 2015	December 31, 2017
Vacancy Board			
Chad Weaver	December 12, 2016	January 1, 2017	December 31, 2017

“EXHIBIT B”
2018 BOARD & COMMISSION APPOINTMENTS

Borough Authority Board

Gail Bare 1/1/2018 to 12/31/2022

Ephrata Area Joint Authority

Thomas Reinhold 1/1/2018 to 12/31/2022

Planning Commission

Joel Callihan 1/1/2018 to 12/31/2021

Police Civil Service Commission

Gary Klinger 1/1/2018 to 12/31/2020

Shade Tree Commission

Justin Snyder 1/1/2018 to 12/31/2020

UCC Appeals Board

David Albright	1/1/2018 to 12/31/2022
Thomas Weaver	1/1/2018 to 12/31/2021

Property Maintenance and Codes Appeals Board

Dale Latshaw	1/1/2018 to 12/31/2020
Robert Hoffman	1/1/2018 to 12/31/2021
Kory Musser	1/1/2018 to 12/31/2022

Vacancy Board Chair

Chad Weaver	1/1/2018 to 12/31/2018
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It was moved by Mr. Zimmerman, seconded by Mr. Reinhold, to reopen the 2018 Ephrata Borough Budget that was approved December 17, 2017.

Mr. Zimmerman advised he has a concern that we are not going to be able to meet our budget obligations that were approved. Mr. Zimmerman further stated that primarily he is thinking about the water main break on Pine Street, the winter weather incidents we've experienced this early in the year and that we only have \$22,000 excess in the budget that was approved, he is concerned that we're not going to be able to meet the obligations. Mrs. Rowe inquired if there are specific areas Mr. Zimmerman is looking at and he advised he would like to have Council's weigh-in and further discussion on having the Borough staff provided a list of cost reduction ideas to present at the Budget and Finance Committee meeting in January.

Mrs. Rowe asked for thoughts from Council about the matter. Mr. Richard stated while he liked the idea Mr. Zimmerman was presenting, he stated he is concerned about the timeframe of the request being effectively completed when staff originally had a couple of months to prepare the original budget. Mayor Mowen stated he knows initially when the departments prepared their budgets that they did everything they could to find places to cut costs. Mayor Mowen stated he knows there were items cut from the budget that some of the departments would have liked to have had and would have made things better for them. Mayor Mowen further stated he agrees with Mr. Richard that the timeframe being suggested of coming up with cost reductions may not be workable plus the fact that he believes there are not a lot of cost reductions left as all of the departments worked with the Financial Director to "slash pretty close to the bone." Mr. Thompson provided information that about 75%-76% of the general fund is personnel and advised that he believes that the staff did reduce costs on operating materials down to maintain the certain levels of service that we currently provide. Mr. Thompson advised while they did not recommend any reductions in personnel, if we're looking for anything significant, that's really the next step. Mr. Thompson went onto say that on the flip side of that, we were and did realize more revenues last year than we projected so the fund balance did go up by a couple thousand dollars in 2016 as a result of additional earned income tax and permit fees. Mr. Thompson stated while the fund balance did go up, the current budget that was adopted balances by about \$20,000. Mr. Thompson stated those monies that might be needed as a result of some overruns would be available from fund balance which was greater than projected over the 2017 budget.

Mr. Zimmerman stated his thought was if we are going to amend the budget, we have to have that approved by the February meeting and his thought now is to go back and take a second look at the budget and come up with ideas for the upcoming Budget and Finance meeting. Mr. Zimmerman stated at that point is there a recommendation or should we give a recommendation

tonight to say we want to look at cutting 3%, 5%. Mayor Mowen stated he is not sure the monies are there to cut. Mr. Zimmerman stated he does not know if it is there to cut either. Mayor Mowen stated unless certain services are cut and personnel is laid off advising he is not ready to do. Mr. Zimmerman stated he understood, but he advised as he worked in previous jobs, it was nothing for a manager to come to him and request him to take another look at the budget to see if there are any other opportunities. Mr. Zimmerman advised he also does not want to cut services or eliminate personnel, but at the same token, he is asking if that is something staff can take a look at in a couple weeks' time, get some ideas and then take a look at them at the upcoming Budget and Finance Committee meeting. Mr. Zimmerman stated if this is not complete for the February Budget and Finance Committee meeting, we would then have to ratify it so we're really under the gun as we're under a small window which is State driven. Mayor Mowen advised it is Code driven. Mayor Mowen again stated he knows what the department heads went through to get to where they were and a lot of them really slashed things and to come back now and tell them to slash it some more, he's not really sure it's there.

