

**EPHRATA BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
MARCH 8, 2021**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on March 8, 2021, in the Council Chambers of the Borough Office, 124 South State Street.

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

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 (participated virtually via Zoom), Greg Zimmerman and Mayor Ralph Mowen.

Also in attendance were Borough Manager D. Robert Thompson, Police Chief John Petrick (participated virtually via Zoom), Borough Solicitor James R. McManus, III, Esq. and Stephanie Fasnacht, Recorder (participated virtually via Zoom).

The following visitors were present within Council Chambers:

Larry Alexander, The Ephrata Review  
Tim Auker, 542 N. State Street, Ephrata  
Rebecca Beres, 44 Brookfield Drive, Ephrata

The following visitors participated in the meeting via video conferencing:

Senator Ryan Aument, Pennsylvania's 36<sup>th</sup> District  
Teresa Caruthers, 229 Railroad Avenue, Ephrata  
Tim Horstmann, McNees Wallace & Nurick, LLC  
Tina Thompson, 872 Fairview Avenue, Ephrata  
Julia Yoder, 407 Main Street, Akron

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

**APPROVAL OF MINUTES**

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed that Borough Council approve the February 1, 2021, Work Session Meeting Minutes and the February 8, 2021, Regular Meeting Minutes.

**MUNICIPAL MOMENT – SENATOR RYAN AUMENT**

Senator Aument opened his comments by expressing his appreciation to Council members for serving the Borough of Ephrata, especially with the difficulties experienced throughout the COVID-19 pandemic.

Senator Aument went on to provide an overview of the current legislative session discussing various topics including the personal income tax increase, minimum wage increase, budget negotiations, aftermath of the 2020 election as well as the restoration and recovery efforts resulting from the COVID-19 pandemic.

Senator Aument then discussed his involvement in serving on the COVID-19 Vaccination Task Force. Senator Aument advised the vaccination supply is increasing and that the Lancaster County mass vaccination site will be having a soft opening on Wednesday, March 10, 2021. Senator Aument further advised there is still work to be done including making the vaccine accessible including the possibility of establishing mobile vaccination sites. Senator Aument concluded his comments by stating, "... the good news is the supply is on the increase ... we're turning a corner on distribution."

President Rowe extended her appreciation to Senator Aument for attending the meeting and providing an informative legislative update; after which, she opened it up for questions from fellow Council members. Mr. Barr inquired as to what amount Governor Wolf would like to increase the minimum wage to; in which, Senator Aument advised the Governor would like to immediately increase the minimum wage to \$15 per hour and that he has not seen a lot of support for this recommendation.

Vice President Reinhold, referencing a recent news article regarding the Lancaster County Housing and Redevelopment Authority, inquired if the State will be approving additional funding to assist those in need; in which, Senator Aument advised, "... they are still analyzing the package and are trying to get a handle on it." Senator Aument further advised that information will be shared as the package is worked through.

Mayor Mowen, referencing law enforcement, inquired as to the status of getting radar out of Committee; in which, Senator Aument advised he is fairly hopeful and thinks "we are very close" to legislation moving forward.

In conclusion, President Rowe again thanked Senator Aument for his time.

### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

Rebecca Beres, 44 Brookfield Drive, Ephrata, advised after re-listening to some prior meetings and hearing the thoughts on getting information into an individual's hands regarding what assistance is "out there" and available to them, inquired as to what the status on the bill stuffers were. Mr. Thompson advised that the Borough has worked with the Ephrata Area Social Services as well as the Lancaster Northern Hub to get assistance information out to the Borough residents in the past and will continue to do so in future mailings. Mr. Thompson advised these informational flyers or "bill stuffers" are mailed along with the resident's utility bill noting these mailings are sent in cycles throughout the month. Ms. Beres inquired if any of the referenced bill stuffers have been mailed to residents to date; in which, Mr. Thompson replied he was advised by Business Office staff that bill stuffers containing assistance information would be mailed out during the month of March. Mr. Thompson further advised he cannot provide the specific date(s) of these mailings as they are sent various times throughout out the month (in cycles). Ms. Beres then inquired as to when the process began to provide assistance information to residents; in which, Mr. Thompson advised the process was started last year with information being mailed to residents and will continue to occur within future mailings.

