

**EPHRATA BOROUGH COUNCIL  
WORK SESSION MINUTES  
OCTOBER 1, 2018**

The Ephrata Borough Council Work Session was called to order by Vice President Thomas Reinhold on October 1, 2018, at 7:00 p.m., in the Council Chambers of the Borough Office, 124 South State Street.

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

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

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

Visitors included:

- Kory Musser, 340 Washington Avenue, Ephrata
- Mike Ast, UGI Gas Service

**Opportunity for Citizens to be Heard**

There were no comments or remarks from attendees.

**Discussion of Committee Actions**

Development Activities Committee

Mr. Weiler advised the Committee reviewed a land development agreement for the solar land development plan in Ephrata Township. The Township is requiring the Borough, as owner, and the Developer (Turning Point Energy) to enter into an improvement agreement for the solar site land development plan. The staff and the solicitor have reviewed the agreement and all their comments have been incorporated. In order not to cause delays in starting the solar project, the Committee has agreed to request that Council vote on this at the work session. The Committee will recommend that Borough Council authorize the President of Borough Council and the Borough Secretary to execute a Land Development Agreement with Ephrata Township for the solar project at the October work session.

Mr. Weiler advised the Committee reviewed a request from the EDO/Alliance to have Borough staff hang the holiday wreaths. Borough staff already plugs the wreaths in so it could be done at the same time. The Alliance has done it in the past with volunteers and they were concerned for their safety. The EDO will look into other options for hanging the wreaths in future years. The EDO will not be doing the holiday banner program this year and would like to substitute the wreath hanging for the previous banner hanging approval. The Committee will recommend that Borough Council absorb the cost of hanging the wreaths for this year at the October Council meeting.

Mr. Richard inquired as to the reasoning of the delay in the holiday banner program being implemented; in which, Ms. Martin advised the vendor was unable to produce the banners in the timeframe provided. Mr. Weiler confirmed the program will be looked at again for the 2019 holiday season.

Ms. Martin advised that Staff requested volunteers to assist with the hanging of the wreaths; in which, she confirmed there will be volunteers on hand to assist and help streamline the process.

Public Safety Committee

Mr. Ressler advised the Committee discussed and will recommend that Borough Council approve the purchase of the new police records management system from CSI for \$52,300.00. This 2018 Capital project 31-29-004 completion (including start-up costs and staff training) will exceed the projected budget of \$50,000.00 and will be supplemented with \$2,300.00 from current year's training 01-20-202-4560 budget. The Committee will recommend that Borough Council approve the purchase of the CSI records management system at the October Council meeting.

Mr. Ressler advised the Committee discussed and will recommend that Borough Council approve the purchase of thirty-six (36) APX4000 Portable P25 radios from Motorola. Payment for this project will be deferred until 2020 to meet the Capital project 31-29-005 completion goal and will not exceed the projected budget of \$125,000.00. This recommendation is contingent upon support from our three municipal partners. The Committee will recommend that Borough Council approve the purchase of the radios at the October work session.

A brief question and answer session was held regarding the purchasing of Motorola portable radios.

Highway Committee

Mr. Barr advised the Committee reviewed and discussed UGI's natural gas extension plans through certain areas of the Borough and heard about the gas extension project from Mike Ast, New Business Representative – East Region for UGI Gas Service. Proposed gas main extensions comprise North and South State Street from Irene Avenue to Queen Street and portions of West Pine Street, East Fulton Street, Lake Street, Sugar Alley and Rose Alley. The Committee will recommend that Borough Council conditionally approve the gas main extensions subject to the three (3) separate Agreements (“Get Gas Program” Agreement and two (2) “Street Opening and Gas Service Extension” Agreements) between UGI Utilities, Inc. and the Borough of Ephrata including any required performance bonds and certificate(s) of insurance being in a form acceptable to the Borough Solicitor and Borough receipt of \$209,637.56 payment from UGI in lieu of pavement restoration, which payment is to serve as compensation to the Borough for future costs to final restore those affected portions of North and South State Street at their October 8, 2018 meeting.

