

**EPHRATA BOROUGH COUNCIL  
WORK SESSION MINUTES  
MARCH 6, 2017**

The Ephrata Borough Council Work Session was called to order by President Susan Rowe at 7:00 PM on March 6, 2017 in the Council Chambers of the Borough Office, 124 South State Street.

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

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

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

Attending for the press was Gary Klinger of The Ephrata Review. The following visitors were present:

Dennis Rowe, 214 East Main Street, Ephrata  
Jean Lausch, 950 Hammon Avenue, Ephrata  
Donald Haines, 156B West Fulton Street, Ephrata  
Tim Auker, 542 North State Street, Ephrata

**Opportunity for Citizens to be Heard**

There were no comments or remarks from attendees.

President Rowe said before we begin the discussion of committee actions, Mrs. Rowe has a statement to make as President of Council.

Mrs. Rowe said before we begin the committee reports, Mrs. Rowe has a few comments to make to her fellow Council Members and the Honorable Mayor. Mrs. Rowe asked that we remember to show respect to each Committee Chair as they give their report, which will be presented in their entirety. When the Chair has completed the report, Mrs. Rowe asks the other committee members if they have anything to supplement the report; She does this so they may add any clarification of the committee discussion that took place for those members of council that did not attend the committee meeting. Mrs. Rowe opens the discussion to all of Council then. Again, Mrs. Rowe asks that you show respect by waiting to speak until you are acknowledged. This is the time to ask questions or state your opinion of an item that was discussed during the committee report. There are no right or wrong opinions, there are no wrong questions to ask, and she hopes we can all accept that we are entitled to have differing opinions. Each member of council will be given the opportunity to share thoughts or ask questions before someone is acknowledged to speak of the issue being discussed a second time. I do not want anyone to not share their thoughts or ask a question solely because you believe you are in the minority or do not think your opinion is worth sharing. If you think an item requires more information than what was presented, you can request that information be made available to Council prior to the call for the question at the voting session, or ask the committee to table the item for additional discussion at the committee level; that is at the discretion of the committee and the chair. The purpose of our work session is to give the members of council the opportunity to discuss the items that will be voted on next week. We also have an opportunity for the public to ask questions or comment on the committee discussions heard tonight; however, those comments should be reserved until the public comment portion near the end of the agenda.

**Discussion of Committee Actions**

Budget and Finance Committee

Mr. Richard said the Budget and Finance discussed several items and it coming forth with one item which is the Resolution 2017-3 concerning disposition of borough records. Old records will be disposed of according to the guidelines established by the Pennsylvania Historic Museum Commission and Bureau of Archives & History approved December 16, 2008. The Committee will recommend adoption of this resolution. Mr. Richard said this is a housekeeping item we do yearly.

Mr. Richard asked if this can be a consent agenda item or must it be voted on individually.

Mr. Thompson said this can be a consent item because it is something we do regularly.

Development Activities Committee

Mrs. Martin said their Committee met last Monday and have two items to bring forth for the Voting Session. The Committee reviewed an improvement agreement for a proposed stormwater management plan for 52 East Fulton Street. The amount of the agreement is for \$13,377.10. The Committee will recommend that Council authorize the Council President and Secretary to execute the agreement with the owner. This item will appear on the consent agenda.

Mrs. Martin said they also reviewed an Operation and Maintenance Agreement for the stormwater management plan for 52 East Fulton Street. The Committee recommends that Council authorize the Council President and Secretary to execute the agreements. This item will also appear on the March consent agenda.

Highway Committee

Mr. Ressler said the Highway Committee has eight items to bring forward.

The Committee reviewed a February 17 request via email from the Ephrata Recreation Center to conduct a series of 5K races to be held Sunday, April 2; Sunday, May 7; and Sunday, June 4 at 5:00 PM each day utilizing various streets in the Lincoln Heights section of the Borough. Notification letters will be distributed to residents of the affected portions of Lincoln Heights area making them aware of the events. No streets will be closed during these events. Rec Center employees and volunteers will be on the streets assisting with traffic control as necessary. The Committee will recommend Borough Council conditionally approve the request at their March meeting subject to Chief Harvey's approval, which was provided via e-mail on February 17 and notification to the affected residents, and borough receipt of a satisfactory certificate of insurance naming the borough as additional insured. Mr. Ressler noted that this event has taken place previously without any problems or issues.

Mr. Ressler said the Committee reviewed a letter dated February 2017 from Ben Lee, Regional Director for Make A Wish Foundation requesting to travel through the Borough with their 28<sup>th</sup> Annual Mother's Day Convoy on Sunday, May 14. The Committee will recommend Borough Council conditionally approve the request subject to borough receipt of satisfactory certificate of insurance naming the borough as additional insured and the Borough Solicitor's review and approval of the organizers event permit and indemnification agreement.