After additional time allotted for citizen comments and with no one in attendance in person or virtually wishing to speak, President Rowe called for a motion to close the public comments section of the meeting until the end of the meeting agenda; in which, it was moved by Vice President Reinhold, seconded by Mr. Barr, and unanimously passed to close public comments until the end of the meeting agenda.

### **ACCEPTANCE OF REPORTS**

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

### **Budget & Finance Committee**

The Budget & Finance Committee met on February 22, 2021, and discussed the following:

#### **Action Items:**

1. The Committee discussed financing options related to the Borough's pledge to contribute 64% of the estimated \$1,522,000 cost for the aerial fire truck for the Pioneer Fire Department. Since all financial details are not available, Staff discussed an option that provides the most flexibility to all

parties. Tim Horstmann from McNeese Wallace, the Borough's bond counsel, discussed an ordinance which would allow the Borough to borrow up to \$2.5M. While the amount to be borrowed is not expected to be that high, it provides flexibility to fix the actual dollar amount to be borrowed at a future time. Mr. Horstmann also discussed a resolution that would allow the Borough to pay some portion to the fire truck's cost from cash reserves and then reimburse itself upon the final borrowed amount for the truck. Scott Kramer from RBC Capital Markets, who will shop and secure the loan, discussed the proposed terms for the loan. The Committee supports the proposed ordinance and resolution and will recommend that Borough Council approve the documents at their March 8, 2021 meeting.

2. The Committee was informed that Councilman Greg Zimmerman has expressed interest in filling the vacant position on the Ephrata Borough Authority board. The Committee will recommend that Borough Council appoint Mr. Zimmerman to fill the vacant board seat.
3. The Committee reviewed a letter from Mainspring Board President requesting the second payment from the Borough for fiscal year 2020/2021 to fund Mainspring operations in the amount of \$63,605. The Committee will recommend that Borough Council authorize the release of the \$63,605 as request at their March 8, 2021 meeting.

#### **Discussion Items:**

1. Borough Manager Thompson shared with the Committee the current number of utility accounts that are subject to utility disconnections. There are a total 193 past due accounts totaling \$175,058. Of those accounts, 85 have not made any payments to the Borough following the beginning of December when the Borough ceased disconnections for the winter months. The total amount due associated with the 85 accounts is \$78,740. The Committee requested Staff to provide information regarding the number of tenants versus owner-occupied accounts. Staff will prepare that information and share it at the March 1, 2021, Work Session. In addition, virtual participant Suzy Wurtz requested the Committee to consider extending the amount of time given to satisfy payment plans. Staff will provide information on payment plans at the March 1 Work Session.
2. The Committee reviewed the 4<sup>th</sup> Quarter 2020 financial information and asked Mr. Thompson to clarify the additional revenues in the General Fund Miscellaneous Receipts account. Mr. Thompson indicated he would research and send a response on Tuesday, 02/23/2021.
3. Mr. Thompson shared a summary of outstanding work assignments for the finance consultant to assist Staff until the new CFO can be hired by the Borough. The Committee and Council members present asked numerous questions to clarify the work assigned. No further action is required at this time.
4. Due to time constraints, Mr. Thompson reported there are documents in the Dropbox regarding recent pension performance reporting, the solicitor's invoice and the check and ACH register. The Committee is encouraged to review the documents and contact Mr. Thompson if they have any questions.

#### **Old Business Items:**

1. Chairman Ressler reviewed the outstanding Old Business list but no items were specifically discussed.

#### **Development Activities Committee**

The Development Activities Committee met on February 22, 2021, and discussed the following:

