

**EPHRATA BOROUGH COUNCIL  
WORK SESSION MINUTES  
SEPTEMBER 8, 2020**

The Ephrata Borough Council Work Session was called to order by President Susan Rowe at 7:00 PM on September 8, 2020, in the Council Chambers of the Borough Office, 124 South State Street.

In attendance in addition to the President 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.

Also in attendance were Borough Manager D. Robert Thompson, Police Chief John Petrick and Lieutenant Thomas Shumaker.

Due to the Coronavirus – COVID-19 guidelines set forth by Governor Tom Wolf and in the respect of the practice of social distancing, James R. McManus, III, Esq., and designated Staff participated via a video conference.

The following visitor(s) were present:

Larry Alexander, Ephrata Review  
Joy Ashley, Ephrata Area Social Services  
Tim Auker, 542 N. State Street, Ephrata  
Teresa Caruthers, 229 Railroad Avenue, Ephrata  
Janice Eberly, 163 E. Pine Street, Ephrata  
Amy MacKenzie, 311 Jeff Avenue, Ephrata  
Greg Martin, 1304 Marilyn Avenue, Ephrata  
Tara Mauer, 475 Stephen Circle, Ephrata  
Missy Mortimor, Ephrata Review  
Tim Stuhldreher, One United Lancaster  
Heather Stauffer, Lancaster Newspaper  
Dan Sweigart, 129 E. Franklin Street, Ephrata  
Walter Swisher, 355 Vista Drive, Ephrata  
Leah Volker, 1420 W. Main Street, Ephrata  
Suzy Wurtz, 33 Akron Road, Ephrata

The following visitor(s) participated via video conferencing:

Julie Hocking, 615 E. Main Street, Ephrata  
Dwayne MacKenzie, VFW, 141 S. State Street, Ephrata  
James Sandoe, 1181 Joann Avenue, Ephrata  
Kim Stonebraker, 527 N. Maple Street, Ephrata

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**

“While we do have a quorum of Ephrata Borough Council physically present tonight, this meeting was advertised in accordance with Act 15. This enables residents that wish to

participate in the meeting virtually to do so for the duration of the COVID-19 emergency declaration. The Governor of Pennsylvania further extended the Declaration of Emergency for the Commonwealth until November 30<sup>th</sup> unless rescinded earlier. The Declaration of Emergency declared by the Honorable Mayor also remains in effect. This meeting and instructions to allow for citizen comment were advertised as stipulated in Act 15.”

President Rowe inquired if any citizen participating virtually wishes to address Council; in which, Mr. Thompson advised there is one individual, Dwayne Mackenzie, who requested to speak regarding the VFW’s Jack Frost Parade. President Rowe advised she has a made a notation of Mr. Mackenzie’s request.

President Rowe inquired if any written comments were received that are to be read at this evening’s meeting; in which, Mr. Thompson advised no written comments were received.

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

“First, I want to thank you all for your attendance at the Work Session of Ephrata Borough Council. I realize many of you are in attendance for an issue regarding a vote taken by the Ephrata Borough Council on July 13<sup>th</sup> passing Resolution 2020-15 which begins the process by which Ephrata Borough Electric Division will reinstate disconnections and penalties imposed on delinquent customers. This is a highly emotional subject for all of us. While all meetings of Ephrata Borough Council are structured and follow Rules of Order, I would like to make you all aware of what this structured meeting will be.

First, if you wish to address Council and have not yet signed in, please do so. No one, including Staff, elected officials or those in attendance will be permitted to speak until I have turned the floor over to you. You will have an opportunity. If there is overflow for anybody who does not fit inside Council Chambers are to sit in the lobby and we also have an overflow section outside of the building for those individuals that may wish to address Council.

Anyone participating in this meeting virtually by Zoom will be granted a chance to speak. I understand that no one participating wishes to address Council.

During public comment, we will follow Section 7101(a) of Title 65 known as the Sunshine Law. This stipulates that public comment can and will be limited to residents and/or taxpayers of the Borough of Ephrata. When public comment is open, please wait to be addressed by me. You should then step to the podium and state your name and address and I will ask if you are a resident or an electric customer of the Borough of Ephrata. An affirmative answer will begin your time to speak. If you give a negative response, I will request that you return to your seat.

While we usually request each person speak for no more than 3 to 3-1/2 minutes, additional time will be granted for tonight’s meeting. Mayor Mowen will be tracking the time and will raise his hand when you have approximately one minute remaining. If you exceed your time, be prepared for me to tap the gavel notifying you that you are out of time. Tonight we will be granting approximately 5 minutes.

We respect those wishing to speak not continue to repeat the same comments previous attendees have expressed. If your comment is repetitive, I may interrupt you to ask if you have anything to add to the discussion that has not yet been stated. I may request you return to your seat if you do not. Profanity will not be tolerated from public, staff or elected officials. I will repeat this so it is clear ... foul language will not be permitted!

We will not dialog with you during the public comment period. Your comment will be addressed during the time allotted to Committee chairs to offer during their respective Committee meetings. Mr. Ressler is Chairman of the Budget and Finance Committee that oversees utility payments. Ms. Martin is Chairwomen of the Municipal Enterprises Committee overseeing the operations of the utilities within the Borough of Ephrata. I ask these Chairs to please listen to the statements carefully. You can address comments or answer questions when you report.

A member of the Borough staff may be called upon to provide information. I will request that Staff refrain from speaking until directed to do so. As stipulated in the Rules of Order, each Council member will be given a chance to speak during a discussion of the Committee Reports. As Council deliberates, I ask the public to please refrain from interrupting. If you have something you believe has not been expressed that is important to the conversation, raise your hand and wait for me to recognize you before speaking. Public comment will not be closed as we proceed through the agenda; but let me state again, anyone speaking without being recognized will be called out of order. You will be given three warnings; after which, I will determine you are unruly and ask that you leave the meeting. Failure to comply will result in you being escorted out.

I thank everyone for being a part of this meeting and complying with the Rules of Order. Thank you.”

