

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
OCTOBER 12, 2020**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on October 12, 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 (participated virtually via Zoom), Ricky Ressler, Victor Richard, Greg Zimmerman and Mayor Ralph Mowen.

Also in attendance were Borough Manager D. Robert Thompson and Police Chief John Petrick.

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 visitors were present within Council Chambers:

Tim Auker, 542 N. State Street, Ephrata
Hans Becklin, 1005 Clearview Avenue, Ephrata
Marissa Becklin, 1005 Clearview Avenue, Ephrata
Jim Summers, Ephrata Recreation Center

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 of 2020. 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Governor of Pennsylvania further extended the Declaration of Emergency for the Commonwealth until November 30th unless rescinded earlier.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. I would ask any virtual participant that is unable to hear this meeting to please make us aware as soon as possible so we may correct the situation.”

President Rowe, addressing Mr. Thompson, inquired if any residents are participating remotely that have requested to speak during tonight’s meeting; in which, he advised no one requested to do so. President Rowe then inquired if any written comments were received; in which, Mr. Thompson confirmed none had been received.

PROCLAMATION – BREAST CANCER AWARENESS MONTH – OCTOBER 2020

Mayor Mowen proclaimed October 2020 as Breast Cancer Awareness Month in the Borough of Ephrata and asked citizens to be aware of the importance of early detection, our best protection, and the risks of breast cancer.

APPROVAL OF MINUTES

It was moved by Mr. Barr, seconded by Mr. Richard, and unanimously passed that Borough Council approve the September 8, 2020 Work Session Meeting Minutes and the revised September 14, 2020, Regular Meeting Minutes.

Prior to the vote to approve the meeting minutes, President Rowe requested the statement from Representative Zimmerman read by Ms. Dillio be stricken from the Regular Meeting Minutes. President Rowe advised she received a voicemail message from Representative Zimmerman who advised his email that was read by Ms. Dillio was taken out of context, words were changed, and, most importantly, his email did have a nondisclosure that information should not be disseminated; therefore, she feels is not appropriate to include those comments into the meeting record. President Rowe further advised that Representative Zimmerman stated he believes Ephrata Borough is doing the right thing through offering payment plans and he wanted to thank Council for the job they are doing.

MUNICIPAL MOMENT – EPHRATA RECREATION CENTER

Mr. Jim Summers, Ephrata Recreation Center, provided an overview of their efforts in the handling of the COVID-19 pandemic. Mr. Summers advised the Rec Center was closed to the public from March 17 to June 26, 2020. Mr. Summers further advised at the beginning of the pandemic, he, along with staff members, were like “a deer in the headlights” as they were not sure what they were to do and were “stumbling and bumbling for a little bit.” Mr. Summers advised it took about 7-10 days for them to get a handle on the situation and establish a plan for moving forward.

Mr. Summers advised they were in receipt of PPP funds which allowed the full-time staff to continue to work and receive compensation. Mr. Summers further advised those funds enabled part-time personnel to assist with a cleaning of the building and be compensated for their time.

Mr. Summers advised that during this timeframe, they offered 12 weeks of virtual group fitness classes including aerobic, yoga and spin classes. Mr. Summers further advised during that time, they offered 205 video options which had over 98,000 views. Mr. Summers noted that prior to the receipt of the PPP funds, staff members had volunteered their time in the creation of these videos.

Mr. Summers advised upon entering the “Yellow Phase” of COVID-19, they offered outdoor fitness classes including spin classes and Pound classes. Mr. Summers further advised their “Silver Sneaker” classes, held for senior citizens, were surprisingly very well attended.

Mr. Summers advised on Friday, June 26, 2020, at 12:01 AM, upon entering the “Green Phase” of COVID-19, the Rec Center re-opened its doors to the public with newly implemented safety and sanitizing protocols as well as the establishment of new layouts of the rooms to allow social distancing.

Mr. Summers provided an overview of the various membership options including: (1) compensating members by extending their membership expiration dates or giving free months of membership; and, (2) initiating new membership options including their “Come Back Strong” promotion charging \$5 per week until the end of the year.

Mr. Summers advised that individuals expressed how great it is to have “... a little bit of normalcy” in their lives during this time and were very appreciative of the fitness offerings. Mr. Summers further advised future plans include the restarting of virtual fitness programs, establishing innovative outdoor and off-site programs, as well as seeing the return of certain youth athletic programs.

Mr. Summers provided an overview of building improvements including new flooring, the repair of the drywall ceiling in the ladies locker room, improved customer Wi-Fi capabilities, as well as the addition of six state-of-of-the-art treadmills. Mr. Summers additionally advised over \$51,000 was awarded in free and discounted memberships and programs to 225 local youth through the Grater Scholarship Program.

