

**EPHRATA BOROUGH COUNCIL
WORK SESSION MINUTES
JUNE 7, 2021**

The Ephrata Borough Council Work Session was called to order by President Susan Rowe at 7:00 PM on June 7, 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, President Susan Rowe, Vice President Thomas Reinhold and Council Members Timothy Barr, Linda Martin, Ricky Ressler, Victor Richard, Greg Zimmerman, Mayor Ralph Mowen and Borough Manager D. Robert Thompson, Chief John Petrick as well as the Solicitor, James R. McManus, III, were present within Council Chambers.

The following visitors were present within Council Chambers:

Larry Alexander, The Ephrata Review
Tim Auker, 542 N. State Street, Ephrata
Jeanette Beck, Ephrata
Rebecca Beres, 44 Brookfield Drive, Ephrata
Teresa Caruthers, 229 Railroad Avenue, Ephrata
Wes Dudley, 146 Washington Avenue, Ephrata
Amy Fuller, Ephrata
Claire Hemperly, Ephrata
Brian Hoffman, 162 W. King Street, Ephrata
Howard Kelin, Ephrata Area School District
Jean Lausch, 950 Hammon Avenue, Ephrata
Greg Martin, 1304 Marilyn Avenue, Ephrata
Scot Sherbine, 202 S. State Street, Ephrata
Suzanne Wurtz, 33 Akron Road, Ephrata

The meeting began with a moment of silence with President Rowe expressing to all to keep the memory of Mel Weiler and his family in their hearts which was followed by the Pledge of Allegiance.

STATEMENT FROM PRESIDENT ROWE CONCERNING HOLDING A PUBLIC MEETING VIA VIDEO CONFERENCE

“This meeting was advertised in accordance with Act 15 of 2020 enabling residents that wish to participate in the meeting virtually to do so through the duration of the COVID-19 emergency declaration. Although the mandates have been lifted, there are still restrictions on the number of people we can have at a gathering in a building, so we are meeting those standards.” President Rowe, addressing Mr. Thompson, inquired if any citizen participating virtually wished to address Council; in which, Mr. Thompson advised he sent three virtual invitations but that all three of those individuals are present within Council Chambers.

First Opportunity for Citizens to be Heard

Teresa Caruthers, 229 Railroad Avenue, Ephrata, advised she is physically attending the meeting due to not being able to understand the verbiage via virtual attendance. Ms. Caruthers advised

she has observed that other municipalities publish the meeting online so those who wish to do so may view the meeting as well as those municipalities having "... very simple access to the meetings rather than having to apply for a link, wait for the link every time."

In concluding her comments, Ms. Caruthers, in referencing EV charging stations, advised it may be beneficial to out-of-town visitors for the Borough to improve the posted signage of charging station locations.

Brian Hoffman, 162 W. King Street, Ephrata, advised he has two items to bring forward for consideration with the first being an event to be held on August 21, 2021, where the American Legion will be hosting various family-based activities including a Patriot's Ride (Registration from 11:00 AM – 12:00 PM; Ride at 12:00 PM); display of military vehicles; food trucks; games, etc. Mr. Hoffman advised contact has been made with the Warbird Association from Lancaster Airport who has restored a Vietnam-era Huey helicopter which could be flown into the event for a fee. Mr. Hoffman further advised they have all of the clearances needed to do so; however, he is asking Council if there are any foreseen issues in having the helicopter land on the Legion property/parking lot. President Rowe advised she will request Chief Petrick to place this request on the Public Safety Committee meeting's agenda for their June 21, 2021, meeting and extended an invitation for Mr. Hoffman's attendance to discuss the request.

Mr. Hoffman then advised of another matter he wished to bring to Council's attention which was a concern from a group of individuals he is representing regarding the topic of police defunding and "all the bad connotations that were going around throughout the country about the police departments" as well as what could be done about it within our community. Mr. Hoffman further advised that this group, by word of mouth, had collected funds totaling approximately \$1,700. Mr. Hoffman advised he was tasked with obtaining the numbers of police officers within West Earl, Akron, Ephrata and Northern Lancaster Regional Police Departments. Mr. Hoffman further advised the group decided to give gift certificates from local businesses throughout the area which could then be given to the Departments to distribute to their officers.