### **Swearing In Of John Petrick as Police Chief, Ephrata Police Department**

Led by Mayor Mowen, Mr. Petrick took the following “Oath of Office” becoming the Chief of Police for the Ephrata Police Department:

“I, John E. Petrick, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear that I do not advocate, nor am I a member or an affiliate of any organization, group or combination of persons that advocates, the overthrow of the Government of the United States or of this State by force or violence; and that during such time as a member of the Ephrata Police Department, I will not advocate, nor become a member nor an affiliate of any organization, group, or combination of persons that advocates, the overthrow of the Government of the United States or of this State by force or violence.”

Mayor Mowen concluded by congratulating Chief Petrick and welcoming him to the Ephrata Police Department. Chief Petrick extended his appreciation and advised he is looking forward to

serving the community.

President Rowe extended her congratulations to Chief Petrick.

**Municipal Moment: Ephrata Area School District**

Dr. Brian Troop, Superintendent, Ephrata Area School District, informed Council members that he and Michelle Myers, Ephrata High School Internship Coordinator, will be presenting information on the District's internship program.

Dr. Troop provided some background information regarding the implementation of an internship program within the District. In summary, Dr. Troop advised the District questioned what their purpose was, as well as what their responsibility is, to the community; the families that allow them to work with their children' and ultimately for their respective students that are with them from Kindergarten to 12<sup>th</sup> Grade. Dr. Troop further advised that from some good reflection as well as insight from the School Board, that they have a responsibility that goes beyond the standardized tests.

Dr. Troop then stated "...there are things that employers look for that cannot be easily measured on a test and some of those things are perhaps the most important lessons that any of us get when we are in school and draw on for the rest of our lives."

Dr. Troop advised one of the areas looked into was regarding students who headed in a college direction and what skills and qualities are most important. Dr. Troop further advised research showed the most important skill for people that have college degrees in getting a job or getting into grad school is the ability to work in a team structure; followed by the ability to: (1) make decisions; (2) plan, organize and prioritize work; (3) ability to verbally communicate with persons both inside and outside the organization; (4) ability to obtain and process information; (5) ability to analyze quantitative information; and lastly, (6) technical knowledge related to the field.

Dr. Troop advised upon reviewing this data, it became apparent to the School Board and Administration that the District is not spending enough time of these most important things and are spending a whole lot of time on technical knowledge related to the job.

Dr. Troop provided an overview of the results of the Lancaster Chamber in their efforts to discover what the most important skills that are being looked at for new hires. Dr. Troop advised these results were based high school graduates moving into the working field. Dr. Troop further advised the following skills were being sought after by employers: (1) logical thinking/problem solving; (2) verbal communications; (3) basic math; (4) reading comprehension; and (5) technology/computer skills.

Dr. Troop advised those results were again not based on how students did on their Biology Keystone Exam or what was their score on their Math SAT; however, it was more about if the individual had the ability to think logically, solve problems, and/or communicate with various audiences.

Dr. Troop advised a lot of research was conducted by the Administration which ultimately resulted in what they are calling, “Life Ready Graduate.” Dr. Troop further advised the three areas they believe are most important for students in life after high school graduation no matter what path they are going on are: they have to have some knowledge that they have acquired and the ability to imply their skills via the “4 C’s: Communication, Critical Thinking, Creativity and Collaboration.” Dr. Troop advised they want students to be able to demonstrate dispositions that are community held and that don’t have a shelf life including honesty, integrity, responsibility, as well as the ability to continue to learn.

Dr. Troop advised the Life Ready Graduate program has been in place since 2015. Dr. Troop stated, “... while we do a great job and have lots of opportunity to provide students a chance to demonstrate they have acquired knowledge ... ultimately, it doesn’t matter if they can do it in a classroom if it does not translate to the real world in opportunities they can have to be successful in demonstrating what they have learned in text books and applying it through skills and demonstrating the character traits in a real world setting.” Dr. Troop further advised this has led to a concept of establishing internships and turned the presentation over to Ms. Myers for further discussion.

Ms. Myers advised she is new to the Ephrata community and is excited for the opportunity to discuss internships with Borough Council. Ms. Myers stated a piece of the program that is really important is, “... it helps to bridge the gap between school and work by forming partnerships with employers, community leaders and students.”

Ms. Myers advised that students would apply to participate in the program which is being offered to juniors and seniors. Ms. Myers advised students are aligned internships with their career goals in mind and their chosen pathway. Ms. Myers further advised the end result is students being paired with local businesses and industry.

Ms. Myers advised an agreement between the district and the business will be made including if the student will be paid or not, the hours the student will work, etc. Ms. Myers further advised a training plan detailing what the learning activities will be for the student and the student will then be trained with transferrable employability skills. Ms. Myers advised the businesses do need to abide by the Federal and State Child Labor Laws. Ms. Myers further advised both State and Federal clearances will need to be obtained. Ms. Myers advised the employers are required to complete a quarterly evaluation.

Ms. Myers provided an overview of benefits to the employer including the reduction of training and recruiting costs; helps to create a pool of skilled and motivated employees within the community; receive employee support from the school; forming a relationship with the school; and the ability to “try out” an employee prior to committing to a full-time employment. For the student, Ms. Myers advised it expands their career awareness; develops employability skills, discovers job market opportunities and applies academic concepts to the real world. For the school, Ms. Myers advised the program extends the classroom into the community; students become more responsible to the employment needs of the community; and it builds the partnership with employers, students, parents and the school.

Ms. Myers advised placements are broken into five pathways including Arts & Communication; Business Finance and Information Technology; Engineering and Industrial Technology; Human Services; and, Science and Health. Ms. Myers further advised the Ephrata community does consist of all of those particular placements.

Both Ms. Myers and Dr. Troop then highlighted a few of the success stories since the implementation of the internship program. Ms. Myers advised of a new exciting co-op opportunity which will be starting allowing students to go out in a paid work experience opportunity to still gain the career-ready skills that are necessary.

In conclusion, Ms. Myers and Dr. Troop thanked Borough Council for the opportunity to share information regarding the internship program and the successes students have had through it.

