

**EPHRATA BOROUGH COUNCIL
WORK SESSION MINUTES
SEPTEMBER 3, 2024**

The Ephrata Borough Council Work Session was called to order by President Thomas Reinhold at 7:00 PM on Tuesday, September 3, 2024, in the Council Chambers of the Borough Office, 124 South State Street.

In attendance in addition to the President were Vice President Linda Martin, President Pro Tem Victor Richard, Council Members Nancy Aronson, Alan Buohl and Gregory Zimmerman as well as Mayor Ralph Mowen. Absent were Council Members Timothy Barr and Kory Musser.

Also in attendance were Borough Manager Nancy Harris and Borough Solicitor Isaac P. Wakefield, Esq., Salzmann Hughes.

The following visitors were present within Council Chambers:

Tim Auker, 542 N. State St., Ephrata
Jennifer Sappington, Ephrata
Rick Wagner, Ephrata Recreation Center

A moment of silence was held which was followed by the Pledge of Allegiance.

Approval of Agenda

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Borough business that will be or may be the subject of deliberation or official action at the meeting.
3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

President Reinhold asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, President Reinhold asked for a motion to accept the meeting agenda as posted. Vice President Martin moved and Mr. Richard seconded to approve the meeting agenda as posted. The motion carried unanimously.

First Opportunity for Citizens to be Heard

Jennifer Sappington, Ephrata, provided Council a timeline of various events she has experienced in the past year regarding numerous interactions with her mother, friends, as well as the police department. Ms. Sappington advised on several occasions she has requested assistance from the Ephrata Police Department only to be “discriminated” by them with no offer of assistance resulting in her now being homeless. Ms. Sappington then asked Borough Council, “What do I do?” Solicitor Wakefield commented there is nothing Council is able to do; however, if Ms. Sappington chooses, she may file a complaint against the Police Department. Ms. Sappington stated she has done so, but further inquired as to “... what is the process and how can she get a copy?” Solicitor Wakefield replied that after a complaint is received, the Police Department begins the process of an internal

investigation. Ms. Sappington interrupted Solicitor Wakefield to inquire if this meeting is being recorded; in which, President Reinhold advised the meeting was being recorded. Prior to leaving the meeting, Ms. Sappington held an iPad and stated, "... this is the stolen iPad that your Police Department saw in my mother's hands how many times last year, but couldn't retrieve for me ..."

With no additional citizens in attendance wishing to address Council at this time, Mr. Richard moved and Vice President Martin seconded to close Public Comments at this time. The motion carried unanimously.

Municipal Moment

Rick Wagner, Ephrata Recreation Center, began his presentation by introducing himself to Council advising he has been in his current role as Executive Director for nine months. Mr. Wagner advised the first task he did upon taking the position was to work on the "it's always been done this way" mentality, as well as evaluated various contracts and current pricing structures. Mr. Wagner stated in addition to meeting with staff, he met with various community members and stakeholders in an effort to begin better and open communications with those he will be working with.

Mr. Wagner provided an overview of the several "small" projects that he began, including removing any safety hazards located within public areas, updating game room equipment and installing LED lighting. In referencing personnel, Mr. Wagner advised that changes and improvements were made to the Parks and Recreation position.

Mr. Wagner then provided an overview of community programs currently being offered, including preschool and summer camp, swim lessons, swim team, youth sports, exercising programming, Silver Sneakers Program, and pickleball. Mr. Wagner commented that the Rec Center currently serves roughly 1,200 kids within the Ephrata area including approximately 675 from Ephrata Borough. Mr. Wagner advised that kids programs include rocketry, soccer, arts and crafts, pottery as well as a nature camp.

In referencing the Ephrata Community Pool, Mr. Wagner highlighted that membership and day pass activity was up roughly 25% from the prior year. Mr. Wagner commented that the pool was open for Labor Day weekend – Saturday and Sunday for everybody and Monday for members only.

Mr. Wagner then highlighted various upcoming Capital Projects including: (1) Cardio and Weight Equipment; (2) Basketball Court Resurfacing, and (3) Mechanical Upgrades and Preparation.

In referencing the Grater Scholarship Program, Mr. Wagner advised that in 2023, \$44,000 worth of Grater Scholarships were awarded noting the projected amount in 2024 will be closer to \$50,000.

Mr. Wagner concluded his presentation by stating, "... I'm excited to keep it going and, hopefully, continue to build relationships."

Ms. Aronson inquired as to when the Rec Center's Board meets; in which, Mr. Wagner replied the Board meets every second Tuesday of the month. Ms. Aronson recommended Mr. Zimmerman to

serve on behalf of Borough Council on the Rec Center's Board as "... we need to show respect to the Rec Center by having a representative there." Mr. Zimmerman confirmed he is willing to serve in that capacity. Mr. Wagner advised he will review the bylaws and have a discussion with the current Board.

Vice President Martin inquired if there are any active fundraising efforts in place; in which, Mr. Wagner commented they are doing their regular fundraisers including the Clare Point Derby, Brewfest and a "Spruce Up the Rec Center" Bingo event.