Mr. Ressler said the Committee reviewed a letter dated February 2 from the Ephrata War Memorial Association requesting to use the streets of the borough for the 40<sup>th</sup> Annual Firecracker Run event on Tuesday, July 4. The Committee will recommend that Borough Council conditionally approve their request at their March 13 meeting subject to Chief Harvey's review and approval and borough receipt of a satisfactory certificate of insurance naming the borough as additional insured.

The Committee reviewed a request from Boy Scout Troop #363 Committee Chairperson dated January 17 to use the Public Works building parking lot during the 2017 Ephrata Fair Parade to park cars as a fundraiser. Three spaces are to be reserved in the event of a borough emergency. The Committee will recommend that Council conditionally approve the request subject to borough receipt of a satisfactory certificate of insurance naming the borough as additional insured.

The Committee reviewed the results of Bid 17-4 for purchase of bituminous materials and will recommend that Borough Council approve the bid to sole bidder New Enterprise Stone & Lime Company from East Earl, PA.

The unit prices are within budget estimates based on estimated quantities and will be subject to price adjustment provisions (escalator) as applicable and identified in the contract documents.

Mr. Ressler said the Committee reviewed the results of Bid 17-5, purchase and delivery of PennDOT #2A stone and will recommend that Borough Council award the bid to sole bidder New Enterprise Stone & Lime Company of East Earl, PA. The unit price is within budget estimate based on estimated quantity.

Mr. Ressler said the Committee reviewed the results of Bid 17-7 sale of a 1988 Dresser 520 Loader. The Committee will recommend that Borough Council award the bid at their March 13 meeting to lone bidder Jerre Martin Repair of Ephrata, PA in the amount of \$6,000.

Mr. Ressler said lastly the Committee reviewed the results of Bid 17-8 sale of a 1994 Case 580SK Backhoe. The Committee will recommend that Borough Council award the bid to the lone bidder of Jerre Martin Repair in the amount of \$5,000.

Mr. Ressler said the last two items are pieces of equipment that are out of service currently. The repairs would be more than their value. All of these items will be coming forward on the consent agenda.

Chief Harvey said the Firecracker Race meeting is already being set up. They will be meeting at the Rec Center.

#### Municipal Enterprises Committee

Mr. Richard said the Municipal Enterprises will come forward with one item. Mr. Natarian reviewed the proposed replacement of an ATAD mixer at Wastewater Treatment Plant 2. The mixer failed last December. The cost of repairs since it is nearly 20 years old is excessive. Staff is recommending that a new mixer be purchased and installed at a cost of \$13,489 from RAM Industrial Services, a Costars vendor. Staff also indicated that the Ephrata Borough Authority concurs with the Staff recommendation, and they met on February 13, 2017. The Committee will recommend that Borough Council approve the unbudgeted expenditure of the \$13,480 from the unallocated balance of the sewer bund to replace the pre-ATAD mixer at Wastewater Treatment Plant 2 when Council meets next week.

#### Community Services Committee

Mr. Barr said the Community Services Committee has two items to bring forth next week for vote.

Mr. Barr said the Committee reviewed the results of Bid 17-6 for Turf Maintenance Services and will recommend that Borough Council award the bid at their March meeting to the apparent low bidder E.W. Reiff Lawn Care from Ephrata, PA in the amount of \$38,000 for Year 1; \$39,000 for Year 2; and \$40,000 for Year 3 totaling \$117,000.00. The approximate mowing acreage is 46 acres over 29 properties. The budget estimate for 2017 (Year 1) is \$32,000. The additional funds will be paid from another account within the Parks Operations & Maintenance budget.

Mr. Barr said the Committee reviewed a request received via email dated February 7, 2017 from Knead It Massage and Bodyworks to use the Dick Winters Trail for a 5K/10K run to be held on Saturday, June 10, 2017 at 9:00 AM. Proceeds from this event will be donated to the Ephrata Public Library. The Committee will recommend that Borough Council approve the request as part of the consent agenda at their March 13 meeting subject to the receipt of a certificate of insurance naming the Borough as additional insured and the approval of an Incident Support Plan by the Chief of Police.

Mr. Thompson said he did place at each Council person's seat tonight a sample letter in support for an application for a grant from the Department of Community and Natural Resources from the Ephrata Township and Warwick Township. Mr. Thompson asked the Committee Chair to make a recommendation to authorize a letter of support on their application for the bridge across Millway Road, which would link Ephrata Township to Warwick and be the final component of the Warwick Ephrata Rail Trail. The Committee has no objections.

