

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
MARCH 13, 2023**

The regular Ephrata Borough Council meeting was called to order by President Thomas Reinhold at 7:00 PM on March 13, 2023, 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 Timothy Barr, Alan Buohl, Kory Musser, Ricky Ressler and Greg Zimmerman, as well as Mayor Ralph Mowen.

Also in attendance were Borough Manager Nancy Harris, Interim Police Chief Christopher McKim, Sgt. Daniel Albaugh, Borough Solicitor Isaac P. Wakefield, Esq., Salzmann Hughes and Stephanie Fasnacht, Recorder.

The following visitors were present within Council Chambers:

Larry Alexander, The Ephrata Review
Tim Auker, 542 N. State St., Ephrata
Steve Aronson, 424 Lake St., Ephrata
Ginny DiIlio, 30 Kings Ct., Ephrata
George DiIlio, 30 Kings Ct., Ephrata
Andrea Glass, Lancaster
Deryl Hurst, DOVE Westgate Church
Donald L., Lititz
David Lyall, Lancaster
Chandra Mast, Shade Tree Commission
Darla McKim, Richland
Jack McKim, Richland
Shirley McKim, Lancaster
Ed O., ELA Group, Inc.
Tony Russell, 609 E. Main St., Ephrata
Debra Sanders, 1125 Lincoln Heights Ave., Ephrata
Lee Sanders, 1125 Lincoln Heights Ave., Ephrata
D. Stoner, New Castle
M. Wilson, Lancaster

Pastor Deryl Hurst, DOVE Westgate Church, offered the invocation which was followed by the Pledge of Allegiance.

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.
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.

In response to President Reinhold asking if there were any requests to add an item of Borough business to the meeting agenda, Vice President Martin advised of the following:

1. Addition of Municipal Moment presentation by Chandra Mast, Shade Tree Commission

President Reinhold asked for a motion to accept the additional agenda item. Vice President Martin moved and Mr. Ressler seconded to approve the additional agenda item. The motion carried unanimously.

President Reinhold asked for a motion to accept the revised meeting agenda. Vice President Martin moved and Mr. Ressler seconded to approve the revised meeting agenda. The motion carried unanimously.

APPROVAL OF MINUTES

Mr. Barr moved and Mr. Ressler seconded that Borough Council approve the February 6, 2023, Work Session Meeting Minutes and the February 13, 2023, Regular Meeting Minutes. Motion carried unanimously.

STANDING COMMITTEE RECOMMENDATIONS

Personnel Committee

Vice President Martin moved and Mr. Richard seconded that Borough Council extend an offer to Christopher J. McKim for the position as Chief of Police effective immediately contingent upon his acceptance of a formal offer letter in a form approved by the Borough Solicitor. Motion carried unanimously via roll call vote.

OATH OF OFFICE – CHRISTOPHER J. MCKIM, CHIEF OF POLICE

Mayor Mowen administered the Oath of Office to Christopher J. McKim for his new role as Chief of Police for the Ephrata Police Department.

MUNICIPAL MOMENT – EPHRATA PERFORMING ARTS CENTER

Andrea Glass, Ephrata Performing Arts Center (EPAC), provided an overview of their 2022 Artistic Highlights - which included the overwhelmingly successful “The Color Purple” production - as well as an overview of their 2022 Organizational Highlights, their 2023 Main Stage Productions, and their 2023 Youth Program which will feature a production of “Phantom of the Opera.” Ms. Glass highlighted the use of the venue for various events including EPAC’s fundraiser/dinner on the stage – a first time in converting the stage to a dining space – as well as, hosting “Miss Lancaster County,” dance competitions, and an event for the Chamber. Ms. Glass ended her presentation by highlighting the fact that EPAC is an economic driver for the community and extended her appreciation to the community and Borough Council for their continued support.

David Lyall, Ephrata Performing Arts Center (EPAC), commented due to the successful fundraiser dinner, which raised \$70,000, has allowed to them “... to take a look at things from an artistic side instead of a business side.”

Mr. Ressler commented that, “... my wife and I are looking forward to seeing the first play of the season” and he is excited to witness the development of the young talent through EPAC’s phenomenal youth program. Mr. Ressler concluded his comments by stating, “... EPAC is the place we want to go rather than anywhere else.”

Mr. Barr commented that it is a great transformation to have dinner on the stage and that the venue may be a good place to have weddings and receptions.

President Reinhold extended his appreciation to Ms. Glass for her presentation.

MUNICIPAL MOMENT – SHADE TREE COMMISSION

Chandra Mast, Shade Tree Commission, provided a recap of 2022 including the achievement of the following goals: (1) Tree City USA Recognition; (2) Arbor Day Celebration; (3) Enactment of Shade Tree Ordinance. Ms. Mast advised that the Commission is the recipient of a 2023 Pennsylvania Bare Root Tree Program Grant receiving 16 trees to be planted in the Community Dog Park and at the American Legion property. Ms. Mast shared her excitement that these trees will be planted on Arbor Day which will be "... the biggest celebration in a very, very long time."