Mr. Hoffman advised that he was contacted by Chief Petrick who informed him that he cannot give the gift cards to the officers. Mr. Hoffman believed that Chief Petrick may have thought he was personally presenting the gift cards and explained they were being gifted by a group of individuals. Mr. Hoffman advised that Chief Petrick stated what may be done is to have the officers hand out the donated gift cards to individuals within the community that they come across from time to time; in which, Mr. Hoffman stated, "... whatever suits you ... if that will help the Police Department, that's what we want ... that's the whole gist of this ... for community members to show their appreciation for our police department." Mr. Hoffman further advised there was an article published about these gift cards being given to Ephrata Area Social Services and Good Samaritan to be handed out to individuals in need; however, in follow-up with the local businesses, Mr. Hoffman was informed that none of the gift cards have yet been used.

Mr. Hoffman concluded his comments by stating, "... the other three police departments did not have any problem with giving those cards to their officers ... this one did ... then just last week, I believe it was, on the Ephrata PD Facebook page, was a posting of somebody supplying a

chicken lunch to all of the policemen on the force ... provided courtesy of CustomComputer.com ... that post, I think, has since come down .. but my question for Council is why would that be appropriate, but not the gift cards given ... the money given anonymously by hundreds of Ephrata residents ... be a problem?"

Mr. Richard, in referencing the request of the helicopter landing in the Borough, advised two years ago, he had spent a considerable amount of time in discussions for a similar request at the Ephrata Fair's Hometown Heroes event. Mr. Richard advised the outcome at that time was that a helicopter could not safely land within the Borough. President Rowe again advised the matter will be discussed further at the upcoming Public Safety Committee meeting.

Mr. Barr, in referencing the gift cards, advised as a former State employee, he was not allowed to accept gift cards. Ms. Martin, addressing Chief Petrick, inquired if there is a policy on gift cards; in which, Chief Petrick advised in receiving the gift cards, it could be viewed as taking a monetary payment. Chief Petrick further advised that the Department does, at times, receive baked goods and/or food items from residents/businesses; however, if Council advised the Department to not accept those items, they would refrain from doing so. Mayor Mowen advised it has been the Department's policy for years that monetary gifts will not be accepted. Ms. Martin suggested it may be a good idea for a written policy be developed providing guidance on this matter.

Ms. Wurtz, in referencing the American Rescue Plan funding, inquired at what point in the process the Borough is at for the receipt of those funds as well as to what the amount to be received will be. Mr. Thompson advised within the last week, the Borough received notification from DCED about the application process to submit for the funding which was completed earlier on this date. Mr. Thompson further advised a guidance table was provided which showed the Borough receiving a possible \$1.4 million (\$725,000 in 2021; \$725,000 in 2022). Ms. Wurtz then inquired upon the receipt of the monies if there is going to be an excess of funding; in which, Mr. Thompson advised at this point, there is very little information being provided which makes it difficult to determine that at this time.

Ms. Wurtz advised she would like to suggest a possible usage of the funds be to establish an award for affordable housing for Ephrata. Ms. Wurtz stated, "... because I'm seeing a lot of housing going up all over Ephrata and Ephrata Township that is not affordable for families like me and families like my friends have ... and if we could keep that in mind as we're going forward with zoning and zoning regulations to maybe work with the developers to build more affordable housing going forward."

Scot Sherbine, 202 S. State Street, Ephrata, in referencing Mr. Hoffman's comments regarding the police, stated, "... it is tough sometimes to appreciate the police officers in this town ... and I know because I have a friend that shoots pool on the police department ... even though we all work together and they do things for the community, if you want to ... I want to put a tip on his pool stick or do this or that, it's frowned upon ... you know that's not good ... it's almost like I'm asking for a favor ... you know ... by doing that ... it's almost ... it's a thing ... you know ... you can't give somebody a free coffee or you couldn't do that ... even though they come to your house and they take care of things when somebody is sick or a car is broke down and then

you try to help that person, it kind of gets shut down and I understand where he's coming from ... that's not right ... and I know I've been in the same boat ... you almost feel like a jerk when you offer somebody that and they're like, "... I can't take that ... it's frowned upon" ... so I just wanted to add to that ... he covered it perfectly."

Mr. Sherbine, speaking to Mr. Thompson, inquired if there are customers within the Borough that do not use the Borough's electric; in which, Mr. Thompson replied he is not aware of any. Mr. Sherbine advised he sought clarification as it was brought to his attention that there are customers within the Borough that do not use the Borough's electric. Mr. Thompson advised he would have to research the matter; in which, Mr. Sherbine requested he do so and provide him that information.

With no additional citizens in attendance wishing to address Council, President Rowe moved onto the filling of the vacancy of 2nd Ward representation on Borough Council.