Mr. Summers concluded his presentation by thanking Council for their time and support and opened the floor for questions/comments.

Mr. Ressler stated, "... your staff was phenomenal especially when they started that virtual program without getting paid ..." and expressed his enjoyment in participating in the outdoor cycling classes.

Both Mr. Zimmerman and Mr. Barr extending their appreciation to Mr. Summers for the information he presented to Council.

Prior to moving forward to the public comments portion of the meeting, President Rowe thanked Mr. Summers for his presentation.

OPPORTUNITY FOR CITIZENS TO BE HEARD

After a brief time allotted for citizen comments and with no one in attendance coming forward, it was moved by Vice President Reinhold, seconded by Mr. Barr, and unanimously passed that the public comments section of the meeting be closed until the end of tonight's agenda.

ACCEPTANCE OF REPORTS

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

Budget and Finance Committee

The Budget & Finance Committee met on September 28, 2020 and discussed the following:

Action Items:

1. The Staff reviewed with the Committee a request from the Police Department to bid on an enclosed 20' trailer that is for sale by the Pioneer Fire Company. It is listed at \$10,000 or best offer. The trailer would be used for the housing of the drones. Currently, officers must load the drones into a PD vehicle when needed. This would allow the drones to be ready and charged at all times. The trailer already has a generator, benches, dc outlets and scene lighting. The trailer would be stored in the Fulton Maintenance Garage. The funds for the trailer will come from the 2020 training budget. Due to COVID, the PD team has not been able to train as much as they would normally. Additionally, a citizen has agreed to donate \$2,000 towards the purchase of the trailer. The bid ends on October 9, 2020 so the Committee will recommend that Council approve the request at the October 5th Work Session.

Discussion Items:

1. The Staff provided numerous documents for the Committee on the topic of Financial Assistance for Borough Residents:
 - a. Borough Website – Links to financial assistance (links to EASS and HUB), budget billing information and the budget billing application have been added in 3 locations on the website (electric documents from home page, News & Events tab from home page & under Borough Services – Utility billing info). The Staff has added funds to the 2021 budget for a website overhaul.
 - b. Jim Sandoe Letter – Mr. Sandoe submitted a letter to Council making suggestions on ways the Borough can solicit funds to help customers with their electric bills. Per James McManus, the Borough does not have the authority under the Borough Code to create a fund that could be used to help residents pay their bills. Council members suggested this is more of a social services function. The Borough is not a social services organization. The Borough can only do what is authorized under the Borough Code.

- c. EASS Suggestions – Joy Ashley suggested a similar fund to help residents as well as a discount if they pay their bill. This is more of a social services issue and the Borough is not authorized to establish such a fund under the Borough Code. There were a number of guests who also expressed their thoughts that the Borough should help residents pay their electric bills.
 - d. Budget Billing – Information has been added to the website in three locations on how this program works.
 - e. John Stewart Audit Request – The Staff placed documents in the Dropbox summarizing his requests. The Committee will review the documents and discuss during the next Budget & Finance meeting.
 - f. Updated Statistics on Borough Electric Disconnections – The Staff updated the Committee on the current disconnect statistics. Of the 66 residences disconnected during the initial round thru 9/10/20, only 10 remain disconnected. Of the 10, at least 7 are vacant. On 9/17, there were 4 disconnected and they have been reconnected. Disconnections are also scheduled for 9/29/20. There are 13 on the list but the expectation is that a number of them will pay before being disconnected at 10am.
2. The Staff provided numerous documents for the Committee on the topic of COVID update:
 - a. Revenue to Date – The Staff believes the estimate of a loss of \$380,000 in revenue, primarily under taxes, is still accurate.
 - b. PA CARES Submission – The Staff submitted a revised PA CARES packet with the PD payroll broken out between all of our partners. The original Borough submission was \$1,013,592.58 and the revised submission was \$622,637.96.
 - c. Rec Center – December Bond Payment – The Staff received an update from Jim Summers regarding the bond payment in December and they feel they will be able to make the payment without assistance from the Borough.
 3. The Staff provided numerous documents for the Committee on the topic of Budget:
 - a. Pool Revenue – This was also discussed during the Community Services meeting. Staff will use \$270,000 as project pool revenue. After Council has come to an agreement on how to handle pool admittance next year, Staff will update the projection as needed.
 - b. Fire Company Truck Financing – The Staff has some suggestions for financing of trucks for Pioneer and Lincoln Fire Companies. This information will be provided at the 10/05/20 Work Session.
 - c. Sewer Rate Increase in 2021 – The Staff reviewed the estimated increase in sewer rates for spring 2021. The in-borough rate will increase and the out-of-borough rate will decrease to make them equal and increase revenue by approximately \$250,000. The additional funds are necessary to cover the additional debt that is needed for the construction at Plant 1.
 - d. Refi of Bonds plus New Borrowing for Borough Authority – The rates are very favorable currently so it will be beneficial to Borough Authority to refinance the current debt plus additional borrowing of \$13 - \$15 million for Plant 1. The refinancing cannot occur until after August 2021 but additional borrowings will occur in 2020 and 2022 to cover all of the construction costs.
 - e. Pension Status – The Borough pension plans have a distress score of 1. Previously, the pension plans were at a zero distress score which meant the fund was funded at 90% or higher. The score now shows a distress score of 89% which is why we have a distress score of 1. This is primarily due to the poor returns in the stock market and an increase in the life expectancy charts.