**Action Items:**

1. The Committee reviewed the annual professional services agreement with HRG. HRG provides review services for Subdivision and Land Development and Stormwater Management. The Committee will recommend that Borough Council execute the annual agreement with HRG for 2021 at the March Borough Council meeting and authorize the President of Borough Council and the Borough Secretary to execute the agreement subject to it being in a form acceptable to the Borough Solicitor.
2. The Committee reviewed an access easement request from the new owners of 1 East Main Street. 1 East Main Street currently has a number of parking spaces along the trail side of their building. The parking spaces are on private property, but drivers must use the curb cut and trail to access the spaces. The owners would like to formalize the access with a recorded easement to ensure they will have access to their parking spaces. The owner's attorney will draft the easement agreement for the Borough Solicitor's review. The Committee will recommend that Borough Council authorize the President of Borough Council and Borough Secretary to execute an access agreement with WMJ Properties, LLC, subject to it being in a form acceptable to the Solicitor at the March Borough Council meeting.
3. Kelly Withum, Executive Director of Mainspring of Ephrata, reviewed a Wayfinding PowerPoint presentation with the Committee. Mainspring would like to move forward with adding wayfinding signage at key places in the Borough and is asking permission to erect wayfinding signage to connect people to places. The first phase of the signage will be to guide pedestrians and cyclists to various destinations. They are proposing 10 locations. Two of the signs will be on private property and the rest will be on Borough-owned property. Ms. Withum will consult with the WERT Committee since several of the signs will be along the trail. Ms. Withum would also like to have Mainspring install 6 small bike racks in the "bump-outs" downtown and at the plaza. The racks and bikes will not impede pedestrians. Mainspring will pay for the signage and the bike racks. The Committee will recommend that Borough Council approve the request to install 8 signs and 6 bike racks subject to Staff reviewing the locations for both improvements at the March Borough Council meeting.
4. The Committee reviewed RFP #EB21-1 Building Cleaning Services. The Committee will recommend that Borough Council award the contract to low quote, M & H Cleaning of Stevens, PA. RFP amount is \$25,200 for year 1, \$25,200 for year 2 and \$25,200 for year 3. Years 2 and 3 are optional based on the contractor's performance. The Committee will recommend awarding the contract for all three years subject to providing a certificate of insurance naming the Borough of Ephrata as an additional insured at the March Borough Council meeting
5. The Committee reviewed additional information provided by the Ephrata Public Library regarding the observation beehive at the library. The installation will result in modifications to the library's exterior wall. The Committee is supportive of the request, but wants the library to escrow funds sufficient to cover the cost of the restoration. The Committee will recommend that Borough Council approve the request subject to the condition that the Library escrow funds to cover the cost of the restoration and execute a restoration agreement in a form acceptable to the Solicitor at their March Borough Council meeting.

**Discussion Items:**

1. There was one Zoning Decision from the January Zoning Hearing Board Meeting. Lynn Zimmerman was granted a lot width variance for a property on Spring Garden Street.

2. There is one new application for the March Zoning Hearing Board Meeting. The Committee does not feel it is necessary to send the Solicitor to the hearing.

### Public Safety Committee

The Public Safety Committee met on February 16, 2021, and discussed the following:

#### Action Items:

1. **Adamstown/Ephrata Office Space Lease:** The Committee approved the Adamstown/Ephrata Office Space Lease Agreement. Adamstown Borough will provide office space at the Adamstown Borough Municipal Building for use solely for the Ephrata Police Department.
2. **Ephrata Public Library's Bee Hive Waiver Request:** The Committee approved the Library's request for a waiver of Section 123-1 of the Code of the Borough of Ephrata as it pertains to the keeping of "hives of bees" within the Borough limits. This issue will be forwarded to the Development Activities Committee.
3. **Disposition of Assets: 2016 Dodge Charger; VIN# 2C3CDXKT7GH238102:** The Committee approved the disposition of assets for (1) 2016 Dodge Charger by accepting the winning bid of \$14,900.00 submitted by Matthew Santiago of Allentown, PA.