With no further comments and/or questions from Council members, President Reinhold extended his appreciation to Mr. Wagner for his presentation.

Discussion of Committee Actions

Budget and Finance Committee

The Budget and Finance Committee met on August 26, 2024 at 6:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Gerhart provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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Committee Chairman Richard asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Mr. Richard asked for a motion to accept the meeting agenda as posted. Ms. Martin moved, and Mr. Musser seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed Resolution 2024-20 authorizing disposition of specific records. The Committee will recommend that Borough Council adopt the resolution at their September 9, 2024, meeting.
2. The Committee discussed Resolution 2024-21 revising the 2024 Schedule of Fees to change parking meter and parking violation fines. The Committee discussed the need for increases to help offset the increase in costs associated with the upcoming parking kiosk installations in the downtown parking areas. The Committee directed Staff to revise the resolution to reflect the minimum meter charge to be 30 minutes for \$0.50 (\$1 minimum for credit card users). The Committee will recommend that Borough Council adopt the revised resolution at their September 9, 2024, meeting.

3. The Committee reviewed a request to certify the Borough of Ephrata 2025 Pension in accordance with Act 205. The Committee will recommend that Council authorize the Borough Manager/Secretary to certify the 2025 Pension Certification Report at their September 9, 2024 meeting.
4. Ms. Gerhart summarized the Payroll Under/Over Payment Policy which memorializes the procedure in which employee underpayments or overpayments are resolved. The Committee will recommend that Borough Council adopt the policy at their September 9, 2024, meeting.

Mr. Richard then provided an overview of any Discussion Items and Old Business Items as listed on the Committee Report.

Highway Committee

The Highway Committee met on August 26, 2024 at 5:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Burkholder provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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Committee Chair Musser asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Mr. Musser asked for a motion to accept the meeting agenda as posted. Mr. Buohl moved, and Ms. Martin seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed an email request from Linda Martin representing the Lincoln Heights neighborhood seeking permission for a W Donuts food truck to park along Lincoln Heights Avenue adjacent to Lincoln Heights Park on October 5, 2024 between 8:00 am and 11:00 am. The Committee will recommend that Borough Council conditionally approve the request subject to only serving food and drinks from the sidewalk side of the food truck, traffic cones placed around the street side of the food truck improving its visibility, and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
2. The Committee reviewed the results of Bid #24-3 for the Cocalico Street Culvert Replacement. The Committee will recommend that Borough Council award the bid to apparent low Bidder: Mason Dixon Contractors LLC from Willow Street, PA in their total bid amount of \$492,156.45.

3. The Committee reviewed a request from PPL Electric Utilities to place a new pole and install an underground primary line within the Steinmetz Road right-of-way to provide electric service to 1156 Steinmetz Road in Ephrata Township. 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, a fully executed agreement, and provision of financial security in the amount of \$1,633.76.
4. The Committee reviewed Resolution No. 2024-22 authorizing a disposition of assets request for a 2007 Ford F550 Utility Truck, VIN 1FDAF57P27EA13991, with 60,503 miles to be sold via public auction. This vehicle has an estimated value of \$30,000. The Committee will recommend that Borough Council adopt Resolution No. 2024-22 and authorize the President of Borough Council and Borough Secretary to execute the Resolution.
5. The Committee reviewed an Ordinance to amend the Code of the Borough of Ephrata, Chapter 57, Borough Manager and Chapter 305, Vehicles and Traffic which will streamline the process for temporarily closing a street or portion thereof by delegating that authority to appropriate Borough staff. The Committee will recommend that Borough Council enact Ordinance No. 1587 and authorize the President of Borough Council and Borough Secretary to execute the Ordinance.
6. The Committee reviewed an Ordinance to amend the Code of the Borough of Ephrata, Chapter 305, Vehicles and Traffic and to amend other provisions of Chapter 305 relating to violations and penalties associated with on-street metered and unmetered parking. The Committee will recommend that Borough Council enact Ordinance No. 1586 and authorize the President of Borough Council and Borough Secretary to execute the Ordinance.

Mr. Buohl then provided an overview of any Discussion Items and Old Business Items as listed on the Committee Report.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on August 19, 2024, at 5:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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Committee Chair Martin asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Ms. Martin asked for a motion to accept the meeting agenda as

posted. Mr. Richard moved and Mr. Zimmerman seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed Bid #24-7 for tree trimming along the electric lines. This will be paid out of capital projects. Going forward tree trimming will appear as an annual expense. This year the critical areas will be targeted. The Committee will recommend that Borough Council award bid #24-7 to The Davey Tree Expert Company for \$199,502.19.

Vice President Martin then provided an overview of any Discussion Items and Old Business Items as listed on the Committee Report.

Community Services Committee

The Community Services Committee met on August 26, 2024, at 4:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Borough business that will be or may be the subject of deliberation or official action at the meeting.
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4. The meeting agenda was made available to individuals in attendance at the meeting.