Ms. Mast then provided an overview of future activities and ideas, including the continuation of the mapping of trees, a public tree trail, a tree giveaway program and a tree-themed art installation. Ms. Mast advised future goals include the recruitment of more members, the updating of the Shade Tree Commission brochures/flyers, as well as the starting over of tree inventory and identification system. Ms. Mast ended her presentation by expressing her thankfulness to have the Shade Tree Commission re-activated and their efforts thriving.

Mr. Buohl, in referencing the PA Bare Root Tree Program Grant, inquired as to how large the trees will be upon their arrival; in which, Ms. Mast advised they will be approximately 10'-12' tall and 2" in diameter.

Ms. Martin inquired as to the possibility of establishing a tree bank; in which, Ms. Mast advised the first step would be to identify a piece of land to plant the trees. Ms. Mast advised the thought process would be rather than buying new trees to replenish stock, it would be nice to have a more-developed tree available to plant which would come from a proposed tree bank. Ms. Martin advised she has been vocal about her desire to establish a tree bank which would include Christmas trees for the annual Christmas event as it has become difficult over the last few years to receive a donation of a tree from within the Borough. Ms. Mast responded that her suggestion can be looked into further; however, the issue remains that a piece of land within the Borough to plant the trees needs to be identified.

President Reinhold extended his appreciation to Ms. Mast for her presentation.

OPPORTUNITY FOR CITIZENS TO BE HEARD

After time allotted for citizen comments and with no one in attendance wishing to speak, President Reinhold called for a motion to close the public comments section of the meeting until the end of the meeting agenda. Vice President Martin moved and Mr. Barr seconded to close public comments until the end of the meeting agenda. Motion carried unanimously.

ACCEPTANCE OF REPORTS

Mr. Barr moved and Mr. Ressler seconded to approve the Acceptance of Reports. Motion carried unanimously.

Budget and Finance Committee

The Budget and Finance Committee met on February 27, 2023, at 6:54 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.
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.

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

Action Items:

1. The Committee reviewed Resolution 2023-05 authorizing disposition of records. The Committee will recommend that Borough Council adopt the resolution at their March 13, 2023, meeting.
2. The Committee reviewed Resolution 2023-06 updating Morgan Stanley authorized account personnel. The Committee will recommend that Borough Council adopt the resolution at their March 13, 2023, meeting.
3. The Committee reviewed Resolution 2023-07 Mission Square removal of former employees. The Committee will recommend that Borough Council adopt the resolution at their March 13, 2023, meeting.
4. The Committee will recommend that Borough Council enter into the agreement with Government Management Services, LLC for the addition of public funding and financing consulting services to their current consulting agreement and authorize 2023 unbudgeted expenditures for the fees noted therein, an additional \$2,000 per month.

Discussion Items:

1. Staff informed Council that the vehicle fuel bill is anticipated to arrive within the next two weeks. At that time the usage will be reviewed to ensure that the Ephrata Rec Center has ceased using supreme fuel for their vehicles.
2. Staff informed Council that a general obligation note from 2007 for the Ephrata Performing Arts Center has been paid in full and satisfied. As such, the footnote in the Borough's financial statements will be removed. The Committee requested receipt of official documentation from EPAC of the satisfaction. Ms. Gerhart will provide the requested documentation to the Committee in the near future.
3. Staff provided a copy of the solicitor and assistant solicitor cost summary. No further action is required.
4. Check and ACH Register was provided. Ms. Gerhart and Ms. Harris provided details on checks questioned by Ms. Martin. No further action is required.

Old Business Items:

1. Ms. Gerhart noted that the credit card fee project will proceed as discussions continue with Springbrook as we transition from the on-premise software to the cloud-based version. The credit card payments made at the customer service counter are also a cause of the delay in collecting convenience fees. She anticipates having additional information to report over the next few months.

Development Activities Committee

The Development Activities Committee met on February 27, 2023, 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.
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.

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

Action Items:

1. The Committee reviewed a request from Mainspring of Ephrata to hold the annual Party on the Plaza events for 2023. The Committee will recommend that Borough Council grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit at the March Borough Council meeting. This item will appear on the Consent Agenda.
2. The Committee reviewed a request from Mainspring of Ephrata to hold the annual 4th Wednesdays Happy Hour events for 2023. The Committee will recommend that Borough Council grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit at the March Borough Council meeting. This item will appear on the Consent Agenda.
3. The Committee reviewed a request from Mainspring of Ephrata to hold the annual New Year's Eve event at Whistle Stop Plaza. The Committee will recommend that Borough Council grant the request to serve alcohol at Whistle Stop Plaza on New Year's Eve subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit at the March Borough Council meeting. This item will appear on the Consent Agenda.
4. The Committee reviewed a request from the Ephrata Rec to hold the annual Brewfest at Whistle Stop Plaza on June 24, 2023. This year's request includes the closure of Rose Alley from North State Street to the Locust Street Parking Lot. The Committee will recommend that Borough Council grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit at the March Borough Council meeting.