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

Leah Volker, 1420 W. Main Street, Ephrata, was acknowledged by President Rowe to begin her comments. Ms. Volker advised she has resided in Ephrata for the past five years and works in the healthcare industry. Ms. Volker expressed her concerns about shutting off water and power during this time as it is an extremely stressful time for everybody. Ms. Volker stated that during stressful times, the likelihood of more medical conditions occurring is increased. Ms. Volker further stated that individuals are already behind in the bills due to the current circumstances and are going to end up losing even more. Ms. Volker then stated, "... this is not the time to be turning off power ... it's not the time to be turning off water ... this is a time where people need to have be able to have good hygiene ... need to have access to food ... need to be able to take and let their kids go to school online ... this is not the time to be shutting off power ... we are a creative society ... we have to be able to come up with other solutions besides turning off people's vital electricity and water ... this is not the time especially in the middle of this crisis ... and to do it is really cruel ... I was really, really shocked ... I really urge the Council to rethink their decision and come up with a creative solution that will help these people stay with power and electricity ... that will keep them from losing whatever little bit they have been able to scrape together right now ... we need to be supporting our community, not burdening it even more ... we don't these people so stressed out that now they are ending up in the hospital ... we need leadership to help these people, not to punish them ... this is not that time." Ms. Volker concluded her comments by requesting Council to rethink their decision and come up with a way to make this work for everybody. President Rowe thanked Ms. Volker for her comments.

Susanna Wurtz, 33 Akron Road, Ephrata, advised she is attending the meeting on behalf of Northern End Stands Up. Ms. Wurtz stated, "... everybody is incredibly stressed out and everyone is looking to their local government, their state government and their federal government to help because this is why we elected you guys ... we voted for you and you let people fall through the cracks and it is not okay ... you guys can reverse this ... you can take a vote and you can reverse this ... someone can make a motion and we really ask that you do that ... we had dozens of people out there asking for you guys to do that." President Rowe thanked Ms. Wurtz for her comments.

Walter Swisher, 355 Vista Drive, Ephrata, advised he has been a life-long resident for 70 years and have seen "the best and the worst of the times and we did not complain ... we worked

through it.” Mr. Swisher advised his electric bill for the past month totaled \$155 and stated, “... it don’t get much cheaper than that.” Mr. Swisher further stated, “... whoever put the diesel generators out there and the solar farm, they really got a brain ... there is no free lunch for anybody.” President Rowe thanked Mr. Swisher for his comments.

Dan Sweigart, 129 E. Franklin Street, Ephrata, advised he has been a life-long resident of the Borough and as other speakers had already commented, he was shocked when he read The Ephrata Review and found out that people’s electric and water were being disconnected. Mr. Sweigart, again referencing previous speakers, stated, “... we’re in the middle of a pandemic ... we’ve got tens of thousands of people in Lancaster County and right here in the our own community either out of work, their hours have been cut ... they simply do not have the resources to pay everything that needs to be paid.” Mr. Sweigart concluded his comments by stating, “... I would respectfully ask the Borough Council to reconsider their decision ... I think it was probably a hasty decision ... certainly not a decision that was in the best interest of this community and ask that they reverse that decision and re-instate the moratorium.” President Rowe thanked Mr. Sweigart for his comments.

Teresa Caruthers, 229 Railroad Avenue, Ephrata, stated she would, “... like to second the pleas of the people who have spoken in favor of the moratorium continuation. Ms. Caruthers advised that “Ephrata” means fruitful and stated, “... we should be fruitful of ideas of how to come together as a community and solve this problem.” Ms. Caruthers inquired as to where the money that Mainspring generates goes and stated, “... maybe we need to do something as a community to just support each other and make Ephrata a better place ... not a town without pity.” President Rowe thanked Ms. Caruthers for her comments.

With no additional citizens in attendance wishing to address Council, President Rowe moved onto the Discussion of Committee Actions.

### **Discussion of Committee Actions**

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

Mr. Ressler advised the Committee met on August 24, 2020, and has two Action Items:

1. Staff presented the 2021 Pension Certification Report identifying the Borough’s minimum municipal obligation to each pension plan. The 2021 defined benefit Police Pension Plan amount will be \$687,066. The 2021 defined benefit Non-Uniform Borough Pension Plan amount will be \$599,781. The 2021 defined contribution Retirement Plan amount will be \$61,111. The Certification will appear on the September Consent Agenda recommending that the Borough Manager execute the certification.
2. Staff requested Borough Council appoint Timothy Barr to the Ephrata Area Joint Authority Board.

Mr. Ressler advised the Committee had five Discussion Items:

1. The Staff presented an estimated COVID-19 budget impact for 2020. The largest risk is with the Earned Income Tax and the Local Services Tax. In addition to the two taxes, there are a number of other smaller accounts at risk which when combined equals an estimated loss to the General Fund of \$379,700. The General Fund balance will be used to cover this shortfall.

The Staff will not recommend a tax increase to cover COVID-19 expenses. We maintain a healthy fund balance to cover emergency situations like this. The Staff will continue to monitor the situation and will provide updates as they are available.

2. The Staff provided the Committee with the 2<sup>nd</sup> quarter finance reports. Since finances were just reviewed in the above presentation, there were no additional questions. No further action is required.
3. The Staff provided the Morgan Stanley reports on the two pensions and the retirement plan for review. No further action is required.
4. The Staff provided a copy of two reports on the solicitor's invoices. The first report is sorted by invoice and the second report is sorted by project. No further action is required.
5. The Staff provided the Check and ACH registers to the Committee for August to date. An addition of a BA or EJ was added to the list so the Committee knows which checks are for the Ephrata Borough Authority and EAJA. The Committee requested details on the account charged for Check 42709. It was coded to rental expense for drone battery charges, but the expense should have been charged to tools and equipment. The Staff will move the expense to the correct account.