Mr. Barr advised the Committee reviewed a September 12, 2018 e-mail request from Rebecca Gallagher to close Railroad Avenue from East Fulton Street to East Sunset Avenue on Saturday, November 10, 2018 from 3:00 PM to 8:00 PM, which includes set up and clean up, to conduct activities associated with the Veteran's Day Luminary Tribute and accommodate no more than two (2) food trucks. The Committee will recommend that Borough Council conditionally approve the request subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured and Chief Harvey's approval and establishment of an incident support plan, as required, at their October 8, 2018 meeting.

Mr. Barr advised the Committee reviewed a resolution to provide 90-day experimental traffic and parking regulations under Section 305-5 of the Code of the Borough of Ephrata restricting parking along the north side of West Locust Street between Park Avenue and Spruce Alley. The Committee will recommend that Borough Council adopt Resolution #2018-14 at their October 8, 2018 meeting.

A brief question and answer session was held regarding UGI's natural gas extension plans.

#### Municipal Enterprises Committee

Mr. Richard advised Borough Manager Thompson reviewed the negotiated Cable Franchise Agreement between the Borough and Comcast with the Committee. In summary Comcast will: 1) build out for residential services 200 feet on side of the wires the install for the business network, 2) will pay 5% of gross revenues generate on the residential system to the Borough annually, 3) will provide a one-time grant of \$3,900 to the Borough for any public purpose including Educational and Governmental Channel (EG), 4) will provide complimentary cable service to public facilities (no internet connections), 5) agrees to certain customer service standards, 6) will address any Borough right of way concerns within 10 business days, 7) will provide detailed franchise fee reporting, 8) agrees to liquidated damages for violations of the agreement, 9) will provide insurance and performance bonds, 10) will activate the EG channel with 180 days of a written request, 11) length of the agreement is 7 years. The Committee will recommend that Borough Council approve the agreement at their October 8, 2018 meeting.

#### Community Services Committee

Ms. Martin advised Mayor Mowen reviewed a request from Ephrata Cares, a group formed to combat the opioid crisis in our town, to hold a candlelight vigil to honor those in recovery. The vigil is scheduled to be held at the Whistle Stop Plaza on December 12, 2018 at 6:30 pm. They expect no more than 100 participants. There will be comments from individuals in recovery and music from a group of individuals in recovery. The Committee will recommend that Borough Council approve the request for the vigil to be held at the Whistle Stop Plaza at their October 8, 2018 meeting.

Ms. Martin advised the Committee reviewed a request submitted by the EDO and Josh McCracken, Principal of Fulton Elementary School, to use the Veterans Plaza and the Linear Trail to hold a Luminary Tribute. The Event is scheduled to be held on Saturday, November 10, 2018 from 3:00 pm to 8:00 pm. Fulton Elementary students and staff will place small flags in the Plaza the week before the Event. The EDO will submit a Certificate of Insurance naming the Borough as an additional insured and will complete an Incident Support Plan with the Chief of Police. The Committee will recommend that Borough Council approve the request as part of the Consent Agenda at their October 8, 2018 meeting.

#### **Special Projects Committee**

Mr. Zimmerman provided an update on the status of the Special Events and Mobile Food Trucks Ordinances. Mr. Zimmerman advised the Committee wants to continue the positive trend in organizations looking at the Borough to hold events; and as such, the Committee has decided not to bring forward the Ordinances to Council for vote. Mr. Zimmerman advised Chief Harvey has volunteered to meet with any organization who is interested in sponsoring a special event to

educate them on the information needed so they can have a successful, safe event. Mr. Zimmerman further stated for anyone looking to hold a special event to make contact with the Ephrata Codes Department.