5. The Committee reviewed a stormwater management plan for Ephrata Church of the Brethren. The plan was prepared by Fuehrer Associates and reviewed by HRG. The Committee will recommend that Borough Council approve the stormwater management plan subject to the inclusion of HRG's comments at the March Borough Council meeting. This will appear on the March Consent Agenda.
6. The Committee reviewed the final land development plan for the Luke Zimmerman Subdivision in the 600 block of East Main Street. The Committee will recommend that Borough Council approve the final plan subject to the inclusion of HRG's comments at the March Borough Council meeting. This will appear on the March Consent Agenda.
7. The Committee reviewed the final land development plan for Morgan Truck LLC located at 485 Wenger Drive. The applicant is requesting a deferral to install a fire meter. This request will be forwarded to the Ephrata Area Joint Authority for review and approval. The Committee will recommend that Borough Council approve the final plan subject to the inclusion of HRG's comments at the March Borough Council meeting. This will appear on the March Consent Agenda.
8. The Committee a land development plan for the War Memorial Field Improvements located along Old Mill Road. They are adding grandstands, covered bullpens and batting areas. They also submitted a stormwater management plan for review. The Committee will recommend that Borough Council approve four waiver/modification requests and approve the final plan subject to the inclusion of HRG's comments and Lancaster County Planning comments at the March Borough Council meeting. This will appear on the March Consent Agenda.
9. The Committee reviewed one new HVAC repair quote for the Ephrata Public Library. The quote offers the option to repair or replace the condenser coil in RTU3. The Committee agreed to replace the coil for \$11,840.00 and it will be paid out of the borough building maintenance fund. The Committee is recommending that Borough Council authorize a payment of \$11,840.00 to Trago Mechanical, Inc. at the March Borough Council meeting.
10. The Committee reviewed a request from the Ephrata Rec Center to sublet parking spaces to Weathered Vineyards. The Borough Solicitor provided input via email. After much discussion it was agreed to have the solicitor prepare a lease with Weathered Vineyards to lease up to 6 parking spaces within the Ephrata Rec parking lot for \$150 per month with an annual CPI adjustment. The Rec Center lease should also be updated per the solicitor's suggestion. The Committee is recommending that Borough Council authorize the solicitor to prepare a lease with Weathered Vineyards to lease up to 6 parking spaces within the Ephrata Rec parking lot for \$150 per month at the March Borough Council meeting.

Discussion Items:

1. The Committee reviewed the 4th Quarter 2022 budget report for activities under their purview. There were no concerns regarding the budget report.
2. The Committee reviewed the 2022 Annual Report from the Ephrata Borough Planning Commission. There were no concerns regarding this report.
3. The Zoning Hearing Board did not meet in February so there are no decisions.
4. There were no new applications for the March Zoning Hearing Board meeting.

Public Safety Committee

The Public Safety Committee met on February 21, 2023, at 6:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Interim Chief McKim 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.
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.

Committee Chair Buohl asked if there were any requests to add a matter of Borough business to the meeting agenda. There were none. Mr. Richard moved, and Mr. Ressler seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. **Adoption of Civil Service Rules and Regulations** – The Committee heard Interim Chief McKim's explanation of the updated Civil Service Rules and Regulations and were in agreement to recommend adoption at the March 6, 2023, Work Session.

Discussion Items:

1. **EMA January 2023 Report:** Emergency Manager Gockley reviewed the report and offered information on the Northern Lancaster County Public Safety Committee's CPR training. He also reported on the process of the Church Survey. There has been training in the area regarding fire response to gas incidents. Mr. Gockley briefed the Committee on the upcoming Active Shooter Exercise with WellSpan.
2. **Recruitment for Vacancies:** Interim Chief McKim briefed the Committee on the status of the upcoming hiring process and recently updated civil service rules.
3. **Promotional Process for Lieutenant and Sergeant** – The Committee heard Interim Chief McKim's ideas for promotions for key leadership positions in the PD. Bartell and Bartell conducts evaluations for leadership positions in police departments. McKim is pursuing that option.
4. **Police Reports** – Interim Chief McKim reviewed the police reports and complimented the firearms instruction group under the leadership of Sergeant Ken Lockhart for their innovation in training for the agency.
5. **4th Quarter 2022 Budget Review** – the Committee found no discrepancies in the budgetary report.

Old Business Items:

1. Fire Call Annual Comparison – Potentially available for March PSC meeting.

Miscellaneous Items:

1. Whistlestop Activity was discussed. No needles found. Some may still be using restrooms to wash up. Mainspring Staff monitors the Sharps container for replacement.

2. Shelter Activity: Mr. Reinhold asked about open communication with Shelter-related services and PD. Interim Chief McKim welcomed contact from any of the parties for informational purposes.

Highway Committee

The Highway Committee met on February 27, 2023, at 5:36 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.
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.