#### Discussion Items:

1. **Pioneer Fire Truck Replacement Update:** Fire Chief Michael Kiefer updated the Committee on Pioneer Fire Company obtaining a used Mack aerial ladder truck for use until the newly ordered aerial ladder truck is produced and delivered. Since the used aerial ladder truck will not be ready for service until mid-April, the Pioneer Fire Company will be relying on Reamstown and Garden Spot Fire Companies for aerial ladder support.
2. **Police Department January 2021 Monthly Report:** Chief John Petrick previously provided the monthly report to the Committee for review. Chief John Petrick discussed Detective Lockhart's work as a sworn Federal Task Force Officer and the importance of the local/federal law enforcement partnership.
3. **Police Department 4<sup>th</sup> Quarter 2020 Report:** Chief John Petrick previously provided the Quarterly Report to the Committee for review. Chief Petrick mentioned the importance of the de-escalation training that Officer Dell Isola attended.
4. **Police Department 2020 Annual Report:** Chief John Petrick previously provided the Annual Report to the Committee for review. Chief Petrick provided information about the included photos, 2020 accomplishments as well as an overview on 2020 crime statistics. He reported that overall (total service area), Part I and Part II crimes were down from 2019 figures and that Part I and II crimes were also down within Ephrata Borough. Officers assisted in the coordination of several demonstrations within Ephrata Borough. EPD worked with the demonstration organizers to protect their First Amendment rights.
5. **Emergency Management Report:** Randy Gockley provided a COVID-19 update. He mentioned that Good Samaritan Homeless Shelter will close for the season effective March 15, 2021. He stated that a weather exercise will take place locally on April 22, 2021. Kim Stonebraker also provided a WellSpan Hospital COVID-19 update. Committee members complimented WellSpan's vaccination process.

6. **Feral Cat Ordinance:** Discussion took place regarding individuals feeding feral cats along the Ephrata Walking Trail. Concerns about cat food being left out at numerous locations along the trail were discussed. Claudia Ay, of Save the Ephrata Trail Cat Facebook group, spoke to the Committee about her efforts to trap and have cats spade/neutered and released. She was informed by the Committee of the Borough's Cats at Large Chapter 123 Ordinance and feral cat caregiver responsibilities. She was informed about the permit process to be a caregiver. The Committee agreed not to erect signs along the trail prohibiting the feeding of feral cats. The Committee also instructed Borough Staff not to remove any cat food left out along the trail. Claudia Ay was going to inform individuals that place cat food along the trail about the Borough's ordinance. The feral cat issue will be placed on a future Community Services Committee agenda for discussion.

### Highway Committee

The Highway Committee met on February 22, 2021, and discussed the following:

#### Action Items:

1. The Committee reviewed a January 7, 2021, letter request from Maria Rotella, Program Assistant at the Ephrata Recreation Center, to conduct the 3<sup>rd</sup> Annual Memorial Day 5K Race utilizing various streets in the Lincoln Heights area of the Borough on Monday, May 31, 2021, beginning at 8:00 AM. Maria Rotella discussed the event with Committee and provided a copy of the notification letter which will be delivered to residents of Lincoln Heights making them aware of this event. The Committee will recommend that Borough Council conditionally approve the request subject to EMC review and approval, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and compliance with current PA Department of Health and CDC guidelines associated with COVID-19 at their March 8, 2021, meeting.
2. The Committee reviewed a February 4, 2021, letter request from Michael Lillis and Kim Swinko representing the Ephrata War Memorial Association as Co-Directors of the Firecracker Run asking to use the streets of the Borough on Sunday, July 4, 2021, beginning at 8:00 AM, for the 44<sup>th</sup> Annual Firecracker Run event. Following a brief discussion regarding the planned event date being a Sunday, the Committee tabled further discussion for their March 22, 2021, meeting at which time the event organizers are expected to provide a revised request for Committee review.
3. The Committee reviewed an Ordinance to amend the Code of the Borough of Ephrata, Chapter 305, Vehicles and Traffic, Section 305-D and Section 305-113.1: Schedule XXXI by amending the days and time or times designated by official traffic control devices indicating the beginning and end of each school zone for segments of South Academy Drive, Oak Boulevard, East Fulton Street, Highland Avenue, and Terrace Avenue. The Committee will recommend that Borough Council enact Ordinance No. 1559 at their March 8, 2021, meeting.
4. The Committee reviewed a budgeted vehicle purchase in the form of a new, leftover 2020 Ford Transit-250 Cargo RWD Medium Roof Van replacing a 2007 Ford Ranger to be rotated in the fleet to the Water Filter Plant replacing Truck 80 which will be removed from the fleet through auction or sealed bid. A disposition of asset form will be provided for Council approval at a future Highway Committee meeting. This new vehicle will be used for meter installations and sign installations/replacements. This new vehicle is planned for purchase from Whitmoyer Auto Group in Mount Joy, PA through COSTARS 025-162 Purchasing Agreement for \$37,775.00 per Whitmoyer's Quote ID 012921-1 dated February 19, 2021, plus \$1,000.00 upfitting costs for decals, safety equipment, floor mats, etc. to be provided by Borough Staff. The budget amount for this purchase is \$50,000. The Committee will recommend that Borough Council approve the purchase of this new vehicle at their March 8, 2021, meeting.