Borough Council Vacancy – 2nd Ward Interviews

President Rowe, referencing the Commonwealth Code, advised the vacancy should be filled by Borough Council no later than June 17, 2021. President Rowe advised three residents have expressed interest in filling the vacancy and the chosen representative will serve until December 2021. President Rowe then advised a special election will occur later this year to fill the remaining two years of the term.

President Rowe advised each candidate will be given an opportunity to explain their interest in filling the vacancy; after which, Council members will be allotted a time to ask questions if they wish to do so. President Rowe advised if any Borough resident of the 2nd Ward is in attendance and would like to make a statement, she will allow time for them to do so.

President Rowe explained that following the Committee Recommendations portion of the meeting, she will entertain nominations to fill the vacancy. President Rowe advised after she closes the nominations, she will call for a vote in the order in which the nominations were received. President Rowe further advised the first nominee to gain a majority vote will fill the vacancy and if there is a tie, the Mayor may either cast a vote to break the tie or request that the item be tabled until Borough Council's next meeting. President Rowe advised if the seat is not filled at tonight's meeting, she will call for a motion to carry the vacancy until Monday, June 14, 2021. President Rowe advised if Council cannot fill the seat at the June 14, 2021, meeting, she will call for the Vacancy Board to convene at the earliest possible date that allows time for the Borough to advertise the Vacancy Board (Chair and Borough Council members) meeting which by the Commonwealth Code must be a public meeting.

President Rowe then introduced the candidates in the order their resumes were received: Wesley Dudley, Amy Fuller and Rebecca Beres. President Rowe then requested each candidate to tell a little bit about themselves and explain their interest in serving on Borough Council. After hearing from each candidate, Borough Council conducted an interview process of each individual in preparation of selecting of a nominee to fill the vacant Council seat for the remainder of 2021.

Upon completion of the interview process of the candidates, President Rowe moved onto the Discussion of Committee Actions portion of the meeting.

Discussion of Committee Actions

Budget and Finance Committee

Mr. Ressler advised the Committee met on May 24, 2021, and has two Action Items:

1. The Committee reviewed a transfer of \$450,889.04 from Ephrata Borough to the Ephrata Borough Authority's bank account for their share of cash investment accounts as of 1/1/2021. The Committee will recommend that Borough Council ratify the transfer at their June 14, 2021 meeting.
2. The Committee reviewed Resolution 2021-24 updating contact information, signers and online access authorizations for a checking account with Ephrata National Bank. The Committee will recommend that Borough Council adopt the resolution at their June 14, 2021 meeting.

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

Vice President Reinhold, addressing Mr. Thompson, inquired if there is an update regarding past-due accounts; in which, Mr. Thompson advised he has no new information to share reiterating the date the moratorium expires is June 10, 2021. Vice President Reinhold advised the Borough is in receipt of 14 ERAP applications out of 151 past-due accounts (8%) and that those 151 past-due accounts are out of a total of approximately 6,600 meters (2%) of the overall customer base in the Borough that is not able to pay their bill.

Development Activities Committee

Mr. Zimmerman advised the Committee met on May 24, 2021, and has five Action Items. Mr. Zimmerman advised he will review Items #2-5 and come back to Item #1:

1. The Committee reviewed a request from the Ephrata Area School District to waive building permit fees for three projects that are going to begin construction this summer. The total construction costs of all three projects is \$37,500,00.00. The building permit fees would be \$450,264.00. Kristee Reichard, Business Manager for the School District, explained that the middle school and high school projects are primarily HVAC replacements. At the high school, they are adding a 2-story addition. The District is willing to pay the inspection and plan review fees and an administrative fee. They suggested \$2,500 for the administrative fee. They are willing to pay their fair share. They do not want to go the legal route and be adversarial. That is not their intent. Thompson explained that the District's attorney provided case law that allows municipalities to collect out-of-pocket costs and any administrative fees. All other fees must be justified. After discussion about the fees, it was decided that Staff will determine what administrative fees are associated with all three permits. If the District agrees with the administrative costs, the district will pay that amount, the inspection fees of \$190,493.00 and the plan review fees of \$2,500.00. The District would like to begin the work as soon as school ends. They have asked for the waiver request to be voted on at the Work Session. The Committee will recommend that Borough Council grant the building permit fee waiver request at the June Borough Council Work Session subject to the condition that the Ephrata Area School District agrees to pay administrative fees, inspection fees and plan review fees.
2. The Committee reviewed a final drawdown request for stormwater improvements for a new 2-unit constructed at 52 East Fulton Street. The stormwater work has been completed and inspected. The applicant is requesting release of their remaining funds. The Committee will recommend that Borough Council release \$2,006.57 at the June Council meeting. This will appear on the Consent Agenda.
3. The Committee reviewed a proposal to replace the Security and Surveillance Video Equipment at Borough Hall. The current system is original to the building that was constructed in 2002 and is antiquated. The proposal includes upgrading all the equipment to current industry standards and providing addition security camera coverage. The project came in under the budgeted amount of \$70,000. The Committee will recommend that Borough Council award the Security and Surveillance Video Equipment Replacement COSTARS contract to Triangle Communications, Inc. for \$63,501.78 at the June Borough Council meeting.
4. The Committee reviewed a revised cost estimate for the Brian McCarty Subdivision and Land Development Agreement. The agreement and amount were approved last month, but it was determined the amount was incorrect. The revised amount is \$28,753.45. The agreement has already been reviewed and approved by the Solicitor. The new value will be added to the agreement. The Committee will recommend that Borough Council authorize the President of Borough Council and Borough Secretary to execute the Subdivision and Land Development Agreement with the developer, Brian and Audrey McCarty, with the revised amount of \$28,753.45 at the June Borough Council meeting.

5. The Committee reviewed a request to defer subdivision and land development plan review to Ephrata Township. The David and Florence Harnish plan is a lot add-on plan located almost completely in Ephrata Township. A small corner is in the Borough. There are no changes planned for the Borough section. The Committee will recommend that Borough Council approve the deferral request at the June Borough Council meeting.

Prior to continuing with the Committee Report, Mr. Zimmerman advised an additional document was added to the Dropbox updating the administrative costs totaling \$2,730.80. Mr. Zimmerman then inquired as whether the school district should pay the inspection fees as well as plan review fees. Mr. Thompson advised the fee schedule provided by Staff includes all out-of-pocket fees including the Building Code Plan Review Fees, the Building Permit Admin Fees, the Commercial Alteration Inspection Fees, and the UCC Training Account Fees totaling \$196,107.30.

Mr. Zimmerman then provided an overview of the Discussion Items as listed on the Committee Report.

Vice President Reinhold, in referencing the EASD's request of waiving fees, advised the Committee decided to capture the administrative costs as well as the inspection fees and waive the other fees in an effort to be "good stewards" in dealing with the school district. Howard Kelin, representing the Ephrata Area School District, advised he is in receipt of the document Mr. Thompson referred to and stated, "... that is completely acceptable to the school district and they appreciate Council's support."

Mr. Ressler, addressing Mr. Thompson and referencing 3rd Party Inspection Fees, inquired if "3rd Party" means an outside source; in which, Mr. Thompson advised he is correct. Mr. Ressler then stated, "... it makes sense since both parties are taxpayer supported that we don't collect money that they've got to collect taxes for and, hopefully, they don't collect money that we have to pay taxes for."

Mr. Barr, addressing Mr. Thompson, sought additional clarification regarding the total amount of fees; in which, Mr. Thompson reiterated the total amount equals \$196,107.30. Mr. Thompson advised if adjustments need to be made, those costs will be passed on.

President Rowe, in referencing the structure of the Fee Schedule, advised it is designed to recoup the fees of the Borough administration costs for building permits. President Rowe advised that the Fee Schedule is based on an average building permit cost and this project is "beyond the scope" of anything the Borough could have imagined and is enormous in value that it "kind of skewed" the permit fees which is why the District asked for the waiver of fees. President Rowe then stated, "... it has been worked out that the District will recoup the Borough for any expenses incurred by Borough including administration costs ... so the Borough is not doing work for the school for nothing, but we're actually forgiving the excess costs that they would have incurred."

Highway Committee

Mr. Richard advised the Committee met on May 24, 2021, and has two Action Items:

1. The Committee reviewed a disposition of assets request to dispose of a 2007 Ford Ranger, VIN #1FTYR15E67PA72292 with 103,500 miles on the odometer. The estimated value of the vehicle is \$5,382.00 and is planned for disposal through Municibid. The Committee will recommend that Borough Council approve this asset disposal at their June 14, 2021 meeting.
2. The Committee reviewed a request from Erik Schlosser, Boy Scout Troop 73 Committee Chairperson, per his letter dated May 3, 2021, to use the Locust Street parking lot and have the opportunity to staff the West Franklin Street parking lot during the 2021 Ephrata Fair to park cars as a fundraiser. Because the West Franklin Street lot is occupied by vendors during Fair week, The Ephrata Farmers Day Association, Inc. has agreed to compensate Boy Scout Troop 73 for lost revenue in the amount of \$1,500 provided they invoice The Ephrata Farmers Day Association, Inc. in a timely manner following the completion of the 2021 Ephrata Fair. The Committee will recommend, as part of the Consent Agenda, that Borough Council conditionally approve the request subject to Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured at their June 14, 2021 meeting.