Mrs. Rowe advised at this point in the discussion she was going to allow other Council members to weigh in on the matter. Mrs. Martin stated to the point that Mr. Zimmerman is bringing up as far as coming up with ideas to cut operating costs any further, she questioned could it be helpful for Council to have more of an insight of what has been slashed already. Mrs. Martin further stated if the department wanted something included in the budget but chose something with a lower amount instead it may be helpful for Council to have a "peek into the window" of what costs they reduced and what was the outcome of doing so. Mrs. Martin stated she is not sure if Council has any of that detailed information. Mrs. Rowe provided an example from sitting in at a Highway Committee meeting where the Public Works department head stated there were pieces of equipment that the Borough absolutely needed and he cut that back as much as he could trying to get another year out of the current equipment they had. Mrs. Martin questioned, as per the example Mrs. Rowe provided, if they did not purchase the piece of equipment that they wanted. Mrs. Rowe advised that the purchase was not in the budget and they were trying to hold off for another year.

Mr. Thompson stated staff goes through several reiterations of initial submissions, tally up what the impact is on the total budget and then we go back and look for areas of reductions. Mr. Thompson stated there are multiple sets of budgets that were submitted and the resulting budget from discussions advising we can try to put some of those items together. Mr. Thompson stated he hesitates to use the word "slash" and believes there were budget reductions that were probably modest, not sizeable and significant, but we can try to identify what some of those items are. Mr. Thompson stated he could assure Council that those numbers have reduced down to the minimal margins to go forward. Mr. Thompson gave an example regarding snow and ice stating we used to budget for an extreme winter with the hope with making sure we have sufficient revenues to cover the expenditures and now we budget for average winters and if necessary, we'll look to transfer monies across the general fund first and then if we have to ask for unbudgeted allocations that we do that. Mr. Thompson stated this is done so we don't unnecessarily ask for tax increases for monies that we don't know that we're going to need. Mr. Thompson again reiterated that staff does go through a lot of things, but if Council wants to know, we can certainly provide as much information as we have.

Mrs. Rowe asked if any other Council members would like to weigh in and Mr. Ressler stated he doesn't disagree with taking a last minute look at the budget, but that he would be hesitant on giving a percentage cut. Mr. Ressler stated he is sure that staff has looked very closely at the budget, but that he is not opposed for them to take a second look at it to see if there is anything

further possible. Mr. Ressler stated in speaking for the Highway Committee, he knows that is an area we are up against as far as using funds, but it is equipment that has already been put off and is now necessary.

Mrs. Rowe asked for any other comments and Mr. Barr stated he agreed with Mr. Zimmerman and felt even a reminder to departments for them to look for ways to make operations more efficient, not saying to cut pieces of equipment or personnel, but maybe there is something that could be done more efficiently and this could be a way of pointing them in that direction. Mr. Barr stated it is our way of encouraging departments to be as efficient as possible, reiterating he knows they are doing so currently, to avoid a tax increase.