**Old Business Items:**

1. The Staff will provide the breakout of contributions for the September Committee meeting.
2. The Staff will begin the process of reviewing our collection process.
3. The Staff provided an update on the credit card fees. The Springbrook upgrade could be completed now for \$10,000 and the system would still reside on the Boroughs server, or we could wait until March 2021 (estimated) and complete the upgrade for \$8,000 and the system would reside on the Cloud. The Staff will work with Springbrook on dates for the upgrades. We will have to provide sufficient notice to our customers of the change to customer pay for credit card fees. Considering the current state of the economy due to COVID-19, we would not want to add the fees right now. We try to coordinate the implementation of changes like this with the Spring since most customers would have lower utility charges overall at that time. If the upgrade to the server would be completed next year anyway, then we should wait until we can upgrade to the Cloud. The Staff will provide an update at the September meeting.
4. The rental abatement will continue until the end of this year.
5. The Staff is working on the Borough parking project and will provide updates as they are available.
6. The Staff is working on the potential revenue sources and will provide an update when it's available.

Miscellaneous Items:

1. The budget presentation workshop has been moved from October 8<sup>th</sup> to October 15<sup>th</sup> at 5:30 PM.
2. The Staff submitted the documentation for the PA Cares Grant on Friday, 08/21/20.
3. The alternate to the AMP board of trustee's position remains vacant.

President Rowe inquired if Mr. Ressler wishes to address any of the public comments received earlier; in which, Mr. Ressler advised he would like to do so. Mr. Ressler stated, "... first of all, I do want to state that Council did not take this action hastily ... we did consider it ... I listened to the comments and I respect everybody's viewpoints ... no one on the Council or Borough Staff wants to see anybody lose electric or other services ... our Borough Office works to minimize this by trying to help with a reasonable payment plan or by directing customers to organizations that offer that assistance ... the Disconnect Policy is the only way for the Borough to ensure payment of services provided ... it is only done after multiple notices and attempts to make contact for payment ... implementation of the Disconnect Policy in April was meant to be short-term and due only to the economic shutdown and shelter in place order from the State ... those residents affected are advised to seek assistance from State or County agencies and from Social Services ... Ephrata Borough does not have the resources or the structure to meet those needs ... I believe it is the Council's responsibility for oversight and policies that insure operation of the Borough in a fiscally sound and sustainable manner ... other issues to consider are the payment liabilities of rental property owners and rental permit renewals ... therefore, I still consider my vote taken in July to reinstate the long-standing disconnect policy correct and reasonable."

Ms. Martin advised she concurs with everything stated by Mr. Ressler. Additionally, Ms. Martin stated, "... I would like to say that we are really trying to be solutions-oriented ... we do know that this an emotional issue ... we do understand, but it's not an easy decision ... the last number I had as of this morning, there were ten disconnects ... now that's ten people and we understand that ... but I also wanted to say, because we are trying to be solution-oriented, that myself, two Customer Service Representatives, and Joy Ashley, Ephrata Area Social Services, met last week to try to form a partnership to try to work together and understand what each other has to offer, what we can do, what our needs are ... Joy came up with a couple of proposals and we are going to take them under consideration ... and also we are working really well with them to try to push out budget billing. Ms. Martin concluded her comments by stating, "... we are working ... we are really solutions oriented ... we are trying to look for solutions ... and not just being heartless and cruel ... we are really trying to work within the confines of what we can do to try and offer solutions to our residents."

Mr. Barr echoed Ms. Martin's comments and further stated, "... at my last VFW meeting, I was called gutsy because I had decided to start approaching service organizations and asking if they be willing to donate to EASS to sponsor one family's bill and, hopefully, they will challenge each other to do that ... it's just one way of helping." Mr. Barr is hopeful by contacting various service organizations "... that there is help out there and we're trying ... we are not heartless."

Mr. Richard requested that the following numbers as to the amount of people affected be included within public record. Mr. Richard stated, "... 52 residents had their power disconnected ... of the 52, there are ten who still do not have power ,, so 42 people were reinstated ... of the 52, all but one were people who had been previously delinquent at previous times so it was a not a COVID issue before that ... the Customer Service Representatives (CSR's) had approximately 25 asks for payment plans over the phones ... there are 23 payment plans in place as of August 31<sup>st</sup> ... the CSR's received approximately 200 phone calls from residents since the disconnect notices were started ... and the total penalties applied to electric were \$13,310.53." Mr. Richard advised, "... that puts a face to the numbers we are looking at here ... we have a little over 7,000 meters out there ... so the total amount of people effected were 52 and ten (as of the morning of September 8) remain disconnected ... so the number we're looking at is ten people out of 7,000 meters ... the comments I listened to earlier, I found one way and when I look at the numbers and what the Council is looking at doing, we did not spring this on anybody ... this is something that nobody here ... we're all taxpayers ... we have electric service ourselves ... we all work for a living ... we all have income ... we all are in the same boat as everybody ... I believe we used as much care as we could to do what we had to do for the residents and the Borough of Ephrata to continue going forward.

Vice President Reinhold, in referencing the press, extended his appreciation to those still in attendance at tonight's meeting as he has noticed some of the media has left. Vice President Reinhold stated, "... unfortunately, sometimes I feel like in the news now we get one story told to us ... and only one story ... so they are not going to be able to hear our story here tonight." Vice President further stated, "... I feel for all of these people ... I feel for especially any children that are included in the ten disconnected accounts that we have as of right now ... but at the same time ... and I'll say this by first of giving kudos to Chris (Moore) and the rest of the Staff for all of the calls they've taken over the last few weeks ... the harassment they have probably taken from some residents and so forth ... but in some of the numbers, the one that keeps sticking out to me that we received on Friday (September 11, 2020) was of the 52 accounts that were delinquent, 51 of those are habitually delinquent ... that means only one was impacted by COVID and this is the first time we have ever had people come protest and say how heartless we are in what we're doing ... this has been going on for years ... we don't shut off the power come December 1<sup>st</sup> until April 1<sup>st</sup> ... then it comes back on ... then the disconnects begin at some point because they're already four months in arrears ... never came up last year ... never came up the year before that ... I can't recall this ever coming up before ... but it comes up this year and it's just unfortunate."