**Discussion Items:**

1. The Committee further discussed truck traffic concerns along Apple Street brought forth at the January 25, 2021, Highway Committee meeting by the property owner of 1423-1425 Apple Street who has purportedly sustained property damage over the years by car carrier vehicles traveling to and from the Garden Spot Auto Auction facility. Staff provided current motor vehicle accident data for the past 10 years. Chief Petrick provided an email stating that his department is unable to weigh motor vehicles and would utilize the PA State Police Motor Carrier Unit where there are major concerns regarding overweight trucks. Staff will research truck restrictions regarding trailer length which directly deals with prevalent safety concerns on Apple Street due to its narrow width and tight turn at its intersection with North Charles Street. Committee was advised that major street rehabilitation for Apple Street will be scheduled upon completion of a water main extension involving Apple Street and that a minor rehabilitation such as base repairs may be planned to preserve the integrity of the street. Staff will contact Garden Spot Auto Auction to inquire about sizes of car haulers accessing their facility and also research trailer lengths available for restrictions and report back to Committee at their March meeting.
2. The Committee discussed motor vehicle speeding concerns along South State Street between Queen Street and Linden Road raised by Council Member Barr. Committee directed Staff to complete the collection of speed data and safe running-speed data collection and report back to Committee at a future meeting.

**Old Business Items:**

1. Borough Staff continues communications with PennDOT regarding the South Oak Street bridge pedestrian railing/vehicle barrier with regards to PennDOT's plans for replacing similar barrier on their West Main Street (SR 0322) over Cocalico Creek Bridge.

**Municipal Enterprises Committee**

The Municipal Enterprises Committee met on February 16, 2021, and discussed the following:

**Action Items:**

1. The Committee reviewed a tolling agreement between the Ephrata Borough Authority, Clay Township and the Borough regarding ongoing negotiation for a successor sewer service agreement with the Ephrata Borough Authority and managed by the Borough. The Committee will recommend that Borough Council approve the agreement at their March 8, 2021, meeting.
2. The Committee discussed appointing Stephen Morrison, Technical Support Manager for the Borough, as the Borough's alternate to the American Municipal Power's Board of Trustees. The Committee will recommend that Borough Council appoint Mr. Morrison as their alternate to the AMP Board of Trustees at their March 8, 2021, meeting.

**Discussion Items:**

1. Borough Manager Thompson reported to the Committee that he did provide the solar behind the meter generation information provided to the Committee at their October Committee meeting to the PMEA solicitor for a compliance review with all applicable laws. Mr. Thompson reported that he spoke with Brian Salzman, of the law firm Salzman Hughes, who informed Mr. Thompson that the Borough Technical Specifications for Behind the Meter Generation do not violate any laws that would present liabilities to the Borough.

Scott Sherbine from 201 S. State Street made a presentation to the Committee demonstrating the difference between the Borough's requirements and other solar installations. Specifically, he pointed

out where the solar production meter that the Borough requires to “tax the sun” is located. The Committee asked Mr. Sherbine to specifically identify the changes he is requesting from the Borough’s requirements. Mr. Sherbine responded that he wants the Borough’s requirements to mirror “other energy providers.” He consistently referred to the fact that the Borough only has three residential rooftop solar installations and that is the proof that the Borough’s requirements are onerous; otherwise, there would be more installations in the Borough. Due to time constraints, the discussion was suspended until the March 15<sup>th</sup> Committee meeting.

2. Mr. Thompson informed the Committee that there is a report on the Borough’s 2020 wholesale power costs in the Dropbox and encourages the members to read the report.
3. Mr. Thompson informed the Committee that both the Borough Authority and the Borough use McNees Wallace as their attorney causing a potential conflict if there were any actions including the Authority and the Borough. They have asked the Borough to sign a Conflict Consent; and unless there were any objections, he plans to sign the consent. There were no objections to Mr. Thompson signing the consent.
4. The Committee recessed into an Executive Session to discuss potential land acquisition through a lease for a future electric generation project. The Committee came out of Executive Session at 6:45 PM and adjourned.