Mrs. Rowe acknowledged Mr. Reinhold who stated he originally seconded Mr. Zimmerman's motion and he's glad he did so that Council could have this discussion. Mr. Reinhold stated his biggest concern with Mr. Zimmerman's request is the timeframe that we're putting on staff to come up with some revisions. Mr. Reinhold stated being on Municipal Enterprises with the electric utility, we meet less than a week from today, so that's not asking for a lot of time for them to come up with other areas where they can maybe save. Mr. Reinhold stated during the eight years he's been on Council, he's always felt that staff has done a good job to try to be as fiscally responsible as they can and try to cut where they can. Mr. Reinhold stated maybe the thought process is that we in all of our committees whatever we're assigned to for the next two years, we make it a point and we see the budget numbers every quarter, but it doesn't mean we can't ask those questions at every meeting to ask, "Where are we at? Are there any ideas where you think we're going? Are we going to be under budget for this month in expenses? How are we doing in revenues?" and really keep a key eye on matters. Mr. Reinhold stated as this discussion is on record, staff realizes we are looking at this matter closely. Mr. Reinhold again stated the timeframe is his main concern, especially for Public Safety and Municipal Enterprises committees, for those members to come back a week from now in a short period of time and figure out if there is anywhere else they can "skin the cat" and then you go the other committees two weeks from now and then we'd have to leave it open for public review and everything like that. Mr. Reinhold stated that his only concern would be to say he wouldn't want to necessarily see it reopened from that standpoint being the one that seconded the motion, but from a time standpoint.

Mrs. Rowe stated when she reviews the amendments, she doesn't think there is anything that would necessarily require the reopening of the budget in as much as attending the committee meetings or talking to the committee chairs and making certain that the committee chairs let the staff members know that are working on those committees that there is an eye on the budget and it's being watched closed. Mrs. Rowe requested committee members to encourage discussion as to if there is any place where a reduction or a cut could be made.

Mrs. Rowe asked for any additional comments. Mr. Richard advised for the last year or so serving on the Budget and Finance Committee he has been trying to champion the Visa/MasterCard debit card setup which is \$100,000 plus per year and is a big "elephant in the room." Mr. Richard advised staff has looked at it; however, he is not sure to what extent. Mr. Richard stated there are some regulatory matters with the program, but if that could be changed it would be a 6-figure plus number that could be put back in on just one item. Mr. Richard advised it is a big ticket item as it does not take anything away from what is being offered to the Borough except for the people who would use charge/debit cards maybe would have to pay the fee we're absorbing which he has always had an issue with. Mr. Richard stated the topic has been discussed numerous times at Budget and Finance Committee meetings, but no action has been

taken. Mr. Richard again stated this is a matter that needs to be looked into because he thinks that is the biggest ticket item out of all he has looked at and nothing has been done. Mrs. Rowe asked Mr. Thompson to make sure this is a discussion item for the upcoming meeting. Mr. Thompson advised that Mrs. Moore is prepared to provide a report on this matter at the upcoming Budget and Finance meeting. Mr. Thompson further requested the expectation to be realistic stating if we do realize any savings from that, they get distributed across enterprise funds, probably not much general fund because most of the utility bills being paid by credit card are for water, sewage, electric and sanitation. Mr. Thompson stated Mrs. Moore is still working on this and advised there are some unknowns as to (a.) how it impacts a utility municipal operation and (b.) as each credit card has their own set of rules which makes this is really complex. Mayor Mowen stated that an establishment he goes to recently added the credit card fee to bills if you use a credit card. Mr. Thompson explained there is a convenience fee (or a fee by another name) and we're trying to wade through some of that, but he believes Mrs. Moore is in a position to report back at the Budget and Finance meeting.

Mr. Zimmerman stated a final comment he has is that he appreciates all of the conversation and discussion Council has had on this matter. Mr. Zimmerman stated he certainly believes that staff has done their best, but should we ask one more time and that fact that fund balances are getting low so what's going to happen until the end of the year and those are the reasons he brought the issue up.

Mrs. Rowe asked for any other questions or comments. Receiving none, Mrs. Rowe stated she has a motion and a second to reopen the 2018 Budget and Program of Services with a vote of two yeas by Mr. Zimmerman and Mrs. Martin and six nays by Messrs. Barr, Reinhold, Ressler, Richard, Weiler and Mrs. Rowe; therefore, the 2018 Budget and Program of Services will not be reopened.