Committee Chair 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 a January 25, 2023, letter request from Maria Rotella, Program Assistant at the Ephrata Recreation Center, to conduct the 5th Annual Memorial Day 5K Run utilizing various streets in the Lincoln Heights area of the Borough on Monday, May 29, 2023, beginning at 8:00 AM. Jim Summers discussed the event with the Committee. The Committee will recommend that Borough Council conditionally approve the request subject to review and approval by Emergency Management Coordinator Randy Gockley and Interim Police Chief Lt. McKim, Borough receipt of a certificate of insurance naming the Borough of Ephrata as additional insured, and notifications about the event delivered to residents of the Lincoln Heights development at their March 13, 2023, meeting.
2. The Committee reviewed a letter, dated February 13, 2023, from the Ephrata War Memorial Association by Michael Lillis, Co-Director of the Firecracker Run, requesting to use the streets of the Borough for the 46th Annual Firecracker Run event on Tuesday, July 4, 2023. Jim Summers discussed the event with the Committee. The Committee will recommend that Borough Council conditionally approve the request subject to review and approval by Emergency Management Coordinator Randy Gockley and Interim Police Chief Lt. McKim, and Borough receipt of a certificate of insurance naming the Borough of Ephrata as additional insured at their March 13, 2023, meeting.
3. The Committee reviewed a letter request from Ed Ostrowski, RLA with ELA Group, Inc. dated February 6, 2023, asking to replace conventional, depressed straight curb at an existing driveway entrance into public tennis courts along Legion Avenue with slant curb which requires Council approval. The Committee will recommend that Borough Council approve the request at their March 13, 2023, meeting.
4. The Committee reviewed a February 2, 2023, letter request from Michael Ast, Technical Sales, representing UGI Utilities, Inc. of Reading, PA requesting a temporary road closure in the 300 block of East Fulton Street to accommodate their construction activities to provide natural gas service to

71 Bethany Road. UGI's traffic control subcontractor will provide and maintain signage as required. East Fulton Street closure between Tom Avenue and Bethany Road is tentatively scheduled between 7:00 AM and 4:00 PM on March 14, 2023. The Committee will recommend that Borough Council approve the temporary road closure at their March 13, 2023, meeting.

5. The Committee reviewed the February 22, 2023, letter of requests from Mainspring of Ephrata's Christmas in Ephrata Committee regarding the Christmas in Ephrata 2023 event. Lisa Willwerth representing Mainspring of Ephrata discussed the events with the Committee. The Committee will recommend that Borough Council conditionally approve the requests subject to approval and establishment of an Incident Support Plan by EMC Randy Gockley and Interim Police Chief Lt. McKim, Borough receipt of a certificate of insurance naming the Borough of Ephrata as additional insured, and receipt of a PennDOT issued Special Events Permit to close a numbered state route with Mainspring of Ephrata as applicant at their March 13, 2023, meeting.
6. The Committee reviewed Mainspring of Ephrata's 2023 New Year's Eve Celebration event planning requests. Lisa Willwerth representing Mainspring of Ephrata provided the details for the planned New Year's Eve Celebration event beginning December 31, 2023, at 9:30 PM and ending at 12:30 AM on January 1, 2024. The Committee will recommend that Borough Council conditionally approve the requests associated with the New Year's Eve Celebration subject to approval and establishment of an Incident Support Plan by EMC Randy Gockley and Interim Police Chief Lt. McKim, Borough receipt of a certificate of insurance naming the Borough of Ephrata as additional insured, and receipt of a PennDOT issued Special Events Permit to close a numbered state route with Mainspring of Ephrata as permit applicant at their March 13, 2023, meeting.

Discussion Items:

1. The Committee listened to a Flowbird parking meter / pay station presentation and observed a product demonstration from Mitchell Butts, President and Jamie Groff, Vice President of Sales with Butts Ticket Systems from Cochranville, PA, authorized Distributors for Flowbird headquartered in Moorestown, NJ. Staff will meet on-site with Butts Ticket Systems representatives soon to discuss parking pay station / meter layout for Ephrata's CBD and report back to the Committee when that data is available.
2. The Committee reviewed the 4th Quarter 2022 budget report for those activities under their purview. Borough Manager Harris explained the overage on street cleaning for 2022. No other concerns currently.

Old Business Items:

1. Ephrata Police were asked to provide their input regarding Apple Street truck traffic following completion of Garden Spot Auto Auction's (GSAA) construction project. Sergeant Schmitt with the Ephrata Police stated that the roadway (Apple Street and Lincoln Garden Road) in this area needs re-paved and motor vehicle speeding issues are still present. Citing that truck traffic to and from GSAA is currently not an issue, Chairman Richard requested that this item be removed from Old Business Items.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on February 21, 2023, at 5:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Morrison 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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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.

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 a recommendation to authorize entering into a construction management contract with Ecosystem Planning and Restoration regarding the Gross Run Streambank Project. The Committee will recommend Council conditionally approve entering into the contract, pending solicitor review, at their March 13, 2023, meeting.
2. The Committee reviewed a recommendation to enact an ordinance revising Chapter 165 of the Borough Code regarding electric service rates. The Committee will recommend that Council enact Ordinance No. 1575, pending solicitor review, at their March 13, 2023, meeting.
3. The Committee reviewed a recommendation to adopt a resolution revising the Borough's Base Power Supply Cost. The Committee will recommend that Council adopt Resolution 2023-08, pending solicitor review, at their March 13, 2023, meeting.