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

Ms. Martin, in referencing Borough parking lot signage, inquired if signs are in place; in which, Mr. Thompson advised he will verify that signage is in place.

Vice President Reinhold, in referencing the Discussion Item regarding the installation of ADA ramps at the intersection of Joann Avenue and Susan Avenue, advised this is an example of why the Borough has reserve funds in place and is thankful to be able to assist residents in this way.

Municipal Enterprises Committee

Ms. Martin advised the Committee met on May 17, 2021, and has two Action Items:

1. At the Committee's April 19, 2021 meeting Mr. Thompson advised that our electrical inspection contractor, ABI, has adopted the 2014 National Electric Code which requires that all non-dwelling electric services provide fault current calculations. These calculations are provided through a fault current study. The Staff recommended that Chapter 165 of the Code of the Borough of Ephrata be amended to require the fault current study for all non-dwelling electric services. The Committee reviewed Ordinance 1561 adding the requirement for the study. The Committee will recommend that Borough Council enact the ordinance to amend Chapter 165, Electricity at their June 14, 2021 Council meeting.
2. Mr. Thompson advised the Committee that Ephrata's term on the Pennsylvania Municipal Electric Association board of directors expires in September 2021. He recommended to the Committee that it nominate the Borough for an additional four year term. PMEA will hold the board elections at its annual member meeting in September 2021. The Committee will recommend that Borough Council nominate the Borough for a second term on the PMEA board at the June 14, 2021 meeting.

Ms. Martin then provided an overview of the Discussion Item as listed on the Committee Report.

Mr. Thompson advised several months ago, the Borough approved the execution of a Tolling Agreement - an agreement between the parties that while they are working on successor agreements that neither party would engage in litigation against the other – with Clay Township which had an expiration date of June 30, 2021. Mr. Thompson advised a meeting occurred with Clay Township officials and it appears “we are very close” to an agreement and are hopeful by the July 12th meeting it will be presented for review. Mr. Thompson advised as a result, it is being recommended to extend the Tolling Agreement to August 10, 2021, which will be voted on at the June 14, 2021, Voting Session. Mr. Thompson further advised a copy of the Tolling Agreement has been placed at each Council seat for review prior to the vote.

Special Projects Committee

Mr. Barr advised the Committee met on May 24, 2021, and has one Action Item:

1. The Committee was addressed by Ms. Jeanette Beck who asked the Committee to sign a resolution to support Governor Wolf’s proposed 2021 Education Budget. The resolution addresses three components of the Governor’s budget as follows:
 - a. An additional \$1.15B of supplemental funding (with no source of revenues)
 - b. 100% of the funds would be distributed through the fair funding formula
 - c. Elimination of the Hold Harmless provision that no school district will receive less funding than what they received prior to 2014.

The Committee discussed the Resolution and via a 2-1 vote will move this item to the full Council for action at their June 14, 2021 meeting.

Mr. Barr then provided an overview of the Discussion Items as listed on the Committee Report.

Mr. Ressler, in referencing the Action Item, advised there was a split vote to bring it forward to Council for action. Mr. Ressler advised he is in favor of bringing the Resolution forward and stated, “... the important part of this is that the State legislation some years ago ... I think three years ago ... had voted and had brought in this policy of Fair Funding and then basically didn’t do it ... I support that they should go ahead and do it.”

Mr. Ressler advised in the Sunday paper, they had an article about Eagle Disposal and noted that while Ephrata may have been suffering due to lack of pickups, it appears others were also affected in several counties. Mr. Ressler further advised he believes that Eagle “kind of got their wheels back on track again” as he has not had any other disruption of service.