Mrs. Rowe thanked Mr. Zimmerman for his time and thought that he put into the budget and into the figures.

Highway Committee

It was moved by Mr. Ressler, seconded by Mr. Barr, and unanimously passed that Borough Council enact Ordinance No. 1540 amending the Code of the Borough of Ephrata, Vehicles and Traffic, Article XI, Section 305-103, Schedule XX: Special Purpose Parking Zones by adding certain authorized parking on a portion of North State Street.

BOROUGH OF EPHRATA

Lancaster County, Pennsylvania

ORDINANCE NO. 1540

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, CHAPTER 305, VEHICLES AND TRAFFIC, SECTION 305-103, SCHEDULE XX SPECIAL PURPOSE PARKING ZONES, BY ADDING THERETO CERTAIN AUTHORIZED PARKING ON A PORTION OF NORTH STATE STREET.

BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Council of the Borough of Ephrata, Lancaster County, Pennsylvania, as follows:

Section 1. The Code of the Borough of Ephrata, Chapter 305 thereof, Vehicles and Traffic, Article XI, Schedules, Section 305-103, Schedule XX: Special Purpose Parking Zones, is hereby amended by adding thereto the following Authorized Purpose or Vehicle limitation on a certain portion of North State Street:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>	<u>Authorized Purpose or Vehicle</u>
North State Street	East	Beginning at a point 27 feet south of the south curb line of East Walnut Street a distance of 30 feet south	Loading and unloading

Section 2. All other parts, sections, subsections and provisions of Chapter 305 of the Borough Code shall remain in full force and effect as heretofore adopted and enacted.

Section 3. This Ordinance shall take effect and be in force after its enactment by the Council of the Borough of Ephrata at the earliest date permitted by law.

It was moved by Mr. Ressler, seconded by Mr. Zimmerman, and unanimously passed that Borough Council adopt Resolution #2018-2 authorizing the Borough Council President and Borough Secretary to execute six (6) PennDOT applications for traffic signal improvements permits associated with previously executed PA Green Light-Go Grant Agreement 2015GLG112 to install emergency vehicle preemption and upgrade signal head sizes.

**BOROUGH OF EPHRATA
Lancaster County, Pennsylvania
RESOLUTION 2018-2**

A RESOLUTION AUTHORIZING EXECUTION OF MULTIPLE APPLICATIONS FOR TRAFFIC SIGNAL APPROVAL TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED, by authority of the Borough Council of the Borough of Ephrata, Lancaster County, and it is hereby resolved by authority of the same, that the President and Secretary of the Council of the Borough of Ephrata be authorized and directed to execute and submit on behalf of the Borough of Ephrata Applications to the Pennsylvania Department of Transportation for Traffic Signal Approvals for the following six (6) intersections:

- 1) Reading Road (SR 0272) & Martin Avenue, attached hereto as Exhibit "A";
- 2) Main Street (SR 0322) & Arch Street/Parkway Avenue, attached hereto as Exhibit "B";
- 3) Main Street (SR 0322) & Church Street, attached hereto as Exhibit "C";
- 4) Main Street (SR 0322) & State Street, attached hereto as Exhibit "D";
- 5) Main Street (SR 0322) & Lake Street, attached hereto as Exhibit "E"; and
- 6) Main Street (SR 0322) & Lincoln Avenue, attached hereto as Exhibit "F".

BE IT FURTHER RESOLVED, that it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

This Resolution shall take effect at the earliest date allowed by law.

Personnel Committee

It was moved by Mr. Reinhold, seconded by Mrs. Martin, and unanimously passed that Borough Council waive the requirements of Section 7 of the Ephrata Borough Council By-Laws adopted February 13, 2016, as it relates to amending the By-Laws.

It was moved by Mr. Reinhold, seconded by Mrs. Martin, and unanimously passed that Borough Council adopt the Ephrata Borough Council By-Laws as revised.

It was moved by Mr. Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council waive the requirements of Rule 13 of the Ephrata Borough Council Rules of Order adopted February 13, 2016, as it relates to amending the Rules of Order.