Discussion Items:

1. Staff presented information regarding a minor issue with a substation transformer. Mr. Morrison informed the Committee that there is a minor oil leak, likely due to a failed gasket, that will need to be repaired. Due to the location of the gasket, the transformer will need to be partially drained in order to complete the work. Current pricing indicates approximately \$60,000-70,000 for repairs. Staff will provide future updates.
2. Staff presented the budget data for 2022 Q4. Mr. Morrison reported that, especially considering the current state of the energy market, the final budget totals came in very favorable for the year.

Old Business Items:

1. More information regarding EV Chargers will be presented in the coming months.

Community Services Committee

The Community Services Committee met on February 27, 2023, at 4:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Rineer 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.
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.

Committee Chair Barr asked if there were any requests to add a matter of Borough business to the meeting agenda. Mr. Rineer requested to add a request from Troop 38 to sell Easter flowers at Whistle Stop Plaza from April 7 through 9, 2023, as an Action Item. Mr. Barr asked for a motion to accept the meeting agenda as amended. Ms. Martin moved and Mr. Zimmerman seconded to approve the amended meeting agenda. The motion carried unanimously.

Action Items:

1. The Committee reviewed Bid Number 23-1 to E.W. Reiff Lawn Care, Inc., for turf maintenance services. E.W. Reiff Lawn Care, Inc.'s bid amount was \$60,000 for the 2023 mowing season; \$63,000 for the 2024 mowing season; and, \$66,000 for the 2025 mowing season. The 2024 and 2025 mowing seasons are optional and at the discretion of Borough Staff upon satisfactory performance each year. The Committee will recommend that Borough Council award Bid Number 23-1 to E.W. Reiff Lawn Care, Inc.
2. Jim Summers from the Ephrata Recreation Center, presented the Committee with operation dates of the community pool opening Saturday, May 27th and closing Sunday, August 27th. He stated that this year there was a wage increase for the pool employees. Ms. Martin asked Mr. Summers if he is recommending a 5% increase for pool membership; in which, Mr. Summers advised he is. The Committee was also in favor of the proposed increases. The Committee was in favor of increasing day passes by \$1 for all day passes.
3. Ephrata Unleashed Dog Park Committee is requesting to hold the 2nd Annual K9 Eggstravaganza Event. The event would take place on April 1, 2023. The event would take place within the fenced-in area of the Dog Park and dogs would remain leashed for the event. The Committee will recommend that Borough Council approve the Ephrata Unleashed K9 Eggstravaganza Event at the Dog Park.
4. Mainspring of Ephrata requested to use the WERT trail and Winters Memorial to place luminaries and flags on November 11, 2023, for Veterans Day. Students from the Fulton Elementary School will place American flags at the Winter's Memorial. The Committee will recommend Borough Council grant the request to place luminaries and flags along the WERT trail and Winters Memorial for a Veterans Day Event subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured. This item will appear on the Consent Agenda.
5. Reliance Environmental submitted a request to install two groundwater monitoring wells on two different Borough-owned properties. There had been an accidental release of chemicals over several years into the ground at 17 East Queen Street, a commercial dry cleaner. Reliance Environmental is requesting to place the wells at Redcay Park and at the basketball court along East Queen Street. Well abandonment completion will be submitted at the conclusion of the project. The Committee will recommend that Borough Council approve the request to place two monitoring wells on Borough owned parks.

6. The Committee reviewed a request to hold a Community Food Truck Event at the Lincoln Heights playground. The food truck would be parked on Lincoln Heights Avenue adjacent to the park. This would be the second year for the event. The event would take place on May 17, 2023. The Committee will recommend that Borough Council grant the request for the Food Truck Event to take place at the Lincoln Heights playground subject to placement of proper traffic control devices.
7. A request was made by American Legion to host a Community Easter Egg Hunt on Borough-owned property between the American Legion's parking lot and Vine Street. The event would take place on Friday, April 7, 2023, between the hours of 5:30 PM and 7:30 PM. In the past, the Legion has hosted an Easter Egg Hunt on their property along Cocalico Street which has an embankment that causes the eggs to roll towards the street. The Legion feels that hosting the event on the Borough's property would be a safer alternative for the children. The Committee will recommend that Borough Council approve the American Legion's Easter Egg Hunt request.
8. Kim Stonebraker, a representative from Impact Troop 38, requested the use of the Whistle Stop Plaza for the Troop to sell Easter flowers on April 7, 8 and 9 of 2023. Ms. Stonebraker stated that the Troop would set up in the Plaza area and would not interfere with traffic. The Committee will recommend that Borough Council grant the request to hold the flower sale at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured.

Discussion Items:

1. The Committee reviewed the guidelines for the Cultural Arts Grant. The Committee questioned whether there is follow up to confirm that the recipients contribute their required 50% match of the grant. Staff reviewed the applications and confirmed the applicants note their contribution on the submitted applications for the project which is over 50% of the grant request.
2. The Committee discussed the 4th Quarter 2022 Budget Report. There were no concerns.
3. Mr. Rineer provided an update on the Dog Park. Mr. Rineer advised the Dog Park is now open to the public; however, the benches have not yet been installed by Public Works. Mr. Rineer commented that a few glitches have come up since the opening of the Dog Park which are being addressed. Mr. Rineer further advised he will be meeting with the Ephrata Unleashed Dog Park Committee on March 1, 2023, to address concerns that the Committee may have.

