

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
JUNE 8, 2020**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:03 PM on June 8, 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 25 and in the respect of the practice of social distancing, Borough Manager D. Robert Thompson was present within Council Chambers while President Susan Rowe, President Pro Tem Melvin Weiler, Council Members Timothy Barr, Linda Martin, Ricky Ressler, Victor Richard, Greg Zimmerman and Mayor Ralph Mowen participated via video conferencing. Vice President Thomas Reinhold was absent from the meeting.

Also in attendance via video conferencing were Interim Police Chief Thomas Shumaker, Borough Solicitor James R. McManus, III, Esq., and Recorder Stephanie Fasnacht.

The following visitors were present within Council Chambers:

David Morgan, 423 Susan Circle, Ephrata

The following visitors participated in the meeting via video conferencing:

Roy Hoover, 1020 New Holland Avenue, Lancaster

Reverend Walter Carter, First United Methodist Church, Ephrata

Reverend Walter Carter, First United Methodist Church, offered the invocation, 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 Mayor of the Borough of Ephrata and declared and extended by the Governor of Pennsylvania. 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. When the agenda calls for citizen comment, any citizen in attendance wishing to address Council may do so first, 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, I once again restate 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.

- Ephrata Borough Council will adhere to the Rules of Order and Bylaws as well as can be expected.
- As Committee Chairs begin their Recommendations, if the Chair makes a motion, the Chair shall specify which Committee member they would like to second the motion. If the person called upon does not want to second the motion, the Committee Chair shall call upon the next Committee member.
- If an item receives a motion and a second, I will not restate the question for the record as is our usual practice and as suggested in “Roberts Rules of Order,” I will state there is a motion and a second on the floor and individually ask each member of Council if they have any questions or comments. When all discussion and debating of the Recommendation has been completed, I will request a roll call vote on each item. This way, we can ensure everyone has voted and been heard for the record.
- If during the discussion and debate of an issue you have additional comments, please raise your hand in front of the camera to be recognized. I will do my best to watch the screen closely as I complete my tasks. I will ask that I be alerted if I miss recognizing someone.
- The Committee Chair should turn the meeting back to the Council President when all Recommendations have been voted upon or tabled.

I again ask for everyone’s patience as we proceed with our meeting tonight.”

APPROVAL OF MINUTES

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council approve the May 4, 2020 Work Session Meeting Minutes and the May 11, 2020, Regular Meeting Minutes.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mr. David Morgan, 423 Susan Circle, Ephrata, approached the podium and extended his appreciation to the Borough for working in conjunction with Comcast to resolve his concerns addressed at the May 11, 2020, meeting.

President Rowe thanked Mr. Morgan for his comments.

ACCEPTANCE OF REPORTS

It was moved by Mr. Barr, seconded by Mr. Zimmerman, and unanimously passed via roll call vote to approve Acceptance of Reports consisting of the following documents:

Miscellaneous Reports:

- ◆ May 2020 General Ledger Report
- ◆ Ephrata Pioneer Fire Company May 2020 Report
- ◆ Lincoln Fire Company May 2020 Report
- ◆ Ephrata Community Ambulance Association May 2020 Report
- ◆ Ephrata Emergency Management May 2020 Report

NEW BUSINESS ITEMS

STANDING COMMITTEE RECOMMENDATIONS

Budget and Finance Committee

It was moved by Mr. Ressler, seconded by Mr. Weiler, and unanimously passed via roll call vote that

Borough Council approve the request by the Rec Center to waive payments on their repayment agreement with the Borough from April thru December 2020, in the amount of \$22,006.26 which equals 9 payments at \$2,445.14.

Highway Committee

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed via roll call vote that Borough Council conditionally approve Crown Castle's plans known as Grandview Drive - Revision 4 dated March 12, 2020 and Old Mill Road - Revision 3 dated March 12, 2020 to install underground fiber optic cable 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 as additional insured.

It was moved by Richard, seconded by Ms. Martin, and unanimously passed via roll call vote that Borough Council approve the proposed improvements to designated portions of Spruce Alley between Poplar Street and West Pine Street for an estimated cost of \$180,000 to be paid for using approximately 90% liquid fuels funds and 10% Borough funds.

Personnel Committee

It was moved by Mr. Richard, seconded by Mr. Ressler, and unanimously passed via roll call vote that Borough Council adopt the Ephrata Borough Council Budget Night Policy dated June 8, 2020.