It was moved by Mr. Reinhold, seconded by Mrs. Martin, and unanimously passed that Borough Council adopt the Ephrata Borough Council Rules of Order as revised.

APPROVAL OF CHECKS 32445 THROUGH 32781 AND THE ACH REGISTER DATED DECEMBER 28, 2017

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 \$1,907,942.83.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Pastor Walter Conrad, First United Methodist Church, wanted to extend an accommodation for the Borough, specifically Mayor Mowen and Chief William Harvey, for all of the work they are doing about the heroin addiction and opioid crisis. Pastor Conrad stated he had another funeral service this past Saturday. Pastor Conrad stated he speaks for the clergy, as well as funeral directors, that they are grateful for in the initiative and grateful for the work that needs to be done as we need to stop it.

DISCUSSION/ANNOUNCEMENTS

Mr. Zimmerman provided a follow-up update on the Ephrata Recreation Center. Mr. Zimmerman stated Mr. Summers, Executive Director, advised it was the fourth straight year that the Ephrata Recreation Center has met their debt service obligation (over \$150,000) plus paid \$26,000 toward the repayment agreement which puts them about halfway through their overall obligation of paying that back which he feels is really good compared to where they were five to six years ago. Mr. Zimmerman provided an overview of various building upgrades they have done such replacing gym mats, new aerobic flooring, rooms refurnished with retractable walls, UATC compressors in the gym and the preschool room, plus there were deck repairs and some incidental items which cost an additional \$31,000. Mr. Zimmerman stated for 2018, the Ephrata Recreation Center is looking at new locker room, a new HVAC unit, new water softening system, the pool sand filter replacement and continued flooring replacement in various areas. Mr. Zimmerman stated the Ephrata Recreation Center had a good fundraising year with the

Ephrata Brew Fest and the 3rd Clare Point Derby being a huge success this year.

Mr. Barr extended a quick word of caution advising he is out in the area at various times throughout the evening and observes a bunch of people who are in too much of a hurry for the road conditions. Mr. Barr stated we can spread as much salt as we want, but if people don't slow down and pay attention, they are going to have an accident which causes our police force to have to take care of unpleasant tasks. Mr. Barr stated he certainly hopes we don't see too many injuries or deaths due to the icy conditions and asked everyone to please be careful.

Mr. Reinhold extended a welcome to Stephanie Fasnacht, Executive Assistant, to the meetings.

Mr. Reinhold wanted to thank Mr. Zimmerman for bringing up a difficult subject, such as the budget, and looking at it aggressively. Mr. Reinhold stated he will be making a point at his upcoming committee meetings to discuss even if it is not listed on the agenda, "How are we doing with our revenues and our expenditures? Anything out of line?" just so there is awareness that we are watching the budget.

Mr. Reinhold advised he provided his Letter of Resignation to the Ephrata Recreational Center Board on Tuesday of last week as his 4-year term had expired. Mr. Reinhold stated Council asked him to join the Board and may not have been as passionate as Mr. Zimmerman, but that he is extremely proud of the job that Jim Summers and the Board has done. Mr. Reinhold stated he understands the history prior to us getting involved and the Debt Service Repayment Plan being established. Mr. Reinhold stated he mentioned in his resignation letter that early on there was a lot of concern as to them being able to make their payments as well as the two big mortgage payments every year and they've been doing that. Mr. Reinhold reiterated how proud he is of the Ephrata Recreational Center and is hoping they'll get to a point where they have some extra funds and are able to make more cosmetic changes. Mr. Reinhold stated times when they felt they were getting their footing, their HVAC system went in the pool or the roof had leaks which need repaired. Mr. Reinhold states he is very confident they will get to that point and felt comfortable removing himself from that position with Mr. Zimmerman and the Mayor still being on the Board. Mr. Reinhold wanted to express kudos to Mr. Summers, the Rec and the Board itself for doing what they can for making it a viable place within the community.