Old Business Items:

Ms. Martin advised she would like to discuss the possibility of a tree bank to plant evergreen trees to use for future Christmas trees for the Annual Downtown Tree Lighting Event.

Special Projects Committee

The Special Projects Committee met on February 21, 2023, 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 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. Barr moved and Mr. Buohl seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. None.

Discussion Items:

2. The Committee reviewed the proposed changes to the logo to incorporate the Historic Cloisters. After a lengthy discussion, the Committee voted to not move it out of Committee. They will continue with the logo previously approved.

Personnel Committee Report

The Personnel Committee met on February 7, 2023, at 4:00 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Committee 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.
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.

Ms. Martin asked for a motion to accept the meeting agenda. Mr. Richard made a motion and Mr. Ressler seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee recommends that Acting Chief McKim be named permanent Chief of Police effective March 13, 2023.

Executive Session:

1. Personnel Matter --- The Committee went into Executive Session at 4:08 PM to discuss a personnel matter. The Committee came out of Executive Session at 4:24 PM.

Discussion Items:

1. Personnel Update --- Hired 1st Class Lineman but quickly terminated employment with individual as it was determined he did not have the necessary skill set. Hired two new police officers - David Johnston and Evan Frees.
2. Interim Chief McKim --- Customer Service is his top priority. Other priorities are as follows:
 - a. Rebuild Organizational Structure (recruit, train, deploy new hires), prepare for future vacancies, promote leaders into critical positions, succession planning.
 - b. Maintain Contracts for Service – we all get more for our money and all parties benefit (economies of scale)
 - c. Maintain Pennsylvania Law Enforcement Accreditation (enhance community confidence / public trust)

- d. Continue successful community outreach (businesses, schools, youth organizations, community stakeholders)

Old Business Items:

- 1. Salaried Employee Handbook --- Ms. Harris mentioned that Chris Schenzel from Personnel Partners has provided a draft of the recommended changes to the handbook. Ms. Harris still believes some things (mostly benefits) are missing; Staff will work on making additions to it.

February 2023 General Ledger Report
 Ephrata Pioneer Fire Company February 2023 Report
 Lincoln Fire Company February 2023 Report
 Ephrata Community Ambulance Association February 2023 Report
 Ephrata Emergency Management February 2023 Report
 Shade Tree Commission February 2023 Meeting Minutes
 Mainspring of Ephrata January 2023 Meeting Minutes

NEW BUSINESS ITEMS

CONSENT AGENDA

Vice President Martin advised the items on tonight’s Consent Agenda have been discussed in detail at their respective Committee meetings and were brought forward for additional discussion at last week’s 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 grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. (Development Activities)
- 2. That Borough Council grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. (Development Activities)
- 3. That Borough Council grant the request to serve alcohol at Whistle Stop Plaza on New Year’s Eve subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. (Development Activities)
- 4. That Borough Council approve the Church of the Brethren stormwater management plan subject to the inclusion of HRG’s comments. (Development Activities)
- 5. That Borough Council approve the Final Subdivision Plan for the Zimmerman Subdivision, dated December 21, 2022, containing 3 sheets prepared by dH Enterprises, West Lawn, PA, subject to addressing the comments contained in the HRG letter dated February 7, 2023. (Development Activities)

6. That Borough Council approve the Final Land Development Plan for Morgan Truck Body LLC, dated December 20, 2022, containing 24 sheets prepared by Spotts, Stevens & McCoy, Reading, PA, subject to addressing the comments contained in the HRG letter dated February 7, 2023. (Development Activities)
7. That Borough Council approve a waiver/modification of submission of Preliminary Plan, Section 281-14 of the Code of the Borough of Ephrata for the Preliminary/ the War Memorial Athletic Field Improvement. (Development Activities)
8. That Borough Council approve a waiver/modification of Existing Features, Section 281-26.B(2)(j) of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for the War Memorial Athletic Field Improvements. (Development Activities)
9. That Borough Council approve a waiver/modification of maximum loading ratios in Karst areas, Section 275-302.A(2)(c) of the Code of the Borough of Ephrata for the Preliminary/Final Land Subdivision Plan for the War Memorial Athletic Field Improvements. (Development Activities)
10. That Borough Council approve a waiver/modification of impervious area to pervious, Section 275-304.A of the Code of the Borough of Ephrata for the Preliminary/Final Land Subdivision Plan for the War Memorial Athletic Field Improvements. (Development Activities)
11. That Borough Council approve the Final Land Development Plan for the War Memorial Athletic Field Improvement, dated December 16, 2022, containing 8 sheets prepared by Harbor Engineering, Manheim, PA, subject to the following:
 - a. The applicant must address the comments contained in the HRG letter dated February 10, 2023.
 - b. The applicant must address the comments contained in the Lancaster County Planning Review dated January 27, 2023.