4. The Staff provided the breakout of contributions that was listed as Old Business. The Committee will review and contact the Staff with any questions.
5. 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.
6. The Staff provided the Check and ACH registers to the Committee for September to date. No further action is required.

Development Activities Committee

The Development Activities Committee met on September 28, 2020 and discussed the following:

Action Items:

1. The Committee reviewed an assignment of lease from Cumulous Radio LLC to their successor organization for the WIOV tower. Per the lease they have to right to do this. The solicitor has reviewed the documents and is satisfied. The Committee will recommend that Borough Council authorize the Borough Secretary to execute the Landlords Consent to the assignment of the lease at the October Borough Council meeting.
2. The Committee reviewed a drawdown request for stormwater improvements for a new home built at 851 Martin Avenue. The stormwater work has been completed and inspected. The applicant is requesting release of all remaining funds, \$19,380.24. The Committee will recommend that Borough Council authorize release of the remaining funds at the October Council meeting. This will appear on the consent agenda.
3. The Committee reviewed a drawdown request for stormwater improvements for a new two-unit constructed at 52 East Fulton Street. The stormwater work has been completed and inspected. The applicant is requesting release of their funds. The Borough will continue to hold 15% (\$2,006.57) for 18 months. The Committee will recommend that Borough Council release \$11,370.53 at the October Council meeting. This will appear on the consent agenda.
4. The Committee reviewed a Subdivision and Land Development Agreement for a new financial institution at the Cloister Shopping Center. The amount of the agreement is \$80,976.50. The Committee will recommend that Borough Council authorize the President of Borough Council and the Borough Secretary to execute the Subdivision and Land Development Agreement with the developer subject to it being in a form acceptable to the solicitor, Cloister Associates LP at their October meeting. This will appear on the Consent Agenda.
5. The Committee reviewed a Stormwater Operation and Maintenance Agreement for the proposed stormwater improvements associated with the land development plan for a new financial institution at the Cloister Shopping Center. The Committee will recommend that Borough Council authorize the President of Borough Council and the Borough Secretary to execute an Operation and Maintenance Agreement with the developer subject to it being in a form acceptable to the solicitor, Cloister Associates LP at the October Council meeting. This will appear on the Consent Agenda.

Discussion Items:

1. There were no decisions from the September Zoning Hearing Board meeting.
2. There are no new applications for the October Zoning Hearing Board meeting.

Public Safety Committee

The Public Safety Committee met on September 21, 2020 at 6:30 PM and discussed the following:

Action Items:

There are no action items for October.

Discussion Items:

1. Monthly Police Report – Lt. Shumaker presented on the monthly police report noting no major incidents for the month of August.
2. Emergency Management Report– EMC Gockley was not present for this month’s report and there was no discussion regarding the content of his written report.
3. Public Comments – Members of Northern End Stands Up briefed the Committee regarding issues to improve community trust with the Ephrata Police Department and requested that Council consider posting police policies online, banning choke holds and banning carotid artery restraints.

Highway Committee

The Highway Committee met on September 28, 2020 and discussed the following:

Action Items:

1. The Committee reviewed a Resolution providing for price adjustment of bituminous materials in small quantities. Potential price adjustments are associated with Bid #20-4 Spruce Alley Improvements. This Resolution is a requirement when using liquid fuels tax dollars to pay for certain street and alley improvements. The Committee will recommend that Borough Council adopt Resolution No. 2020-19 at their October 12, 2020 meeting.
2. The Committee reviewed a disposition of assets request regarding disposal of a vehicle. The specified vehicle is a 2005 Ford F-250 Super Duty, Regular Cab Pickup Truck, 4X4, VIN #1FTNF21595EA53221, approximately 78,183 miles with an estimated value of \$3,700. The Committee will recommend that Borough Council approve this disposition of assets at their October 12, 2020 meeting and authorize Staff to transfer title to the 2005 Ford F-250 Super Duty, Regular Cab Pickup Truck, 4X4, VIN #1FTNF21595EA53221 to the Ephrata Borough Authority.
3. The Committee reviewed Comcast’s plans to install 723 linear feet of underground cable in conduit along Lincoln Heights Avenue from Buch Alley east to the Cul-De-Sac. Staff has reviewed and approved the plans as submitted. The Agreement is in a form previously acceptable to the Borough Solicitor. The Committee will recommend that Borough Council conditionally approve Comcast’s plans known as Drawing No. 093192019A-4 dated July 7, 2020 subject to a fully executed Street Opening and Cable System Construction Agreement and Borough receipt of a satisfactory Performance Bond and certificate of insurance naming the Borough as additional insured at their October 12, 2020 meeting.
4. The Committee reviewed Windstream’s plans to install 60 linear feet of underground cable in conduit along North State Street adjacent to Poplar Alley requiring a road closure for approximately 1-2 days during work hours. The work will be completed by Triple D Communications, LLC. Staff has reviewed and approved the plans as submitted. The Agreement is in a form previously acceptable to the Borough Solicitor. The Committee will recommend that Borough Council conditionally approve Windstream’s plans known as Project No. 702192008 dated August 20, 2020 subject to a fully

executed Street Opening and Cable System Construction Agreement and Borough receipt of a satisfactory Performance Bond and certificate of insurance naming the Borough as additional insured at their October 12, 2020 meeting.

Discussion Items:

1. Mainspring of Ephrata discussed with Committee plans for a virtual Christmas event.
2. Councilperson Weiler discussed with Committee a Veteran's Day event placing luminaries along the Winters Memorial Trail and the need to close Railroad Avenue to accommodate activities planned for this event. Staff could not immediately locate previous requests for this event so further discussion will occur at the October 5, 2020 Council Work Session.
3. South Oak Street pedestrian bridge railing/vehicle barrier discussion will continue at a future Committee meeting after Staff discusses their issue with Lancaster County PennDOT maintenance staff regarding a similar barrier they have on a local bridge in the Borough and what plans they may have to replace that railing.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on September 21, 2020 and discussed the following:

Action Items:

There are no actions items for October.

Discussion Items:

7. The Committee discussed a rate concern from John Stewart that was carried over from the August Committee meeting. Mr. Stewart referred to a customer who reached out to him about a recent electric bill. Mr. Stewart stated that there is no benefit to small customers from the all-electric rate. The staff compared the customer's usage with the Commercial General Service Total Electric (GST) rate with the Commercial General Service (GS) rate. The Commercial General Service rate is approximately \$22-25 per month less than the total electric rate. This is reflected in the difference between the customer charges for GS (\$25) and the GST (\$52.50). The Staff will change the rate class that this customer will be charged to Commercial General Service. The Staff will also perform the same comparison for all other Commercial General Service Total Electric customers to identify if there are others that should change class.
8. The Committee discussed a second concern from Mr. Stewart that was carried over from the August Committee meeting. Mr. Stewart complained that the Borough was charging a fee of \$125 to remove an electric meter at the customer's request. He claims that no other electric utility charges such a fee. Borough Manager Thompson reported that the \$125 fee is to remove the electric service from the customer's property including the meter and that the fee is to recover the cost incurred by the Borough. The Committee was satisfied with Mr. Thompson's explanation and did not recommend any changes to the fee.
9. Borough Manager Thompson reviewed with the Committee the financing for the AMP R.I.C.E. Peaking Project. AMP will pay for the project by borrowing money from their line of credit (LOC). Monthly charges will equal the credits received from the peaking shaving project resulting no additional monthly charges to the Borough. Once the debt is retired, the Borough will receive monthly credits being the net from the peak shaving and the monthly operation and maintenance charges for the generators. It is estimated that the debt will be retired in approximately ten years.

10. The Committee discussed a proposal from Joy Ashley, Executive Director of the Ephrata Area Social Services, to create a COVID Relief Fund to assist customers to pay their utility bills. Ms. Ashley suggested that the Borough consider funding such an account, (Kelly Warner also participated in the discussion via Zoom.) Borough Manager Thompson informed the Committee that he has reviewed the Pennsylvania Borough Code and could not find that the Code grants to a Borough the authority to use public funds to create such an account. The only reference is to create a fund that benefits seniors. In addition, it was discussed that the Borough could create a mechanism to allow the public to voluntarily pay into a COVID Relief account and the Borough could distribute the money to those in need. Mr. Thompson informed the Committee that he asked the Borough Solicitor to look into the authority of what the Borough can and cannot do. The Solicitor will attend the Budget and Finance Committee on September 28, 2020 at 6:30 PM and report on his findings.
11. The Committee discussed a second proposal from Joy Ashley consisting of an incentive program for past due customers who pay their bills in full by a certain established deadline. Bills could be discounted by 10-15%. The Committee had concerns for this proposal citing that this favors customers who have not paid their bill on time, while those who did pay on time are not rewarded. The Committee did not make any recommendation to move this proposal forward.