### **Community Services Committee**

The Community Services Committee met on February 22, 2021, and discussed the following:

#### **Action Items:**

1. Rec Center Executive Director Jim Summers addressed the Committee with 2021 proposed rates for the Community Pool. The Committee will recommend that Borough Council adopt the rates at their March 8, 2021, meeting.

#### **Discussion Items:**

1. At the February 16, 2021, Public Safety Committee meeting, the Committee discussed the issue of feeding feral cats along the rail trail. As part of the discussion, a citizen suggested that the Borough consider providing cat shelters on Borough property along the trail. Since this involved erecting structures in Borough parks, this item was referred to the Community Services Committee. This item, to provide cat shelters on Borough property along the trail, was discussed by the Committee and the Committee did not support the concept. As a result, the Committee will not be making any recommendations regarding cat shelters along the rail trail. No further action is required by the Committee.
2. Borough Manager Thompson discussed with the Committee Bid #21-3 to furnish and install a fiberglass flume water slide at the Community Pool. Currently no bids for the project have been received. Staff has extended the bid date to February 25<sup>th</sup> with hope that a reasonable bid can be secured. It was further discussed that the availability of materials has caused delays in the completion for the project and that this project would likely not be completed and ready for the beginning of the pool season. It was decided that the bid should rebid for a fall installation if no satisfactory bids are received by February 25<sup>th</sup>. No further action is required regarding this item.
3. Mainspring Executive Director Kelly Withum made a presentation to the Committee proposing improvements to the Whistlestop Plaza in order to make it a more inviting place to drive economic development. The proposal includes lowering the knee wall by one course of block to provide better



seating, adding flower planters along the side of the former Re-U-Zit building, removing diseased trees, adding color in the form of colored umbrellas and flowers and to purchase colorful tables and chairs. The budget for the proposed improvements is \$15,000. Ms. Withum is requesting approval of the concept as well as requesting a contribution towards the improvements. The Committee will move this item to an Action Item and recommend that Borough Council conditionally approve the proposal subject to receipt of all applicable building permits and that Borough Council contribute \$5,000 toward the project.

## **Personnel Committee**

The Personnel Committee met on January 12 and discussed the following:

### **Action Items:**

1. There were no action items on the agenda.

### **Discussion Items:**

1. The Committee reviewed the Borough Manager job description with the change requested by Ms. Martin last month. Discussion moved to the Ordinance creating the position of Borough Manager (Chapter 57 of the Code of the Borough of Ephrata). Solicitor McManus enlightened those in attendance on the possibility of making changes. Mr. Richard stated he would like the Ordinance to include language whereby Borough Council would become more involved in the status of salaried personnel. Solicitor McManus spoke to the involvement of a governing body over the Principal Duties of the Borough Manager. The Committee discussed the feasibility of changing the Ordinance. President Rowe suggested changing the Job Description further to include Mr. Richard's suggestion as an alternative to changing the Ordinance.

Discussion then turned to include language to implement a condition of employment to introduce a probationary period for any newly hired Borough Manager and that a condition of employment during that probationary period include a consultation of Borough Council and consent before any employee is hired or fired. President Rowe was also instructed to include language regarding an ongoing communication between the Personnel Committee and the Borough Manager as well as to include a required quarterly meeting between the Personnel Committee and the Borough Manager. Also, as part of this discussion, the Borough Manager suggested a change to the evaluation guidelines to ensure the goals that are established inspire collaboration among multiple departments and managers. As well, the Solicitor added a suggestion to the Committee to consider implementing a policy with respect to employee communication with elected officials regarding employment matters. The Committee agreed with the necessity of this policy.

2. Chairman Reinhold read his suggestion for an overview/description of the Personnel Committee. No other committee member had verbiage to suggest. The Chairman will email his overview to the Committee and President for further discussion at the next meeting.

The Committee went into Executive Session to discuss a personnel matter.

Due to the late hour, the committee adjourned with no Old Business items being discussed, with hope they can be considered next month.