President Rowe, speaking to Ms. Jeanette Beck, inquired if she would like to address Council regarding the Fair Funding Resolution; in which, Ms. Beck advised Lancaster County has 16 school districts and that nine of them are not receiving their fair share of the educational funding – Ephrata being one of those districts. Ms. Beck stated, “... Ephrata is getting shortchanged about \$1,238,000 in their funding for education and there are also other school districts in Lancaster County that are underfunded.” Ms. Beck further stated, “... our children are our future and what better investment is there than their education ... I think all of our students should be

“fairly educated” ... and when I say, “fairly educated,” that does not mean every school should get an equal amount, but they should get an equitable amount - what is needed to educate those students.” Ms. Beck concluded her comments by advising that the request being brought before Council is to support the Fair Funding Resolution.

Mr. Richard, addressing Mr. Kelin, in referencing the accuracy of the numbers, advised the General Assembly agreed as to what Fair Funding should look like; however, they then decided they would only apply it to additional dollars going forward not to dollars already being spent which is why there is this disparity as the issue. Mr. Kelin further advised he is aware that different school districts are impacted different ways and that Ephrata Area School District is one of those that is not receiving its Fair Funding that according to what the General Assembly is already acknowledged should be the formula.

Ms. Martin advised that currently the Fair Funding formula only uses the new money to run through the formula. Ms. Martin further advised she is not in objection to using the Fair Funding formula; however, she will be voting no on the matter due to the fact there is no mention as to where the increased revenue is coming from. Ms. Martin advised while federal dollars will be received, we do not know how those dollars will be spent and “... the only way I see this happening is through property tax increases because that is how schools are funding now ... and without mention of where this revenue is coming from or how it is going to be paid for, that’s what I am going to have to assume because that is how schools are being funded now ... and I don’t understand why we are weighing in on the school funding resolution ... I don’t think that’s a place for a local government to do that, but I can understand why it has been brought forth ... but until we can determine how that funding is going to be ... how that revenue is going to be brought forth, I would not be voting for this.”

Mr. Kelin, in replying to Ms. Martin’s comments, advised the Fair Funding formula is only talking about state dollars, not local dollars; in which, Ms. Martin advised she understands what he is saying and she is referring to the federal monies.

Mr. Thompson advised since the Committee meeting, a representative from Toastmasters reached out to him about a time-sensitive application for a Gateway sign which is included in the meeting packet for action at this meeting.

Personnel Committee

Vice President Reinhold advised the Committee met on May 10, 2021, and has one Action Item:

1. The Committee discussed the job description for the Assistant Borough Manager/Chief Financial Officer of the Borough of Ephrata. Rowe explained the job description presented was the same used in the advertisement but placed on the Borough header format. Rowe also suggested adding confidentiality verbiage to the job description. The Committee agreed to adding the new language; Rowe will revise the job description and present it to the Committee at the June 7th Work Session.

Vice President Reinhold then provided an overview of the Discussion Items as listed on the Committee Report.

Discussion of Committee Reports (No Action Items)

Public Safety Committee

Vice President Reinhold advised the Committee met on May 17, 2021, and provided an overview of the Discussion Items as listed on the Committee Report.

Mr. Richard, addressing Mr. Thompson in referencing the Discussion Item regarding the beehives, inquired as to the status of the removal of the hives; in which, Mr. Thompson advised he requested the Codes Enforcement Officer to verify the removal of hives and issue a Code Enforcement Action if necessary. Mr. Thompson further advised he will follow up on the inquiry and update Council members with the results.

Mr. Ressler, in referencing the beehive matter, advised he knows the importance of bees and ecology in the overall health of the world; however, when he heard from numerous residents who were not in favor of the placement of the hives that swayed his opinion of the matter. Mr. Ressler concluded his comments by stating, "... this is a good illustration of the community coming forward and making their wishes known ... that's why we have public meetings."

Mr. Barr commented he heard a complaint was made with Child Protection Services and stated, "... it is unfortunate that some neighbor had to go that route ... that method to get their point across ... I just find that detestable."

Ms. Martin, in referencing the Discussion Item regarding the Cops Grant, inquired if, in fact, the Borough receives the grant (ending in three years) resulting in two Community Policing Officers being hired what happens after it ends. Ms. Martin advised she understands there are some impending retirements which these officers may take the position of; however, by doing so, there will no longer be Community Policing Officers in place. Chief Petrick clarified the vision is the grant will pay up to 75% for three years and that in the fourth year, Council will need to decide if they want to budget the full salary and benefits of those two officers in those community policing roles. Ms. Martin then stated, "... or do we want to roll them into the current compliment ... is that an option?" Both Mayor Mowen and Chief Petrick responded it is an option.