The Committee also discussed the Borough's budget billing program. This program requires that the past due amounts be paid in full before a customer can participate in the program. Councilwoman Martin stated that the program information and application form is very difficult to locate on the Borough's website and asked that it be prominently displayed in the Electric Documents section on the website. Ms. Martin also asked that a link be shared with social services organizations that can assist customers pay their bills.

(NOTE: EASS and the Northern Hub suggested that there be monthly meetings between the Borough, EASS and the Hub. Ms. Ashley requested that a council person be part of the Borough's team.)

12. The Committee discussed establishing an electric rate for the Borough's electric vehicle charging stations. Borough Manager Thompson informed the Committee that Lansdale Borough has had EV charging stations online since July 2019. During that period, they have used 26,600 kWh, valued at approximately \$2,000. Mr. Thompson recommended that the Committee establish the initial EV charging rate at \$0.00/kWh; suggesting that they can be used as an economic development tool. The Committee supports preparing an ordinance establishing the EV rate at \$0.00/kWh with the option to adjust future rates via resolution. The Solicitor will prepare the ordinance for the November Council meeting.

Old Business Items:

1. Borough Manager Thompson reminded the Committee that the Borough's alternate position to the AMP board of trustees is still vacant. No further action is required.

Community Services Committee

The Community Services Committee met on September 28, 2020 and discussed the following:

Action Items:

1. The Committee agreed to move the following from a Discussion Item to an Action Item. The Committee discussed a request from Kelly Withum of Mainspring of Ephrata to use the Winters Leadership Memorial Plaza and Warwick Ephrata Rail Trail, to hold a celebration honoring our

Veterans. Luminaries will be placed along the trail with the names of Veterans who have served in the Armed Forces from our Community. In addition, it was requested to close Railroad Ave. to have a fire truck there to hang a flag across the trail. (Referred to the Highway Committee) The Event is scheduled for Wednesday, November 11, 2020 from 5:00 PM to 8:00 PM. Set up for the Event will begin at 3:00 PM. At the end of the Event, cleanup will take approximately one hour. Mainspring of Ephrata is partnering with Fulton Elementary School, a community Boy Scout group, VFW, and Pioneer Fire Company. The Committee will recommend that Borough Council approve Mainspring of Ephrata's request at their October 12, 2020 meeting subject to an approved Incident Support Plan from Randy Gockley. The Certificate of Insurance has been submitted. (Move to Consent Agenda)

Kelly Withum also asked for approval for Mainspring of Ephrata to submit requests for all of their events in January of each year. The Committee agreed, with the understanding that if anything would change before the Event, it has to go back to the Committee.

2. The Committee agreed to move the following from a Discussion Item to an Action Item. The Committee discussed a request from Jennifer King, and therapy dog, Nova, from United Disabilities Services, Service Dogs, to use 3.1 miles of the Warwick Ephrata Rail Trail on Saturday, October 31, 2020 for a 5K Event. It is not a private event and is open to the public, nor will it prohibit others from using the trail. Registered participants will report to the parking lot near the Fulton Elementary School at 11:30 AM with the race starting 12:00 PM, with scheduled start times of every 15 minutes to ensure social distancing. Racers will also be encouraged to wear a face mask. Those attending the Event do so at their own risk. The route will be marked with signs, placed and removed, by UDS Service Dogs volunteers and/or staff. The UDS Service Dogs Ford Flex will be parked at the congregating point with runner's bags and a donation box for participants that choose to donate an item to the service dogs. The Committee will recommend that Borough Council approve the request at their October 12, 2020 meeting subject to receipt of a satisfactory Certificate of Insurance naming the Borough as an additional insured.
3. The Committee agreed to move the following from a Discussion Item to an Action Item. The Committee reviewed a request from Revs. Marissa and Hans Becklin to place a Little Free Library at the entrance to Sycamore Acres Park, near the sidewalk on Dawn Ave. The project will be funded and installed by the Becklin's. Little Fee Library is a nonprofit organization that inspires the love of reading, builds the community, and sparks creativity by promoting neighborhood book exchanges. The box is made of composite material to hold up in the weather. The inside of the box is constructed to be weatherproof. The Becklin's will take full responsibility for maintaining the Library, keeping it clean and stocked with books. President Susan Rowe suggested that they contact the Ephrata Public Library. They may already have the boxes built and available. The Committee will recommend that Borough Council approve the installation of a Little Free Library at their October 12, 2020.