Mr. Zimmerman commented there has been an awful amount of hard work by Jim Summers and the Board. Mr. Zimmerman stated there is no doubt that the Board is committed. Mr. Zimmerman confirmed there have been cosmetic changes which have been completed. Mr. Zimmerman stated they had to spend 75%-80% of the first capital campaign on repairing the roof, but advised there is another campaign being planned for this year. Mr. Zimmerman stated there have been numerous individuals helping out with various projects within the Rec as well as a group of people having earned \$7,000 to "spruce up the Rec."

Mayor Mowen provided information about Ephrata Borough Authority's reorganization meeting held this morning advising the officers remain the same: Ralph Mowen, Chairman; Gil Sager, Vice Chairman; Gil Ochs, Treasurer; Gail Bare, Assistant Treasurer; D. Robert Thompson, Secretary.

Mayor Mowen stated he has served on the State Mayor's Board of Directors for several years and has been appointed Vice President of the South Central Region. Mrs. Rowe congratulated Mayor Mowen on his new role.

Mr. Thompson reported that Mr. Zimmerman made reference to the water main break on Pine Street and provided an update that we are awaiting the report for the nondestructive subsurface testing/ground penetrating radar. Mr. Thompson stated preliminary estimates by staff who accompanied the gentleman conducting the survey were that there were no significant voids under the street. Mr. Thompson advised there was an area that had some disturbances which is the area directly under the water main break itself. Mr. Thompson stated due to the flu going through Public Works staff has been reduced to two thirds. Mr. Thompson stated with the extreme cold weather, we have not taken on that project yet, but there are no customers that are on that line and out of service. Mr. Thompson stated it is an inconvenience for those traveling, but believes exercising caution until we get a chance to open the area up and see what is underneath is our best course of action. Mr. Thompson stated we are hoping as the weather gets a little warmer, we will be able to peel back the asphalt to see what is underneath and if it looks like it is stable, we're likely to put asphalt back overtop for the course of the winter and then attack it again in the spring as well as reopen the street. Mr. Thompson stated at this time he considers this matter an Ephrata Area Joint Authority expense.

Mayor Mowen stated in the last week, there have been two additional water main breaks. Mayor Mowen advised one of the breaks is on North Maple Street and one on Hemlock. Mayor Mowen stated driving on Irene Avenue, there is a lot of brown ice which had to be removed from the street. Mr. Thompson stated as it warms up later this week, we will likely see the brown move around.

Mayor Mowen stated he wanted to express his gratitude to our Public Works employees who were outside in the single digit, brutal weather working. Mayor Mowen explained as these employees are working, they have to work in rotating shifts as they cannot be out in those conditions for extended period of time. Mayor Mowen again stated that those guys do a heck of a job.

Mrs. Rowe read Section 1006 of the State Borough Code reviewing the list of duties of Borough Council, the Mayor and the Borough Manager.

Mrs. Rowe provided the following committee assignments:

Public Safety Committee - Meets the 3rd Monday at 5:30 PM

Ricky Ressler, Chair
Vic Richard
Melvin Weiler

Municipal Enterprises Committee - Meets the 3rd Monday at 6:30 PM

Vic Richard, Chair
Thomas Reinhold
Linda Martin

Special Projects Committee - Meets the 3rd Monday at 7:30 PM

Greg Zimmerman, Chair
Thomas Reinhold
Tim Bar

Highway Committee - Meets the 4th Monday at 4:30 PM

Tim Barr, Chair

Vic Richard
Ricky Ressler

Community Services Committee - Meets the 4th Monday at 5:30 PM

Linda Martin, Chair
Ricky Ressler
Greg Zimmerman

Budget & Finance Committee - Meets the 4th Monday at 6:30 PM

Thomas Reinhold, Chair
Melvin Weiler
Linda Martin

Development Activities Committee - Meets the 4th Monday at 7:30 PM

Melvin Weiler, Chair
Tim Barr
Greg Zimmerman

ADJOURNMENT

It was moved by Mr. Barr, seconded by Mr. Richard, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 7:45 PM.

Respectfully submitted,

D. Robert Thompson, Secretary