Vice President Reinhold further stated, "I can only chalk it up to it being a presidential election year ... it's coming all the way down to small towns like ours now ... so, again, I understand that you're supposed to help your neighbor ... but, at the same time, I also understand that there are some repeat offenders ... over and over and over again ... and it's just like with friends, you might loan them a \$20 bill one time ... maybe two times ... if you don't get that money back, sooner or later you just got to say, "... that's enough ... I'm sorry ... I got to worry about what we're doing as well" ... we're all blessed up here to probably either be retired or some of us still have jobs and I'm grateful for that ... I really am ... but things are starting to turn around ... you have to prioritize what you want to spend your hard-earned dollars for ... and I don't know every unique situation, but I find it a hard time ... I'm hearing from meter readers and everything that

some of these properties they are going to that out front there's this ... there's that ... what does that mean ... is there a car payment there and that is more important than keeping the lights on ... I don't know ... I just know that if we do reverse what we did in July ... we've already said this ... we will go into the winter again with no payment and we'll go all the way through ... are there some things that maybe we as a Staff can probably look at to get that message out quicker as far as getting on payment plans ... probably ... we'll look at that ... is there something we can do ... maybe the Borough has to work more closely with landlords because I feel for these people that have properties ... they're the ones that get stuck specifically with renters ... and this is the majority of what the delinquent accounts are ... I'm emotional too ... I don't want to see anybody without the ability to have light or to have power ... but at the same time, I think it's important ... we were all raised to work hard ... save up ... prioritize what you need to do ... that seems to have been lost in this society moving forward and it is just, "What can you do for me?" and "I'm not going to do anything," and "Just me help me out" ... an unfortunate set of events ... that's all I have to say."

Mr. Zimmerman, in referencing the Borough's budget program, encouraged individuals to, "... pick up your phone ... call the Borough ... call your insurance company and explain your situation ... get that conversation started ... and get help as early as you can ... don't wait and just think it's going to magically go away cause it's not going to."

Mr. Weiler echoed Mr. Zimmerman's comments and further stated, "... we realize we are in a dilemma, we shouldn't allow it to continue on until it gets to a cutoff of an utility point ... when you see you have problem, don't let it ... don't see how fast you can dig the hole, see how fast you can stop digging the hole and get the help you need and ask for help ... but for the Borough to stay solvent and take care of all of the citizens of the Borough, you can't not have a policy where collections don't happen ... and, unfortunately, the tools that are available to the Borough are very few ... and disconnects are a "big hammer at the end of the line.""

Mayor Mowen stated, "... ditto, ditto, ditto ... the thing that I am more concerned about is what Vice President Reinhold said is that we wind up not getting the information out there because WGAL left before any of this other information can be given ... and on the 11 o'clock news tonight, the news will be, "Ephrata Shut Off Electric" ... it won't be that there's only ten people left ... and it won't be that there was 52, of which 51 were prior delinquents ... I mean none of that information will be on the news tonight and that kind of irritates me."

During his second opportunity for comments, Mr. Ressler advised he covered his viewpoint earlier and speaks only for himself and not for the entire Borough Council. Mr. Ressler further advised he does not believe it does the people, even distressed, any good to allow as Mr. Zimmerman described "to keep digging the same hole." Mr. Ressler further stated, "... they need to reach out ... to reach out early ... as there are organizations available to offer assistance."

Vice President Reinhold, in providing clarification to a citizen's request for information, responded to the following:

Q. Can we differentiate customers that are legitimately affected by COVID-19 delinquent ones?

A. Of the 52 that were disconnected, all but one is habitually delinquent.

Q. Can you provide a list of those that have delinquent accounts for the first time since March compared to the actual delinquent list?

A. 51 of the 52 are habitually delinquent over the last year.

Ms. Moore, Director of Finance and Administration, reiterated there is only one customer that was not habitually delinquent. In respond to Vice President Reinhold's inquiry, Ms. Moore advised she reviewed the numbers from the last 12 months to determine who were habitually delinquent. Ms. Moore further advised all of the accounts included within the count were either delinquent 12 out of 12 or 11 out of 12 months.

President Rowe, in responding to an inquiry from Ms. Ashley, advised she is not in receipt of the number of customers to be cut off later this week as that information has not been finalized. Mr. Thompson advised the information presented at tonight's meeting is from the cutoffs that occurred on August 20 and 27.

Janice Eberly, 163 E. Pine Street, Ephrata, approached the podium and commented that WGAL is still on site (outside) and they are recording what is being broadcasted; in which, President Rowe thanked her for letting Council know that information.

Mr. Swisher, addressed Council second time to acknowledge the hard work of the men and women who report to duty and provide police coverage to the Ephrata area during this trying time. Mr. Swisher further advised police salaries need to be reviewed and hoped that they are being paid what they deserve for the service(s) they provide. President Rowe thanked Mr. Swisher for his comments.

#### Development Activities Committee

Mr. Zimmerman advised the Committee met on August 24, 2020, and has five Action Items:

1. The Committee reviewed a letter from the VFW regarding the Phase III of the Ephrata Honors banners. At the end of this three-year rotation the current banners will be retired and the VFW will offer a new set of banners to the community which will be available for the summer of 2021. The banners will be part of the current banner rotation. The Committee had no objections and will recommend approval at the September Council meeting.
2. The Committee reviewed a sketch plan for the Ephrata High School, 803 Oak Boulevard. The District is proposing several additions to the existing high school building to accommodate expansion of the district office and several school programs. They will be removing some impervious surface and relocating the existing tennis courts to comply with maximum impervious surface coverages. New tennis courts will be constructed on the athletic field located across the street from the high school. They will also be constructing a small parking lot and stormwater management facilities next to the new tennis courts. The Committee will recommend that Borough Council authorize the staff to issue the sketch plan comments from the staff and HRG to the applicant at the September Council meeting.