Community Services Committee

President Rowe advised the Community Services Committee did not meet in May due to the lack of Action and/or Discussion Items. Mr. Barr shared his appreciation for Mr. Weiler's service as Chairman of the Committee as well as a member of Borough Council stating, "... it was certainly a privilege to serve with him ... I was always amazed by his calm deliberation and his ability to sit there and have the wheels turning and yet not see any smoke." Mr. Barr concluded his comments by stating, "... he's going to be missed." Ms. Martin added, "... what I found fascinating about Mel was that he was very quiet and very calm, but yet he had this quick wit that was so understated and if you weren't really paying attention, you could miss it ... I will miss him ... I think he was a charming man ... a big loss for us ... a big loss for Ephrata."

Committee Recommendations

Development Activities Committee

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed via roll call vote that Borough Council grant the building permit fee waiver request for all three Ephrata Area School District projects subject to the condition that the Ephrata Area School District agrees to pay administrative fees, inspection fees and plan review fees. After the vote, Solicitor McManus confirmed the amount of the waivers total \$196,107.30.

Special Projects Committee

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed to approve the application for four gateway sign plaques (20.5" x 20.5" or 420 sq. in.) from the Ephrata Cloister Toastmasters per Resolution 2020-36.

Borough Council Vacancy – 2nd Ward Nominations

Mr. Richard made a nomination for Wesley Dudley; after which, Mr. Barr made a nomination for Ms. Fuller to fill the vacant 2nd Ward seat on Borough Council. Seeing no additional nominations, President Rowe advised Council will take a vote in the order the nominations were received. President Rowe took a poll of Borough Council members resulting in Mr. Dudley receiving six (6) affirmative votes and Ms. Fuller receiving one (1) affirmative vote. President Rowe then congratulated Mr. Wesley and welcomed him to Borough Council.

Second Opportunity for Citizens to be Heard

Teresa Caruthers, 229 Railroad Avenue, Ephrata, advised when she drives by the location of the diesel generators she looks to see if they are dirty and asked if they have yet been used; in which, Mr. Thompson advised the construction has not yet been completed and they are not in service.

Ms. Caruthers then inquired in the interest of public safety if there are places individuals without air conditioning can go in times of extreme heat to cool off; in which, Mr. Thompson advised the Borough does not have designated areas, but there are public areas individuals can go to if they feel the need to do so.

Scot Sherbine, 202 S. State Street, Ephrata, advised he has been coming to Borough Council meetings for some time and expressed his appreciation to Rebecca Beres for all she has done as well as her attendance at many of the meetings.

Mr. Sherbine, referencing Senate Bill 275, asked Borough Council to, "... get ahead of the curve and do what's right ... call your parents ... ask them if you should tax the sun ... and look at the Senate bills ... look at 1405, a House bill ... there's 12 states working on these rules right now ... they're not rules that should ever have to be even considered ... these are common sense rules ... we will change this ... I hope to see every one of you here when it does ... I hope to be here when it does."

After allotting a brief time for additional citizen comments and/or remarks, President Rowe turned to the discussion/announcements portion of the meeting.

Discussion/Announcements

Mr. Zimmerman, eulogizing Mel Weiler, stated, "... he was very intriguing and had a lot of good thoughts when you talked to him ... he'll be definitely well missed for sure."

Mr. Zimmerman, in referencing the heatwave being experienced, stated, "... stay hydrated ... the heat is not going away ... keep drinking water."

Mr. Ressler extended his appreciation to Mr. Dudley for "stepping forward" and is looking forward to working with him.

Mr. Ressler, eulogizing Mel Weiler, stated, "... I really enjoyed his insight and know that he was an outstanding person to be on this Council so he will be missed."

Mr. Barr, eulogizing Mel Weiler, advised at the service, he observed his partner, Jackie, comforting others as they were trying to comfort her. Mr. Barr stated, "... it was amazing to see her spiritual strength ... her personal strength."

Mr. Richard, eulogizing Mel Weiler, advised he spoke with his wife, Jackie, and commented to her "... I tried to get him cranked up on stuff and I just couldn't do it and I always laughed at that ... she laughed and the kids laughed ... so that's just the kind of guy he was."

Ms. Martin reminded all in attendance that Mainspring of Ephrata will be holding their first event on Saturday, June 19, 2021 – Party on the Plaza – 4:30 PM to 8:00 PM. Ms. Martin stated, "... I highly recommend everybody come out ... we need a lot of healing after COVID ... it's a great time to get together."

Ms. Martin advised while on the trail this past weekend, she observed a police officer on a bike who stopped and spoke with several individuals which "... was really neat to see."