Committee Chair Aronson asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Ms. Aronson asked for a motion to accept the meeting agenda as posted. Mr. Musser moved and Ms. Martin seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed an ordinance that would amend Chapter 221 Parks and Recreation. The ordinance would include Whistle Stop Plaza in the list of parks and create a new section for Unattended Personal Property. The Committee recommends that Borough Council enact Ordinance No. 1588 Amending Chapter 221 Parks and Recreation.

Ms. Aronson then provided an overview of any Discussion and Old Business Items as listed on the Committee Report.

Special Projects Committee

The Special Projects Committee met on August 19, 2024 at 7:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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Committee Vice Chair Buohl asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Mr. Buohl asked for a motion to accept the meeting agenda as posted. Ms. Aronson moved and Mr. Richard seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed a request for a sign from the Ephrata Cloister Associates. The maximum size sign that will fit in the middle section is 30" x 46". Since the size specifications are defined by a Resolution and this will surpass those limits, a new resolution will be necessary to authorize the larger sign. The Committee will recommend that Borough Council adopt Resolution No. 2024-23 to allow a gateway sign up to 30" x 46" for the Ephrata Cloister conditioned upon Ephrata Township sign approval.

Mr. Buohl then provided an overview of any Discussion Items and Old Business Items as listed on the Committee Report.

Discussion of Committee Reports (No Action Items)

- Development Activities Committee
- Personnel Committee

Committees (No Meetings Held in August 2024)

- Public Safety Committee

Mr. Buohl advised of an Action Item to bring forward to Council for vote at their September 9, 2024, meeting:

- To authorize an exemption from Section 214-4(18)(a) of the Code of the Borough of Ephrata to allow fireworks to be set off at 217 South Reading Road during the 2024 Ephrata High School football season's home games and any playoff games with said fireworks being set off within compliance of all laws including the 150-foot limitation from any building.

Second Opportunity for Citizens to be Heard

With no additional citizens in attendance wishing to address Council, President Reinhold moved onto the Discussion/Announcements.

Discussion/Announcements

Vice President Martin advised she attended a Strategic Planning meeting with several of the staff commenting, "... I was really honored to be there to listen to what the manager of Public Works had to say ... the Water and Sewer ... it was just really a very ... there was so much I did not know and it was very enlightening to me ... one of the things that my takeaway was ... and to no fault of anybody's necessarily ... but there's a lot of proactive work that's not being done because of the staffing issues, the budgetary restrictions that they have ... they're not able to get a lot of proactive workings to be done here in the Borough ... and I'm just kind of speaking generalized and it's really nobody's fault ... it's just a situation where there's staffing issues, budgetary constraints ... but I think we really need to pay attention to it because if we don't start paying attention, we're going to start falling behind and our Borough is not going to look the way we want it to look ... and it's not the infrastructure we need to support the residents ... and I know with rising costs of everything, it's really hard ... a hard pill to swallow ... but I was just really enlightened ... I kind of wish everybody could've have been there because it was really eye-opening for me ... and the dedication these guys have to their jobs and the care that they're showing for their jobs ... it was ... it was very humbling ... I was very happy to be able to "get down in the weeds" with them ... a lot of it I didn't understand, but a lot of it I did understand until I got done ... but it was just a really enlightening meeting and it was very good to see the hard work and dedication ... the heart that these individuals have for their jobs ... it was really very, very, very humbling and very ... a little alarming at times, but I think they're doing a really great job with what they have ... we need to start paying attention a little bit to their asks and to their needs because ... like I said, we're going to start falling behind on infrastructure and the way our Borough looks ... we need to really pay attention to that ... it was a very, very good meeting ... Nancy (Harris) did a great job keeping everybody on tract ... she did an excellent job ... it was a very well run meeting ... very, very, very eye-opening for sure."

Ms. Aronson inquired if any of this insight will be part of the budget meeting process or mentioned in the budget planning process that Council is going to do in October; in which, Ms. Harris commented, "... it will be at some point ... some of it requires planning which was the whole point of the day ... " ... let's look ahead ... 10 years ... what do you need?" Ms. Harris advised she is planning on providing a synopsis of the meeting for Council in the near future.

Mayor Mowen advised he also attended the Strategic Planning meeting commenting, "... it was very informative ... very eye-opening." Mayor Mowen, referencing Vice President Martin's comments, "... if we don't make some alterations, we are going to fall behind in infrastructure and we're not far from that now on some areas ... but it was eye-opening ... the Electric discussion in the afternoon was enlightening also ... it was very, very interesting and I think kudos to Nancy (Harris) for pulling this together ... every one of the individuals that was there, the group leaders, were very open, very honest in their comments ... it was good."

Mayor Mowen, referencing the recent win by the Ephrata Mounts, commented, "... I was so happy for Ephrata Friday night ... but it was kind of sad to me that a coach of another team couldn't say that they played a better team that night and had to do their normal half ass of the Borough ... but that's something to be expected from that area."

President Reinhold, referencing Mayor Mowen’s comments, advised he had the same feelings when he read the article noting, “... but hey, we won!”

Adjournment

Vice President Martin moved to adjourn the meeting. The meeting was adjourned at 8:07 PM.

Nancy E. Harris, P.E.
Secretary

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