### **Miscellaneous Reports:**

- ◆ February 2021 General Ledger Report
- ◆ Ephrata Pioneer Fire Company February 2021 Report

- ◆ Ephrata Community Ambulance Association February 2021 Report
- ◆ Ephrata Emergency Management February 2021 Report
- ◆ Mainspring of Ephrata February 2021 Meeting Minutes
- ◆ Ephrata Farmers Day Association 2020 Financial Statements

It should be noted prior to the voting of the Acceptance of the Reports, President Rowe requested that those reports that are not received by the deadline be noted on the agenda as such. Additionally, President Rowe, in referencing the Ephrata Pioneer Fire Company February 2021 Report, inquired as to a status update on the sale of the aerial truck; in which, Mayor Mowen advised the potential buyer(s) did look over the truck and requested a few minor issues be repaired prior to the completion of the purchase. Lastly, President Rowe, referencing the Mainspring of Ephrata February 2021 Meeting Minutes, specifically, the Treasurer's Report, inquired as to what Mainspring would fund outside of the Borough. Ms. Martin clarified that the intent is to be transparent with funds received from outside the Borough versus inside the Borough with a goal being to not comingle those funds.

## **NEW BUSINESS ITEMS**

### **STANDING COMMITTEE RECOMMENDATIONS**

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

It was moved by Mr. Ressler, seconded by Mr. Weiler, and unanimously passed via roll call vote that Borough Council enact Ordinance 1558 authorizing and directing the incurring of non-electoral debt through the issuance of a general obligation note in a maximum principal amount of \$2,500,000 for the purchase of fire truck.

It was moved by Mr. Ressler, seconded by Mr. Zimmerman, and unanimously passed via roll call vote that Borough Council adopt Resolution #2021-5 declaring intent to reimburse its General Fund for amounts paid to finance a portion of the purchase of a fire truck with funds received from a tax-exempt or other debt financing.

It was moved by Mr. Ressler, seconded by Mr. Weiler, and unanimously passed that Borough Council appoint Greg Zimmerman to fill the vacant board seat to the Ephrata Borough Authority.

It was moved by Mr. Ressler, seconded by Mr. Zimmerman, and unanimously passed that Borough Council approve the request from Mainspring of Ephrata to release \$63,605 in support of their operating budget for economic development.

#### **Development Activities Committee**

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed that Borough Council authorize the President of Borough Council and the Borough Secretary to execute the annual agreement with HRG subject to it being in a form acceptable to the Borough Solicitor.

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed via roll call vote that Borough Council approve Mainspring of Ephrata's request to install 8 wayfinding signs and 6 bike racks on Borough property subject to the staff reviewing the locations for the signs and bike racks.

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed that Borough Council award RFP #EB21-1, Building Cleaning Services, to M & H Cleaning of Stevens, PA

subject to providing a certificate of insurance naming the Borough of Ephrata as an additional insured.

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed that Borough Council approve the Library's beehive request subject to the condition that the library escrow funds to cover the cost of the restoration and execute a restoration agreement in a form acceptable to the solicitor and subject to the condition that Borough Council grant the waiver of section 123-1 of the Code of the Borough of Ephrata.

### **Public Safety Committee**

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed via roll call vote that Borough Council approve the lease agreement between Adamstown Borough and Ephrata Borough for a portion of the first floor property (as identified on attached floor plan) at 3000 North Reading Road, Adamstown, Pennsylvania. The space will be utilized by the Ephrata Police Department.

It was moved by Vice President Reinhold, seconded by Mr. Ressler, and unanimously passed via roll call vote that Borough Council approve the Ephrata Public Library's request for a waiver of Section 123-1 of the Code of the Borough of Ephrata as it pertains to the keeping of "any hives of bees" within the Borough limits.

### **Highway Committee**

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed that Borough Council conditionally approve the January 7, 2021, request from the Ephrata Recreation Center to conduct the 3<sup>rd</sup> Annual Memorial Day 5K race in the Lincoln Heights area of the Borough on Monday, May 31, 2021 subject to EMC review and approval, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and compliance with current PA Department of Health and CDC guidelines associated with COVID-19 at the time of the event.