Vice President Reinhold advised he was at the Ephrata Community Pool this past weekend due to the warm temperatures. Vice President Reinhold further advised he received an email from a Clay Township resident who advised while she understands why she pays more to obtain a membership to the pool, she cannot understand why the general admission fee is the same amount as a Borough resident. President Rowe advised it is her understanding it was difficult for employees to determine if the address is in the Borough or Township resulting in the general admission costs being set at a determined amount.

Vice President Reinhold added that the resident mentioned there were eight life guards in place for a potential maximum amount of 1,000 people. Vice President Reinhold further advised "these kids" are getting paid \$8/hr. for that job and he believes their roles are "... worth a lot more than eight bucks an hour." Vice President Reinhold then stated, "... if that's what we're paying those lifeguards ... that's not nearly enough for what those kids and young college kids have to put up with on a regular basis."

Vice President Reinhold, eulogizing Mel Weiler, stated, "... he was always so mild mannered ... nicest guy and certainly a Godly man ... no doubt about it ... he was a pillar for his family." Vice President Reinhold concluded his comments by stating, "... he made a mark and he will be sorely missed ... certainly keep his wife, Jackie, and his family in your prayers as we go on."

Mayor Mowen, eulogizing Mel Weiler, stated, "... I just say ditto to everything about Mel ... I had the absolute pleasure of sitting to his right and he was just a great guy ... when he did speak, you knew he had thought it out and he didn't do a whole lot off the cuff ... he was a great guy."

Mayor Mowen, in referencing the helicopter request, advised when the Ephrata Area School District would have the "Every 15 Minutes" event, a medevac helicopter was brought in and landed in the field across from the school; however, that stopped approximately two years ago and he does not know why.

Mayor Mowen, in referencing the diverging diamond, advised he traveled through the area on Friday afternoon (June 4, 2021) and "it was gridlocked ... it was backed up ... don't know why ... in both directions." Mayor Mowen advised he made contact with the only other municipality within Pennsylvania who also has a diverging diamond. Mayor Mowen commented that the area where the diverging diamond is located ... "was or is our worst accident area of our running area." Mayor Mowen then commented he found out from the other municipality that "... it was their worst accident area of their running area" and was advised that their accidents have substantially reduced and he is looking for that to happen. Mayor Mowen concluded his comments by stating, "... if it does for us what it did for them, it will be a benefit and we'll just have to get used to it."

Mayor Mowen, in referencing the Gateway Signage Program, advised he was happy to see the Toastmasters' submission of an application for signs to be placed at the gateway locations.

Mayor Mowen extended a welcome to Wes Dudley to Borough Council and encouraged both Ms. Fuller and Ms. Beres to, "... stay involved ... we'll look forward to seeing you."

Mayor Mowen advised that Pioneer Fire Company is having a chicken barbeque fundraiser on Saturday, June 19, 2021, and encouraged all to "... come get your chicken in the morning that you can have for lunch and then go to Mainspring in the evening for their thing."

Mayor Mowen advised he serves as the Regional Vice President of the Pennsylvania State Mayor's Association for the south central region and will be attending the State Mayor's Association conference in Pittsburg on July 15-18, 2021.

Mayor Mowen concluded his comments by advising he will not be in attendance at the June 14, 2021, Voting Session.

President Rowe, eulogizing Mel Weiler, stated, "... the enthusiasm that Mel had for serving the 2nd Ward residents was evident every time he walked into this building ... he had a smile on his face and you could tell he was just thrilled to be able to serve the community ... he served with no agenda, but he chose to do what he always thought was best for the Borough residents ... I'm going to miss his willingness to work with me ... he would do anything that I asked him to do for Council ... in his memory, I will not call for a nomination to fill the President Pro-Tem position this month ... I may wait another month before I fill that position ... but I think in his memory, we need to keep that vacant."

President Rowe advised that the Municipal Moment for the June 14, 2021, Voting Session will be presented by the Lincoln Fire Company. President Rowe advised, weather permitting, they would like to do a demonstration of their new hydraulic tools that the Borough assisted them in purchasing.

President Rowe then advised she will be handing out new Committee assignments at the conclusion of the Work Session.

Oath of Office

Mayor Ralph E. Mowen read the “Oath of Office” swearing in Wes Dudley to serve on Borough Council for the remainder of 2021.

Adjournment

It was moved by Ms. Martin and seconded by Mr. Richard to adjourn. The meeting was adjourned at 9:52 p.m.

D. Robert Thompson, Secretary