(Development Activities)
12. That Borough Council conditionally approve Mainspring of Ephrata’s request to use the WERT and Winters Memorial to place luminaries and flags on November 11, 2023, for Veterans Day subject to the receipt of a Certificate of Insurance naming the Borough of Ephrata as an additional insured. (Community Services)

Vice President Martin moved to approve the items listed on the Consent Agenda. Motion carried unanimously.

STANDING COMMITTEE RECOMMENDATIONS

Budget and Finance Committee

Mr. Ressler moved and Mr. Zimmerman seconded that Borough Council adopt Resolution #2023-05 Authorizing Disposition of Records. Motion carried unanimously.

Mr. Ressler moved and Mr. Musser seconded that Borough Council adopt Resolution #2023-06 Morgan Stanley Authorized Account Personnel. Motion carried unanimously.

Mr. Ressler moved and Mr. Zimmerman seconded that Borough Council adopt Resolution #2023-07 Mission Square Removal of Former Employees. Motion carried unanimously.

Mr. Ressler moved and Mr. Musser seconded that Borough Council authorize entering into the proposed General Consulting Services Agreement with Government Management Services, LLC, for the addition of public funding and financing consulting services to their current consulting agreement and authorize 2023 unbudgeted expenditures for the fees noted therein, an additional \$2,000 per month. Motion carried unanimously via roll call vote.

Development Activities Committee

Mr. Zimmerman moved and Mr. Barr seconded that Borough Council grant the request to serve alcohol at Whistle Stop Plaza for the 2023 Brewfest and close Rose Alley from North State Street to the Locust Street Parking Lot subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. Motion carried unanimously.

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council authorize a payment of \$11,840.00 to Trago Mechanical, Inc. for HVAC repairs at the Ephrata Public Library. Motion carried unanimously.

Mr. Zimmerman moved and Mr. Barr seconded that Borough Council authorize the solicitor to prepare a lease with Weathered Vineyards to lease up to 6 parking spaces within the Ephrata Rec parking lot for \$150 per month plus an annual CPI increase. Motion carried unanimously.

Highway Committee

Mr. Richard moved and Vice President Martin seconded that Borough Council conditionally approve the January 25, 2023, letter request from the Ephrata Recreation Center to conduct the 5th Annual Memorial Day 5K race event on Monday, May 29, 2023 subject to EMC Gockley and Interim Chief Lt. McKim review and approval, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and event notifications delivered to Lincoln Heights residents. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council conditionally approve the February 13, 2023, letter request from Michael Lillis, Firecracker Run Co-Director to conduct the 46th Annual Firecracker Run event on Tuesday, July 4, 2023, subject to EMC Gockley and Interim Chief Lt. McKim review and approval, and Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured. Motion carried unanimously.

Mr. Richard moved and Vice President Martin seconded that Borough Council approve the February 6, 2023, letter request from Ed Ostrowski, RLA with ELA Group, Inc. to install slant curb for an existing driveway entrance adjacent to Ephrata Area School District property along Legion Avenue. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council approve the February 2, 2023, letter request from Michael Ast, Technical Sales, with UGI Utilities, Inc. to close the 300 block of East Fulton Street between Tom Avenue and Bethany Road on Tuesday, March 14, 2023, between 7:00 AM and 4:00 PM to accommodate a gas service line installation at 71 Bethany Road. Motion carried unanimously.

Mr. Richard moved and Vice President Martin seconded that Borough Council conditionally approve the February 22, 2023, letter requests from the Christmas in Ephrata Committee of Mainspring of Ephrata to conduct activities associated with Christmas in Ephrata 2023 subject to Interim Police Chief Lt. McKim and EMC Randy Gockley's approval and establishment of an Incident Support Plan, Borough receipt of a

satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and Borough receipt of a Special Events Permit issued by PennDOT to close a numbered state route with Mainspring of Ephrata as permit applicant. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council conditionally approve Mainspring of Ephrata's event request to conduct activities associated with 2023 New Year's Eve Celebration subject to Interim Police Chief Lt. McKim and EMC Randy Gockley's approval and establishment of an Incident Support Plan, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and Borough receipt of a Special Events Permit issued by PennDOT to close a numbered state route with Mainspring of Ephrata as permit applicant. Motion carried unanimously.

Municipal Enterprises Committee

Vice President Martin moved and Mr. Richard seconded that Borough Council authorize the Borough Secretary and Council President to enter into an agreement, conditional upon terms agreeable to the Solicitor, with Ecosystem Planning and Restoration for Gross Run Construction Management Services. Motion carried unanimously.

Vice President Martin moved and Mr. Zimmerman seconded that Borough Council enact Ordinance No. 1575 amending Chapter 165 Sections 165-8 Residential Service Rates and 165-9 Commercial and Industrial Service Rates of the Borough Code. Motion carried unanimously via roll call vote.

Vice President Martin moved and Mr. Richard seconded that Borough Council adopt Resolution #2023-08 Establishing a Base Power Supply Cost. Motion carried unanimously.

Vice President Martin moved and Mr. Zimmerman seconded that Borough Council authorize the Borough Secretary and Council President to accept the quote from Waukesha[®] Service to perform the electric substation transformer #1 repair in the amount of \$65,400.00. Motion carried unanimously.