Discussion Items:

1. Borough Manager Thompson advised the Committee of the Adopt-A-Trail announcement made by Maria Tivoli-Attah, WRRC/LrCRegional Recreation Coordinator. The Warwick to Ephrata Rail Trail (WERT) has been enjoyed by many in our region. Recently, friends of WERT have volunteered to adopt-a-trail, similar to the Adopt-A-Highway Program where a group of people or organization maintains a portion of a highway. The Adopt-A-Trail Program will provide trail care for a section of the trail. The Borough has been invited to participate. The Program will be coordinated through Maria. The Borough's Solicitor will be asked to prepare a waiver in lieu of a Certificate of Insurance. The Committee had no objections. Maria will be informed that the Borough will participate. No further action is needed.

2. Chris Moore, Director of Budget and Finance, reviewed pool membership numbers and revenue for the 2020 season. Mrs. Moore explained that a number needs to be put in the 2021 proposed budget draft. Borough Council will need to decide their philosophy of operating the pool for the 2021 season as it relates to attendance and revenue: should it become a Member Only or a Members Only and guests?, as well as, do we want to continue selling day passes? These decisions will significantly affect the budget. For example, if we decide on Members Only, there will be a loss of revenue that will need to be made up somewhere perhaps in membership fees. Linda Martin stated that there is a need to have to further discussion before a decision can be made. It was decided that \$270,000.00 will be put in the budget and adjustments will be made after Council meets to review the budget draft.

Special Projects Committee

The Special Projects Committee met on Monday, September 21, 2020 and discussed the following:

Action Items:

1. The Committee reviewed two applications for gateway signs. The first was from the Ephrata Masonic Lodge #665; and, the second was from the Veterans of Foreign Wars Post 3376. Both applications are acceptable and the Committee will recommend that Borough Council approve the applications at their October 12, 2020 meeting.

Discussion Items:

1. The Committee discussed the Pennsylvania State Association of Boroughs Junior Council Program. Borough Manager Thompson reviewed with the Committee one of the keys to success with the Grove City program. He stated that in Grove City, one of their elected officials serves as an advocate and a mentor for the program and suggested that Ephrata should consider an elected official as a sponsor. In addition, Mr. Thompson indicated that he reached out to Dr. Troop to ask for his input on how to make the program more sustainable. It was suggested that this item be tabled until the next meeting when the Committee could review Dr. Troop's response.

Old Business Items:

1. Mr. Thompson reported that little action has been performed on the free electricity policy guidelines.
2. Mr. Thompson reported that the information for new customers is currently on the Borough's website; however, the information is not all located in one place. The Staff will be budgeting to update the Borough's website in 2021 and will place all of the items in one easy-to-locate section of the site. It was suggested that the Borough consider utilizing the school district's intern program to update the site. Mr. Thompson will discuss with Ms. Moore and Mr. Kachel.

Personnel Committee

The Personnel Committee met on September 14, 2020 and discussed the following:

Action Items:

1. There were no action items for discussion.

Special Item:

1. Borough Manager Bob Thompson was present to review some questions from the Committee following his conversation with them last month. Several handouts were provided to the Committee at their request including job descriptions for Assistant/Deputy Borough Managers and organization charts from other municipalities. The Committee dialogued their concerns and listened as Bob shared

his perspective. A compromise was reached as the Committee agreed to proceed with a temporary organization chart and a future organization chart. The Borough Manager also discussed with the Committee the staffing at the Public Works division. Public Works is short on equipment operators. The Committee agreed to accept his proposal to get that division back to full staffing. This is informational only as all positions are included in the 2020 Budget and Program of Services and, therefore, previously approved by Borough Council. It was shared with the Committee as a courtesy.

Discussion Items:

1. At the request of the Committee Alternate, the Committee agreed to begin the discussion with Discussion Item Number 4, the Personnel Committee ideas for priorities. As that discussion began, Ms. Martin requested it be tabled to bring up an item not covered on the agenda.
2. Ms. Martin expressed her displeasure in the Committee only accepting a final report on the results of the Borough Manager's goal of increasing employee morale. She appealed to the Committee to request to see the raw data (with any identifying indicators removed) as opposed to simply being given an analysis. After some discussion, the Committee agreed that Council President Rowe be tasked with first determining if viewing the raw data was possible, then requesting that information in addition to the analysis report from the Borough Manager. Ms. Rowe will complete these tasks and invite the Borough Manager to participate in the October 12 Committee meeting reserving a "Special Item" slot at the beginning of the meeting for this discussion.
3. Discussion Item #1 (Future and Priority of Workshops), Discussion Item #2 (Policies and Guidelines), Discussion Item #3 (Retreats for 2021) and Discussion Item #4 (Personnel Committee members ideas for priorities) were not brought forward by Chairman Reinhold due to the late hour. These are planned to be presented as Discussion Items again at the October meeting.