3. In May 2020, a sprinkler head broke in the Ephrata Performing Arts Center (EPAC) and caused damaged to the interior of the structure. The Borough owns the building and is responsible for the repair. The repairs were bid and the apparent low bidder is Restoration Relief, Inc. with a bid of \$83,059.79. The cost of the repairs is covered by the Borough's insurance. The only cost to the Borough is the deductible. The Committee will recommend that Borough Council award the bid for the EPAC repairs to Restoration Relief, Inc. in the amount of \$83,059.79 at the September Council meeting.
4. The request for temporary sales at the Eicher Indian Museum was withdrawn. No action is required.
5. The Committee reviewed a request to place three (3) monitoring wells on the Borough's property at the Ephrata Public Library. The Turkey Hill Minit Market located next to the library is investigating various volatile organic compounds (VOCs) found in the groundwater of the Turkey Hill property. The environmental contractor will install and monitor the wells following all PADEP guidelines. They will also remove and restore the wells once DEP approves the closure. The applicant will need to execute an agreement with the Borough that provides for removal, restoration and escrow of funds should the applicant fail to remove and restore the area disturbed. The Committee is recommending that Borough Council approve the request to install monitoring wells subject to the execution of an agreement prepared by the solicitor.

Mr. Zimmerman advised the Committee had six Discussion Items:

1. The Committee reviewed the first quarter budget report for activities under their purview. There were no concerns regarding the budget report.
2. The staff updated the Committee on the Gross Run Streambank Restoration project. The staff will be contacting owners to review the project with them and ask for permission to perform the work on their property. Councilwoman Martin requested that the staff provide a copy of the letter to Council so they know what information is being provided to the residents. Any questions residents may have will be directed to the staff.
3. Harris reported that all the repairs to the Rec Center have been completed and inspected. The transfer of ownership that Council previously approved will move forward.
4. Councilman Barr mentioned that a Census Taker found some code enforcement issues. Councilman Barr provided the information to Harris who will make sure the code enforcement staff follows up on the three concerns.
5. There were no decisions from the August Zoning Hearing Board meeting. (Note this item was omitted from the agenda and was not discussed at the Development Activities Committee meeting)

6. There are no new applications for the September Zoning Hearing Board meeting. (Note this item was omitted from the agenda and was not discussed at the Development Activities Committee meeting)

Mr. Richard, in referencing Action Item #3, inquired as to what the Borough's deductible is; in which, Mr. Thompson advised he does not have that information available at this time, but will see that the information be provided prior to the Voting Session.

Mr. Zimmerman inquired if Amy MacKenzie, VFW, in referencing Action Item #1, wished to provide any additional comments; in which, Ms. MacKenzie advised steps are being taken to offer new families within the community an opportunity to recognize their loved ones that have served or currently served in the military. Ms. MacKenzie extended her appreciation to Council for their continuing support of the banner program. President Rowe thanked Ms. MacKenzie for her comments.

#### Public Safety Committee

Vice President Reinhold advised the Committee met on August 17, 2020, and has one Action Item:

1. The Committee reviewed the certified list of eligible police applicants as provided in the letter from the Ephrata Borough Civil Service Commission dated July 2, 2020. The Committee will recommend the approval and acceptance of the certified list of applicants for the position of police officer at the September council meeting.

Vice President Reinhold advised the Committee had three Discussion Items:

1. Fire Department Insurance – C. Moore briefly discussed insurance cost disparities between Lincoln Fire and Pioneer Fire due to different methods and types of apparatus that each department insures. The needs will likely be clarified upon completion of the fire study.
2. 2020 Second Quarter Budget Report – Lt. Shumaker presented the 2020 second quarter budget report. All expenditures are within the expected parameters for the year with no concerns noted.
3. Monthly Police Report – Lt. Shumaker presented on the monthly police report noting the highest profile case for the month was the quadruple shooting that occurred earlier in the month.

Vice President Reinhold advised representatives from Northern End Stands Up were in attendance who briefed the Committee on issues they would like to have discussed at the September Committee Meeting, i.e., posting of police policies online as well as information on the banning on carotid artery restraints and chokeholds.

Vice President Reinhold further advised that the Committee did convene into an Executive Session to discuss a personnel matter.

Lt. Shumaker advised there was an error on the Actions Items and that at next week's Voting Session, action will be taken on the following items in addition to the one mentioned by Vice President Reinhold.

**Additional Action Item:**

1. The Committee reviewed the background investigation of Jeffrey Evan King for the position of Police Officer and at the September council meeting will recommend the hiring of Mr. King effective October 12, 2020. This will be a conditional offer of employment pending Mr. King's successful passing of a physical, psychological and drug screening examinations. Mr. King will be subject to a one-year probationary period commencing September 28, 2020 and ending October 12, 2021.
2. The Committee reviewed the background investigation of Robert Michael Wolpert, Jr for the position of Police Officer and at the September council meeting will recommend the hiring of Mr. Wolpert effective January 11, 2021. This will be a conditional offer of employment pending Mr. Wolpert's successful passing of a physical, psychological and drug screening examinations. Additionally, Mr. Wolpert must attend and graduate the Reading Police Academy and successfully complete all necessary Municipal Police Officer Education and Training Commission certification requirements. Mr. Wolpert will be subject to a one-year probation period commencing upon the date he receives his MPOETC certification number.

Highway Committee

Mr. Richard advised the Committee met on August 24, 2020, and has two Action Items:

1. The Committee reviewed a Resolution establishing parking meter rates for on-street metered parking with parking meter zones. The new parking meter rate programming is tentatively scheduled for the weeks of September 21 and September 28, 2020. The Committee will recommend that Borough Council adopt this Resolution at their September 14, 2020 meeting.
2. The Committee discussed an existing parking restriction along a portion of the 500 block of the north side of East Main Street to 610 East Main Street previously approved by Borough Council on January 26, 1987 but never ordained. Several residents wanting this parking restriction ordained and enforceable were present to describe their departure concerns onto East Main Street from their private, common driveway. A Resolution permitting a 90-day experimental parking prohibition will be presented at the September 8, 2020 Council Work Session. The Committee will then recommend that Borough Council adopt this Resolution at their September 14, 2020 meeting.

Mr. Richard advised it was brought to his attention earlier on this date that the VFW is requesting to hold their annual Jack Frost Parade. Mr. Richard advised the Committee has not had an opportunity to discuss the request and requested a discussion occur at this time. Mr. Richard then requested Ms. MacKenzie to provide information pertaining to the request; in which, Ms. MacKenzie advised they would like to proceed with the planning of the annual Jack Frost Parade and provided an overview of the proposed route as well as to what COVID-19 precautions will be implemented in order for the children of the Borough to partake in the event. After a brief discussion between Committee members, as well as approval from the Police

Department on the proposed route, it was unanimously agreed to bring the matter forward for vote at the September 14, 2020, Voting Session.