Community Services Committee

Mr. Barr moved and Vice President Martin seconded that Borough Council award Bid #23-1 to E.W. Reiff Lawn Care, Inc., for turf maintenance services in the amount of \$60,000 for the 2023 mowing season; \$63,000 for the 2024 mowing season; and, \$66,000 for the 2025 mowing season with the 2024 and 2025 mowing seasons being optional and at the discretion of Staff upon satisfactory performance each year. Motion carried unanimously.

Mr. Barr moved and Mr. Ressler seconded that Borough Council adopt Resolution 2023-09 Setting the Rates for Admission to the Ephrata Community Pool for Annual Membership and Daily use. Motion carried unanimously.

Mr. Barr moved and Vice President Martin seconded that Borough Council conditionally approve the Ephrata Unleashed Dog Park Committee's request to hold its 2nd Annual K9 Eggstravaganza Egg Hunt on April 1, 2023, between the hours of 1:00 PM-3:00 PM at the Dog Park. Motion carried unanimously.

Mr. Barr moved and Mr. Ressler seconded that Borough Council grant Reliance Environmental's request to place monitoring wells at the following Borough-owned properties: (1) Redcay Park; and, (2) the basketball courts off of East Queen Street. Motion carried unanimously.

Mr. Barr moved and Vice President Martin seconded that Borough Council conditionally approve the request for the residents of Lincoln Heights to hold a community event on May 17, 2023, from 5:30 PM-7:30 PM with the placement of a food truck at the Lincoln Heights Playground subject to the conditions

that cones be placed on the street around the food truck and that food is only served on the sidewalk side of the truck. Motion carried unanimously.

Mr. Barr moved and Mr. Ressler seconded that Borough Council grant American Legion's request to hold a Community Easter Egg Hunt on the Borough-owned property between the American Legion's parking area and Vine Street on April 7, 2023, from 5:30 PM-7:30 PM. Motion carried unanimously.

Mr. Barr moved and Vice President Martin seconded that Borough Council conditionally approve Impact Troop 38's request to hold an Easter flower sale at Whistle Stop Plaza on April 7-9, 2023, subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured. Motion carried unanimously.

APPROVAL OF CHECKS 50354 THROUGH 50579 AND THE ACH REGISTER DATED MARCH 1, 2023

Mr. Ressler moved and Mr. Richard seconded that Borough Council ratify the payment of bills performed by Staff since the last regular Council meeting in the aggregate amount of \$2,053,425.61. Motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO BE HEARD

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

DISCUSSION/ANNOUNCEMENTS

Mr. Zimmerman, in referencing the previously approved logo, inquired if there has been any consideration given to the possibility of changing it to include a reference to the Historic Cloister. President Reinhold advised that the matter was discussed at the February Special Projects Committee meeting; however, if he wishes, Mr. Zimmerman could request to amend the meeting agenda to include a roll call vote on his request.

APPROVAL OF AGENDA

In response to President Reinhold, Mr. Zimmerman requested to amend the meeting agenda to include:

1. Addition of Revision of Previously Approved Logo

President Reinhold asked for a motion to accept the additional agenda item. Mr. Zimmerman moved and Mr. Richard seconded to approve the additional agenda item. Motion carried.

NEW BUSINESS ITEMS

Mr. Zimmerman moved and Mr. Richard seconded that Borough Council authorize QNTM to prepare revisions to the previously approved Borough logo based on the sketches provided by Mr. Weaver. Motion failed via roll call vote.

Prior to the vote, Ms. Martin advised she would like to know what the financial impact would be as a result of revising the logo; in which, Ms. Harris advised it would cost somewhere in the range of \$2,000 to \$5,125 with conditions. President Reinhold inquired as to what impact this change would have on the timeframe of the project; in which, Ms. Harris advised the website launch would be delayed until December 2023 or January 2024.

Mr. Buohl inquired if the logo has been copyrighted; in which, Ms. Harris confirmed it was. Mr. Ressler inquired as to whether the logo could be enhanced for certain situations; in which, Mr. Musser responded,

“... I don’t think we want to open that up.” Mr. Ressler replied, “... once you open it up to one, you will open it up to many.”

Mr. Zimmerman commented he did not believe it to be a big deal to delay the website launch for a few months. Mayor Mowen advised he had two individuals approach him and said, “... that’s (the logo) not even Ephrata.”

DISCUSSION/ANNOUNCEMENTS

Mr. Barr encouraged individuals to consider being a living donor as he continues to wait for a matching kidney.

Mayor Mowen informed Council that former Police Sergeant Brian Kurtz’s wife, Kitty, passed away this morning and to keep him in their prayers.

President Reinhold extended his appreciation to Council for their discussion regarding the new logo and although he understands the Historic Cloister is vital to Ephrata, it was not represented in the previous logo and continues to be a top-visited historic site within Pennsylvania. Mayor Mowen commented that a reference is included on the Ephrata Police Department’s patch.

ADJOURNMENT

Mr. Barr moved that Borough Council adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 8:37 PM.

Respectfully submitted,

Nancy E. Harris, P.E.
Secretary

SJF