Executive Session:

1. Chairman Reinhold called the Committee into an Executive Session to discuss a confidential personnel matter. This Executive Session was recessed until all of the Committee could be available. The meeting will be reconvened on Wednesday, September 16, 2020, at 8:00 AM. Chairman Reinhold reconvened the meeting as scheduled; however, a quorum of the Committee was not present and the meeting was again recessed until Tuesday, September 29, 2020, at 2:00 PM.

Miscellaneous Reports:

- ◆ September 2020 General Ledger Report
- ◆ Ephrata Pioneer Fire Company September 2020 Report
- ◆ Lincoln Fire Company September 2020 Report
- ◆ Ephrata Community Ambulance Association September 2020 Report
- ◆ Ephrata Emergency Management September 2020 Report
- ◆ Mainspring of Ephrata September 2020 Meeting Minutes

NEW BUSINESS ITEMS

Consent Agenda

Vice President Reinhold advised the items on tonight's consent agenda have been discussed in detail at the October 5, 2020, Work Session. These items are considered routine in nature and voted upon under one umbrella. These items are not open for discussion unless an individual or Council Member wishes to have the item removed from the consent agenda. If an item is removed it will be handed over to the Committee under which it was originally discussed during the Standing Committee Recommendations.

1. That Borough Council authorize release of the remaining funds escrowed for the stormwater improvements at 851 Martin Avenue. (Development Activities)
2. That Borough Council release \$11,370.53 for the stormwater improvements at 52 East Fulton Street. (Development Activities)
3. That Borough Council authorize the President of Borough Council and the Borough Secretary to execute the Subdivision and Land Development Agreement with the developer, Cloister Associates LP, subject to it being in a form acceptable to the solicitor. (Development Activities)
4. That Borough Council authorize the President of Borough Council and the Borough Secretary to execute an Operation and Maintenance Agreement with the developer, Cloister Associates LP, subject to it being in a form acceptable to the solicitor. (Development Activities)
5. That Borough Council approve the request from Mainspring of Ephrata to close Railroad Avenue from East Sunset Avenue to East Fulton Street between 4:30 PM and 8:30 PM on November 11, 2020, to accommodate activities honoring our veterans at Winters Leadership Plaza and the Warwick to Ephrata Rail Trail. (Highway)
6. That Borough Council approve the request from the Mainspring of Ephrata to use the Winters Leadership Plaza and Warwick Ephrata Rail Trail to place luminaries in honor of our veterans subject to the review and approval by Randy Gockley of an Incident Support Plan. A Certificate of Insurance naming the Borough as an additional insured has been submitted. (Community Services)

It was moved by Mr. Richard, seconded by Mr. Ressler, and unanimously passed that Borough Council adopt, authorize and/or approve/conditionally approve the items listed on the Consent Agenda.

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 guarantee up to \$2.5 million in debt to support the Pioneer and Lincoln Fire Departments' apparatus purchases which will take place in the timeframe of 2020 to 2022.

Development Activities Committee

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed that Borough Council authorize the Borough Secretary to execute the Landlords Consent document for the assignment of the lease with Cumulous Radio LLC.

Public Safety Committee

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed via roll call vote that Borough Council authorize the Police Department to submit a Letter of Intent and proposal for federal Body-Worn Camera (BWC) Policy and Implementation Program (PIP) grant funds via Pennsylvania Commission on Crime and Delinquency (PCCD). A 50% non-federal cash or in-kind match of the total project cost is required (dollar for dollar match). Estimated cost of equipment is \$64,000. Grant award could be up to \$32,000 and therefore requiring a Borough match of \$32,000.

Highway Committee

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed that Borough Council adopt Resolution No. 2020-19 providing for price adjustment of bituminous materials in small quantities

for the Spruce Alley Improvements project.

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council approve a disposition of asset for a 2005 Ford F-250 Super Duty, Regular Cab Pickup Truck, 4X4, VIN #1FTNF21595EA53221 and authorize staff to transfer title for the aforementioned vehicle to the Ephrata Borough Authority.

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed that Borough Council conditionally approve Comcast's plans for the Lincoln Heights area known as Drawing No. 093192019A-4 dated July 7, 2020 subject to a fully executed Street Opening and Cable System Construction Agreement, Borough receipt of a satisfactory performance bond and certificate of insurance naming the Borough as additional insured. (NOTE: Prior to the vote, Vice President Reinhold advised he will abstain from the vote due to him being employed by Comcast.)