**Additional Action Items:**

1. That Borough Council conditionally approve the September 8, 2020 request from the VFW Cocalico Valley Post 3376 to close South State Street from Fulton Street to West Franklin Street from 6:30 PM to 8:00 PM on Wednesday, October 28, 2020 (Rain Date: Thursday, October 29, 2020) for the annual Jack Frost parade subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.

Mr. Richard advised the Committee had two Discussion Items:

1. The Committee discussed the South Oak Street Bridge pedestrian railing following review of prior e-mail discussion between Borough staff, Scott Stock from Mackin Engineering (Bridge Inspector), and Peter Erndwein from DVIT (Borough's Liability Insurer). Committee directed staff to contact and discuss concerns with PennDOT's Lancaster County Maintenance Manager as they have the same railing on their bridge immediately upstream.
2. Borough Manager Thompson reviewed with Committee the 2<sup>nd</sup> quarter 2020 budget report for those activities under their purview and noted no concerns at this time.

Municipal Enterprises Committee

Ms. Martin advised the Committee met on August 17, 2020, and has two Action Items:

1. The Committee reviewed the Year 5 extension of the Waste and Recyclable Materials Collection contract with Eagle Disposal of PA, Inc. The Committee will recommend approval of the contract extension thru September 30, 2021 at the September Council meeting.
2. The Committee reviewed Bid #20-5 for a new pole building at the wastewater treatment plant #1. The project was budgeted at \$100,000 and the lowest bid is \$118,848.75 from Dutchman Contracting, LLC. The additional funds to complete the project will come from the process control meters for phosphorous and ammonia nitrogen project planned at WWTP#2 for \$79,000, which has been postponed. The Borough Authority approved the pole building at their August 10<sup>th</sup> meeting and recommend Borough Council approve it at their September 14<sup>th</sup> meeting.

Ms. Martin advised the Committee had one Discussion Item:

1. Borough resident, John Stewart, submitted a written concern regarding the rate that is being charged to a small business owner on Main Street. He states there is no benefit to small customers from the all-electric rate. He is requesting the rate be reviewed or eliminated. The Staff requested the account number or address for the small business so we can review their account and determine if they are in the best class for them. Once the account information is provided the Staff will research this issue. Mr. Stewart also asked why the borough requires a fee of \$125 for meter removal and he wanted to know if the peaking generators are finished. The Committee said they would invite him to the September Committee meeting so he could present his questions in person and they could be answered. The Staff will wait for an account number to review the small business account.

Old Business Items:

1. While discussing the electric vehicle charging stations, a question was raised regarding the cost effectiveness of the Borough purchasing an electric vehicle. The Staff will look into this as part of the normal fleet budget process.

Miscellaneous:

1. One of our residents, Teresa Caruthers, asked the Committee why the school did not put solar panels on their roof. She said it would be educational and provide cost savings. The Committee advised that the school board would have to first decide to pursue a solar panel project and then contact the Borough for information.

Community Services Committee

Mr. Weiler advised the Committee met on August 24, 2020, and has one Action Item:

1. The Committee reviewed a written request, dated July 9, 2020, from Josh McCracken, Principal of Fulton Elementary School, to place flags at the Winters Leadership Plaza for Veterans Day (2020) and Memorial Day (2021). The Committee will recommend that Borough Council approve the request as part of the Consent Agenda at their September 14, 2020 meeting. The Borough is in receipt of a certificate of insurance naming the Borough as additional insured.

Mr. Weiler advised the Committee had three Discussion Items:

1. The Committee reviewed and discussed the 2020 second quarter budget report for those areas under the Committee's responsibility. Capital projects were discussed and Borough Manager, Robert Thompson reported as follows:

Public Library Improvements	Deferred
Railroad Right of Way	Deferred to 2021
Playground Improvements	2020 (RDA)
Pool Improvements	2020 (Completed)
Playground Surface Improvement	2020 (RDA)

There was also a brief discussion regarding revenue loss at the Ephrata Community Pool. Recreation Center Director, Jim Summers reported that the estimated loss of revenue will be approximately \$20,000. The final numbers are not calculated yet. The Committee had no additional budget concerns. No further action is required by the Committee.

2. Jim Summers reported that the 2020 Dog Swim has been cancelled.
3. Council took action to extend the summer season an additional week due to school starting a week later. Councilman Reinhold was contacted by a pool member that a sign was posted stating that the pool will be closed on Wednesday, August 26<sup>th</sup> and Thursday, August 27<sup>th</sup>. Councilman Reinhold requested an explanation. Jim Summers explained that they do not have enough lifeguards to open the pool.

Mr. Richard inquired if the pool inspection results will be discussed at an upcoming Committee meeting. Vice President Reinhold advised that the inspections are complete every three years and this particular inspector may have been a bit more diligent. Vice President Reinhold further advised he would like to know that the issue(s) have been resolved and the pool is ready to be opened in 2021. Mr. Weiler advised he is confident the Committee will have more discussion on this topic and advised this particular information became available after the Committee's last meeting. President Rowe requested that Mr. Thompson add this topic to the September Community Services meeting agenda.

Mr. Ressler advised he had a resident inquire as to why the pool closed early as they felt Council may have "made up" the inspection results in order to do so; in which, Mr. Ressler advised the resident that the inspection was legit and that was not the reason for the pool closing earlier than expected.

#### Personnel Committee

Vice President Reinhold advised the Committee met on August 24, 2020, and has one Action Item:

1. The Committee will recommend that Borough Council approve discontinuing the stipend of \$1,200 per month extended to Lieutenant Thomas Shumaker for serving in the role of Acting Chief of Police. The stipend will cease effective October 5, 2020.

Vice President Reinhold advised the Committee had one Special Item:

1. Borough Manager Bob Thompson updated the Committee on the status of the goals/objectives received from Borough Council in December 2019. The first goal was discussed previously at the Budget and Finance Committee Meeting and the Borough Manager received direction from that Committee. The remaining two objectives were discussed in detail. The Committee thanked Mr. Thompson for the update, indicating they were satisfied with the progress of the second goal, but wanted additional time to discuss the third objective.