**Committee Recommendations**

Development Activities Committee

It was moved by Mr. Weiler, seconded by Mr. Richard, and unanimously passed that Borough Council authorize the President of Borough Council and the Borough Secretary to execute a Land Development Agreement with Ephrata Township and Turning Point Energy for the solar project located in Ephrata Township.

Public Safety Committee

It was moved by Mr. Ressler, seconded by Mr. Richard, and unanimously passed via roll call vote that Borough Council approve the purchase of thirty-six (36) APX4000 Portable P25 radios from Motorola. Payment for this project will be deferred until 2020 to meet the Capital Project 31-29-005 completion goal and will not exceed the projected budget of \$125,000.00. This recommendation is contingent upon support from our three municipal partners.

**Opportunity for Citizens to be Heard**

There were no comments or remarks from attendees.

**Discussion/Announcements**

Mr. Thompson encouraged Council Members to read the AMP update that was sent via email; further stating Ephrata was recognized and he will present the awards at Council's meeting on October 8, 2018.

Mr. Zimmerman inquired as to if the approved "No Parking" signs on West Pine Street traveling to Oak Boulevard have been erected. Mr. Thompson advised there were existing signs in place and there should have been a discussion at the Highway Committee meeting regarding the 210 feet from Broad Street north as to whether or not that was going to be included. Mr. Zimmerman stated he did not recall seeing any signs from Broad Street down toward Pine Street. Mr. Thompson advised he will look into the matter further. Mr. Ressler further advised there was discussion at the Highway Committee meeting regarding those signs and it was acknowledged there were not enough of the "No Parking" signs to be put into place at that time.

Mr. Barr extended his thanks to the Fair Committee and commended them for having to make the difficult decision to cancel the parade; however, he advised he believes it was a wise choice.

Mr. Richard commented that as a volunteer on the Fair Board, some of the personnel received erroneous information that the \$10,000 that Ephrata Borough gave to the Fair was earmarked for the parade and with the parade not occurring, the money had to be returned. Mr. Richard advised the money was spent well in advance for some of the parade content (i.e., bands, signage, etc.) which will now be carried over to next year's parade. Mr. Thompson advised the recommendation for the additional funds was for the parade itself and was not conditional on whether the parade would not occur. Mr. Thompson stated the expenditures were to secure

certain special events; and as the weather was out of anyone's control, that it is not required to be paid back. Mr. Thompson advised it would not hurt for Council to go on record stating as such.

Chief Harvey provided an explanation as to why the parade was cancelled the day prior to the event. Chief Harvey advised there are a lot of unknown expenses for both the Fair Committee and parade participants that the general population does not know about as far as the logistics. Additionally, Chief Harvey stated organizations were cancelling their participation in the parade due to the weather forecast. Chief Harvey advised even though his Emergency Plan does include 13 designated shelters in case of severe weather that other considerations need to be made as well (electrical outages, large mass of people in harm's way, etc.). Chief Harvey advised with the projected "stormy" weather forecast, although they mainly hit areas south of us, he will stand by the decision that was made. In addition, Mr. Richard stated the Fair Committee gave up having a rain date over 20 years ago as only a small number of organizations would be able to participate.

Mr. Richard stated, on a positive note, the Fair Committee sold out of their special edition 100<sup>th</sup> Ephrata Fair books with more being printed as there is a waiting list.

Vice President Reinhold advised he received an email from President Rowe who inquired if the EDO will be paying for the not-for-sale adult beverages to be available at their quarterly meetings. Ms. Martin replied EDO's request was withdrawn.

Vice President Reinhold inquired as to the traffic flow where Park Avenue and Terrace Avenue meet asking which party is responsible to yield for oncoming traffic. Mr. Thompson advised whenever a driver crosses traffic, as a rule, they should always yield prior to crossing.

### **Adjournment**

It was moved by Ms. Martin and seconded by Mr. Barr to adjourn. The meeting was adjourned.

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D. Robert Thompson, Secretary