Mrs. Rowe said she did attend the Community Services Committee and understands the turf maintenance is \$6,000 over budget for the first year and the extra funds are coming out of another account in the parks operation and maintenance budget. Will that have any hardship on

that budget? Mr. Thompson said they have had discussions with the Recreation Center personnel and it was their recommendation from which account to take the transfer from.

Mrs. Rowe asked for a motion to appoint Council Member Vic Richard as the delegate to the 2017 Pennsylvania State Association of Boroughs Annual Conference.

### **Recommendation**

It was moved by Mr. Barr, seconded by Mr. Ressler to appoint Council Member Vic Richard as the Borough's delegate at the Pennsylvania State Association of Boroughs Annual Conference. Motion passed unanimously.

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

There were no comments or remarks from attendees.

### **Discussion/Announcements**

Mrs. Martin said she is just going to reiterate an email that all her fellow Council Members received from Nancy Harris. It's about the Development Activities Committee Meeting scheduled Monday, March 27. URDC, Urban Research and Development Corporation, the firm the Borough hired to help us work on economic redevelopment in the Borough; they are in the process of putting together a plan to merge a lot of the organizations that are working for that into one. They do have an update and have a presentation they would like to present. Mrs. Martin is encouraging everyone to attend. We will try to keep the agenda short and brief.

Mayor Mowen said he doesn't know how many of you did not get your property reassessment forms in the mail. There was some information on the news tonight. Mr. Mowen said if he's not mistaken even though the properties are being reassessed there is an adjustment to the millage rate to keep it pretty close to neutral the first year.

Mr. Thompson said it's intended to be revenue neutral so what they will do is take the total assessed value for all properties in the County and then they will adjust millage rates so that the amount of revenue that they are bringing in is the same amount of revenue. If you assessment goes up the millage rate will be adjusted downward.

Mayor Mowen said the way the news portrayed it is that everyone is going to be paying higher taxes.

Mayor Mowen said if you remember at last month's meeting Mr. Mowen was lamenting about the poor and inadequate support of our local fire companies by our residents and the fact that only 16% of our residents have given any kind of donations to the fire companies. Mr. Mowen doesn't think the residents understand what we have sitting across the street and in Lincoln and the quality of the fire service and the training and the work that those people put in to protect our borough. Mr. Mowen just can't believe if people understood what those men and women go through – the required training, the time away from their families, the monitor going off any hour of the night and day and they get up and go without complaining that more people would not take care of the fire companies. That said Mr. Mowen would request that the Chair assigned to whatever committee; it would probably be Budget and Finance – to look into a fire tax.

Mr. Mowen said he knows there are several municipalities in the County that already have one and Mr. Mowen doesn't know how they work but we need to support our fire companies or we could wind up losing them because the amount of work that they have to do and then turn around and do fund raising activities is just asking way too much.

Mr. Mowen requests that you ask the Budget and Finance Committee to look into what would be involved in instituting a fire tax. Mr. Mowen said that said also, since he said that at the last meeting Mr. Mowen actually did have several people tell him it's past due. It is something that we really need to look at, because we need to support our fire companies. Mr. Mowen said if we had to fund a paid fire company over there you don't even want to know what your taxes would do, because you would be looking at something maybe not quite as much as the Police Department but darn close.

Mrs. Rowe said with that said Chairman Richard do you mind having that added to your Committee agenda. Mr. Richard said they will look into it.

Mr. Richard said when he drives around the County he sees signs at different fire halls saying they want to thank the 10 or 20% of people who gave so it's not uncommon. It's a sad state of affairs that's the way it is. People have no idea of the cost and personal time, the amount of training that goes into it. Mr. Richard said they will definitely look into it.

Mrs. Rowe said as a point of clarification you are not talking about having a paid fire staff. Mr. Mowen said not he is not; not at all. Mrs. Rowe said you just want a tax to supplement what they have to raise. Mr. Mowen said right now they are going to be having a chicken barbeque every month and start at 6:30 in the morning and go until noon preparing and selling. Again away from their families and putting in time. Mr. Mowen said this past weekend – just about all day Saturday and he is not sure about Sunday – there were several (7 or 8) of the fire personnel in training to become a next level firefighter instructor type thing so that they can train the rest of the department. They were there all day. The thousands of hours these men and women put in to protect us is overlooked.

Mr. Thompson piggybacked onto what Mrs. Martin's mentioned about the URDC effort. There were two attachments in that email. One is a digital copy of their report which talks a little bit about all the efforts that they put in and some of the conclusions they arrived at. Mr. Thompson strongly encouraged Council to at least peruse through it if not read it in detail the report for the meeting. There is a lot of information there and that would help to streamline the discussions.

#### **ADJOURNMENT**

It was moved by Mr. Barr, seconded by Mrs. Martin to adjourn. The meeting was adjourned at 7:40 PM.

Respectfully submitted,

---

D. Robert Thompson, Secretary