APPROVAL OF CHECKS 41873 THROUGH 42113 AND THE ACH REGISTER DATED MAY 28, 2020

It was moved by Mr. Zimmerman, seconded by Mr. Barr, 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 \$691,420.04.

OPPORTUNITY FOR CITIZENS TO BE HEARD

With no citizens approaching the podium, President Rowe moved onto Discussion/Announcements.

DISCUSSION/ANNOUNCEMENTS

Mr. Zimmerman inquired if the personal protection barrier work has begun at the electric storage building; in which, Mr. Thompson replied he will follow-up on the matter and provide feedback.

Mr. Zimmerman, in referencing the Ephrata Recreation Center, inquired if the necessary modifications have been completed and if/when transfer of the ownership of that building from the Ephrata Borough Authority will occur. Additionally, Mr. Zimmerman inquired as to the current agreement the Rec Center has with the Smithton property regarding use of their parking spaces. Mr. Thompson advised he has not been made aware that the modifications have been completed and will follow-up on the matter and provide feedback.

Ms. Martin inquired as to how the vigil/protest went which was held on Saturday, June 6, 2020; in which, Lt. Shumaker advised he feels it went positively for both the police department as well as for the Borough. Lt. Shumaker advised there were approximately 175 people in attendance. Lt. Shumaker further advised there were two uniformed officers on scene who were treated well by participants. Lt. Shumaker commended the organizers for their "great lines of communication" prior to, during and after the event.

Mr. Richard, in referencing the upcoming Chief of Police interviews, advised he is planning on physically attending the interviews which are being held in Harrisburg on Friday, June 12, 2020, and

inquired if any other member(s) plan on attending. Mr. Ressler advised it is his understanding the interviews will be streamed and he will be participating in that way. President Rowe requested Mr. Thompson confirm if streaming is an option for those who cannot physically attend. Mr. Thompson advised he will follow-up on the matter and provide feedback.

Mr. Barr inquired if upon the lifting of the Declaration of Emergency currently in place if Council Members could participate in future meetings via video-conferencing if he/she are unable to physically be present; in which, President Rowe referenced the recently approved Videoconferencing Policy.

Mayor Mowen expressed his appreciation to Lt. Shumaker for his leadership efforts with the protest held this past weekend. Mayor Mowen further stated, "... he believes our municipality came across very well."

Mayor Mowen, in referencing the upcoming Chief of Police interviews, inquired if videos will be made available to view at a later date; in which, Mr. Thompson confirmed videos will be made available.

Mayor Mowen advised he received an email from Kelly Warner, Lancaster Northern Hub, inquiring if the Borough of Ephrata would like to participate in "The News Channel" which is a place to publicize Borough events. Mr. Thompson requested Mayor Mowen forward him the email as he will respond appropriately.

Mayor Mowen advised he was invited to participate in an upcoming community forum regarding the COVID-19 pandemic and requested any inquiries/concerns be forwarded to him within the next week so he can share them during the symposium.

Mayor Mowen advised he has been receiving emails from various individuals questioning the policies and procedures of the Ephrata Police Department. Mayor Mowen further advised he has worked in conjunction with Lt. Shumaker to compose appropriate responses to the inquiries. Additionally, President Rowe advised she received an email regarding the same subject matter and she will forward it to Mayor Mowen for resolution.

Solicitor McManus provided an update regarding the LERTA Ordinance which had been discussed previously. Solicitor McManus advised a draft ordinance was prepared and that the Ephrata Area School District is in support of the program. Solicitor McManus further advised that he has received comments from the School's Solicitor which he forwarded to Staff for review. Solicitor McManus advised a public hearing will need to be held regarding the matter; however, the hearing can take place during the course of a Borough Council meeting. Mr. Thompson advised this matter will be added to the Budget and Finance Meeting Agenda and will be voted on at the July 13, 2020, Voting Session.

Acting Chief Shumaker expressed his appreciation for the support he and the Department receives from Borough Council.

President Rowe advised she wanted to commend the Police Department for the "fine job" they did to make everyone feel comfortable at the protest held on Saturday, June 6, 2020. President Rowe closed her comments by stating, "... they deserve a lot of commendation for their work."

ADJOURNMENT

It was moved by Ms. Martin, seconded by Mr. Weiler, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 7:46 PM.

Respectfully submitted,

D. Robert Thompson, Secretary