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council conditionally approve Windstream's plans known as Project No. 702192008 dated August 20, 2020 subject to a fully executed Street Opening and Cable System Construction Agreement with Triple D Communications, LLC, Borough receipt of a satisfactory performance bond and certificate of insurance naming the Borough as additional insured.

Community Services Committee

It was moved by Mr. Weiler, seconded by Mr. Barr, and unanimously passed that Borough Council approve the request from United Disabilities Service, Service Dogs, to use 3.1 miles of the Warwick Ephrata Rail Trail on Saturday, October 31, 2020 for a 5k event subject to receipt of a satisfactory Certificate of Insurance naming the Borough as an additional insured.

It was moved by Mr. Weiler, seconded by Ms. Martin, and unanimously passed that Borough Council grant permission to Revs. Marissa and Hans Becklin to operate and maintain a Little Free Library at the entrance to Sycamore Acres Park, near the sidewalk on Dawn Ave. Said Little Free Library structure will be provided and installed by the Borough and the Becklin's will provide all necessary maintenance for the structure and the inventory of books.

Special Projects Committee

It was moved by Mr. Barr, seconded by Mr. Ressler, and unanimously passed that Borough Council approve the applications for gateway signs per Resolution 2017-11 as follows:

- Veterans of Foreign Wars Post 3376, Ephrata, PA; replace four existing plaques per existing design and sized per Resolution 2017-11
- Ephrata Masonic Lodge #665, Ephrata, PA; one new sign per existing design and sized per Resolution 2017-11

Prior to the vote, Mayor Mowen advised he is in receipt of an application from the Rotary Club which will be brought forward to the Committee at their next meeting and that he is continuing to reach out to those organizations that have not yet responded.

APPROVAL OF CHECKS 42992 THROUGH 43328 AND THE ACH REGISTER DATED OCTOBER 1, 2020

It was moved by Mr. Richard, seconded by Mr. Ressler, and unanimously passed that Borough Council ratify the payment of bills performed by the Staff since the last regular Council meeting in the aggregate amount of \$1,071,576.64.

OPPORTUNITY FOR CITIZENS TO BE HEARD

With no visitors approaching the podium, President Rowe moved onto the Discussion/ Announcements portion of the meeting.

DISCUSSION/ANNOUNCEMENTS

Mr. Barr advised he is aware that an individual employed at a local grocery store has tested positive for COVID-19 and stated, "... COVID is not going anytime soon so please be careful."

Vice President Reinhold advised that the Personnel Committee will be meeting at the conclusion of this evening's Voting Session.

Mr. Weiler thanked the Becklin's for "stepping up" in maintaining the Little Free Library.

Chief Petrick advised he wished to remind the residents that Trick or Treat night will be held on Friday, October 30, 2020, from 6:00 PM to 8:00 PM. Chief Petrick further advised that participation is voluntary and all participants should make decisions on their personal comfort level and consider all factors including the possibility of inclement weather. Chief Petrick advised that patrol staff will be out and about making sure the Trick or Treaters are safe. Chief Petrick provided a few safety tips including the wearing of fluorescent colors, carrying flashlights, as well as having some sort of adult supervision.

Chief Petrick additionally advised that Officer Jeffrey King was sworn in by the Mayor earlier this date and welcomed him to the Ephrata Police Department.

Mr. Thompson reminded Council that on Thursday, October 15, 2020, the Budget Workshop to review the 2021 proposed budget will be held.

President Rowe extended her appreciation to Mayor Mowen for his proclamation of Breast Cancer Awareness Month.

President Rowe advised that a few weeks ago, there was an incident in front of her residence where fire police had responded. President Rowe further advised she witnessed on several occasions fire police personnel almost being struck by vehicles due to drivers not paying attention. President Rowe reminded all to "... please pay attention when you are driving."

President Rowe advised while she and her husband were outside doing yard work recently, she chatted with some visitors from Erie, Pennsylvania, who complimented on how beautiful downtown Ephrata is – not knowing she was the President of Borough Council. President Rowe stated, "... that's something we should all be proud of."

President Rowe then advised that she does not have a confirmation of a "Municipal Moments" for the November 9, 2020, Borough Council meeting and stated if anyone has any ideas to let her know within the next week.

Mr. Zimmerman, addressing Chief Petrick, inquired if he was able to find out additional information regarding an unknown gathering held at the former Kmart property recently; in which, Chief Petrick advised officers responded to the area and discovered it was an impromptu car show.

Prior to adjourning the meeting, President Rowe advised the Personnel Meeting being held after this evening's Voting Session was advertised as a public meeting and wanted to note it is a regularly scheduled Committee meeting.

ADJOURNMENT

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 7:53 PM.

Respectfully submitted,

D. Robert Thompson, Secretary