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed via roll call vote that Borough Council enact Ordinance No. 1559 amending the Code of the Borough of Ephrata, Chapter 305, Vehicles and Traffic, Section 305-D and section 305-113.1: Schedule XXXI by amending the days and time or times designated by official traffic control devices indicating the beginning and end of each school zone for segments of South Academy Drive, Oak Boulevard, East Fulton Street, Highland Avenue and Terrace Avenue.

It was moved by Mr. Richard, seconded by Mr. Weiler, and unanimously passed via roll call vote that Borough Council authorize the purchase of a new, leftover 2020 Ford Transit-250 Cargo RWD Medium Roof Van from Whitmoyer Auto Group in Mt. Joy, PA through the COSTARS #025-162 Purchasing Agreement for \$37,775.00 per Quote ID 012921-1 dated February 19, 2021.

### **Municipal Enterprises Committee**

It was moved by Ms. Martin, seconded by Mr. Richard, and unanimously passed via roll call vote that Borough Council authorize the President of Borough Council and the Borough Secretary to execute a Tolling Agreement between the Ephrata Borough, Clay Township and the Ephrata Borough Authority.

It was moved by Ms. Martin, seconded by Mr. Richard, and unanimously passed that Borough Council appoint Stephen Morrison, Technical Support Manager, as the Borough's alternate member to the American Municipal Power's Board of Trustees.

### **Community Services Committee**

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

Borough Council adopt the 2021 pool rates as proposed by Ephrata Recreation Center's Executive Director, Jim Summers.

It was moved by Mr. Weiler, seconded by Ms. Martin, and unanimously passed via roll call vote that Borough Council approve an unbudgeted expenditure to donate \$5,000 to Mainspring of Ephrata for Whistlestop Plaza improvements.

It should be noted prior to the vote, President Rowe referenced the presentation by Ms. Withum at the Community Services Committee meeting where she indicated most of the funds and/or services for improvements at the Whistlestop Plaza to be donated. President Rowe then inquired if the full amount of \$5,000 is needed and/or will any unused funds be returned to the Borough. Mr. Thompson advised it is not uncommon practice to use funds provided by the Borough first and then begin to seek donations. Ms. Martin advised the actual budgeted amount for these improvements is \$15,000 and that it is likely that amount will be exceeded even with donated time and materials; therefore, she does not see the \$5,000 being donated by Borough will not be used in full.

#### **APPROVAL OF CHECKS 44456 THROUGH 44655 AND THE ACH REGISTER DATED FEBRUARY 25, 2021**

It was moved by Mr. Ressler, seconded by Mr. Zimmerman, 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 \$604,326.54.

#### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

Ms. Teresa Caruthers, 229 Railroad Avenue, Ephrata, inquired as to where the energy generated by the solar fields goes; in which, Mr. Thompson, referencing the solar farm on Springhouse Road, advised the Borough has an agreement in place with the developer, Monarch Private Capital, to purchase all of the energy that is output from the project which is used by the Borough to serve the residential, industrial and commercial customers of the Borough so that it reduces the amount of energy we have to buy from the grid.

With no additional visitors wishing to address Council, President Rowe moved onto the Discussion/Announcements portion of the meeting.

#### **DISCUSSION/ANNOUNCEMENTS**

Vice President Reinhold advised that the Personnel Committee will be meeting approximately 15 minutes upon the conclusion of the Voting Session. Vice President Reinhold, in referencing an alternative to bill stuffers, inquired if there is a way to send a mass text and/or email to residents providing them with information regarding what assistance is available to them. Mr. Thompson advised that customers have the ability to sign up on the Borough website to receive certain types of alerts/messages if they choose to do so.

Vice President Reinhold, in referencing the issue of unpaid tenant account balances, stated he would like to see a way to partner with landlords to resolve the issue. Mr. Thompson advised that this matter is a topic to be discussed at the March Special Projects Committee meeting.

Mayor Mowen advised he had the pleasure of representing the Borough to honor Paul Shober who celebrated his 100<sup>th</sup> birthday this past weekend. Mayor Mowen stated, "... it was an honor to honor him on this milestone."

**ADJOURNMENT**

It was moved by Mr. Weiler, seconded by Vice President Reinhold, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 8:02 PM.

Respectfully submitted,

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D. Robert Thompson, Secretary