Vice President Reinhold advised the Committee had two Discussion Items:

1. The Committee began a discussion of the future and priority of workshops. These were scheduled to be held bimonthly on even-numbered months; however, due to COVID-19 and Declarations of Emergency no workshops have been hosted. Rowe explained the April Workshop facilitated by Mr. Thompson and Ms. Fasnacht on Right to Know was placed on hold. The Workshop scheduled for June led by Rowe on the Explanation of Evaluation Guidelines was also placed on hold. Additional workshop topics need prioritization. Suggestions for restarting workshops included creating a PowerPoint video for council viewing or holding workshops via Zoom. This discussion was tabled.
2. Discussion items 2 (Policies and Guidelines), 3 (Retreats for 2021) and 4 (Personnel Committee members ideas for priorities) were not brought forward by Chairman Reinhold due to the late hour. These will be discussed as Discussion Items at the next meeting.

Vice President Reinhold concluded his report by advising the Committee did convene into an Executive Session to discuss two personnel matters.

Special Projects Committee

Mr. Barr advised the Committee did not meet in August; however, Mr. Barr advised at a future meeting, there will be further discussion regarding the Gateway Sign project. Mr. Barr then referenced the VFW who is awaiting information from the Borough to move ahead with their signs; in which, Mr. Thompson advised the Borough is in receipt of their application and that the project was put on hold due to COVID-19 and will now be getting “back on track.”

Mayor Mowen, in referencing the Gateway Sign project, advised prior to COVID-19, he had made contact with every one of the sign holders and had received commitment from all but one to redo their signs. Mayor Mowen advised due to COVID-19, this matter had been put on hold and that he was awaiting word that the Borough is moving forward with this project. Mr. Thompson advised he is in receipt of some new signage but was waiting to install the plates until we knew how many we were going to do so we could fill the signs. Mayor Mowen advised he will re-contact the agencies and we can “move forward from there.”

**Second Opportunity for Citizens to be Heard**

Joy Ashley, Ephrata Area Social Services, approached the podium and voiced her concerns stem from her position as the Executive Director for EASS. Ms. Ashley requested Council to not oversimplify this issue regarding utilities as it is an extremely complex situation. Ms. Ashley additionally requested Council to resist the urge to go past somebody’s house and judge them by the car that they drive and please do not write off those who are habitually late because COVID-19 has impacted everybody. Ms. Ashley stated, “... no matter how you slice it ... no matter how you look at it, these are unprecedented numbers that we are dealing with ... and everybody’s situation – why they’re late, why they fell behind ... everybody’s is different ... it is extremely complex.” Ms. Ashley further stated, “... please put my proposals that I had put forth to Ms. Martin and Borough Staff ... just please put those proposals on the fast track for discussion and please consider inviting me to that discussion at that time.” President Rowe thanked Ms. Ashley for her comments.

**Discussion/Announcements**

Mr. Ressler expressed his appreciation to Borough Staff for the extraordinary work they are doing during this difficult time. Mr. Ressler additionally expressed his appreciation to the Police Department for the job that they do to keep us safe. Mr. Ressler advised he is looking forward to working with Chief Petrick.

Ms. Martin welcomed Chief Petrick stating, “... we look forward to working with you.”

Mr. Barr thanked Staff for their responses to the many questions as a lot of information was provided which enabled Council to make the necessary decisions. Mr. Barr extended his appreciation to Lieutenants Shumaker and McKim for their efforts in filling in during the absence of a police chief and stated, “... it was really a seamless transition ... everything ran well.” In concluding his comments, Mr. Barr extended his welcome to Chief Petrick.

Mr. Richard echoed the comments previously stated and welcomed Chief Petrick to the Borough.

Vice President Reinhold welcomed Chief Petrick as well and thanked President Rowe, Mayor Mowen, Mr. Richard and Mr. Ressler for being a part of the Police Chief Search Committee. Vice President Reinhold thanked Ms. Ashley for her comments and advised these decisions are very difficult to make. Additionally, Vice President Reinhold thanked the Staff as well as the sound technicians for their assistance during the meeting.

Mayor Mowen welcomed Chief Petrick and advised he is looking forward to working with him. Additionally, Mayor Mowen extended his appreciation to Lieutenants Shumaker and McKim, as well as Sgt. Randolph, for the jobs they did to prepare for this meeting.

Mr. Thompson thanked Ms. Moore for her leadership in preparing for this meeting during his absence last week. Mr. Thompson advised he would like to take this opportunity to acknowledge the Customer Service Representatives stating, "... many of things we have heard tonight about delinquencies ... the Customer Service Representatives are our link to the public and they're hearing these stories day in and day out ... and when things aren't going well, they get beat up pretty well and their focus is still on helping people ... just would like to express my gratitude to them for the past few weeks ... they've not been real easy ... so thank you." Mr. Thompson additionally acknowledged Lt. Shumaker and his team for their efforts over the last several months.

Lt. Shumaker thanked Council for the opportunity to serve as the Interim Chief and advised that he, as well as the entire Police Department, is looking forward to working with Chief Petrick.

Chief Petrick expressed his appreciation to Lieutenants Shumaker and McKim, as well as the rest of the Staff, for welcoming him and really "hitting the ground running." Chief Petrick thanked Sgt. Randolph for his work on the pre-planning of tonight's meeting and added, "... I was very impressed with the plans that were presented and with the leadership of both Lieutenant McKim and Lieutenant Shumaker ... and I'm very pleased to be joining such a wonderful department." Chief Petrick concluded his comments by thanking Council for this opportunity.

President Rowe also thanked Ms. Moore, the Police Department and Mayor Mowen for their preparation in anticipation of the possible events during tonight's Council meeting. In concluding her comments, President Rowe welcomed Chief Petrick to Ephrata Borough.

### **Adjournment**

It was moved by Mr. Barr and seconded by Ms. Martin to adjourn. The meeting was adjourned at 8:53 p.m.

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D. Robert Thompson, Secretary