

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
JUNE 14, 2021**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on June 14, 2021, in the Council Chambers of the Borough Office, 124 South State Street.

In attendance in addition to the President were Vice President Thomas Reinhold, Council Members Timothy Barr, Linda Martin (participated virtually via Zoom) Ricky Ressler, Victor Richard, Greg Zimmerman. Absent were Council Member Wes Dudley and Mayor Ralph Mowen.

Also in attendance were Borough Manager D. Robert Thompson, Assistant Borough Manager Debra Bartow, Police Chief John Petrick, Borough Solicitor James R. McManus, III, Esq., and Stephanie Fasnacht, Recorder.

The following visitors were present within Council Chambers:

- Larry Alexander, The Ephrata Review
- Tim Auker, 542 N. State Street, Ephrata
- Jeanette Beck, 125 Woodchuck Drive, Ephrata
- Rebecca Beres, 44 Brookfield Drive, Ephrata
- Teresa Caruthers, 229 Railroad Avenue, Ephrata
- Richard Gehman, 1191 Marilyn Avenue, Ephrata
- Randy Gockley, 62 Robert Road, Ephrata
- Jean Lausch, 950 Hammon Avenue, Ephrata
- Matt Showalter, 172 Buchanan Drive, Ephrata
- Tina Thompson, 872 Fairview Avenue, Ephrata

A moment of silence was held 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 there are no citizens participating virtually.

APPROVAL OF MINUTES

It was moved by Mr. Barr, seconded by Mr. Richard, and unanimously passed that Borough Council approve the amended May 3, 2021, Work Session Meeting Minutes and the May 10, 2021, Regular Meeting Minutes.

MUNICIPAL MOMENT – LINCOLN FIRE COMPANY

Rich Gehman, Lincoln Fire Company, opened his presentation by extending LFC’s appreciation for the invitation to attend the meeting as well as for Council’s continued support.

Mr. Gehman provided an overview of the services - building and dwelling fires, water rescues, technical rescues as well as accident scenes- provided by Lincoln Fire Company as well as a brief overview of their emergency apparatus highlighting Rescue 16 which he described as “a giant tool box.” Mr. Gehman then provided an overview of LFC’s newest addition of Holmatro Hydraulic Rescue Tools advising the project is complete and has been fully funded.

After a brief question and answer period, Mr. Gehman invited all in attendance to observe a brief demonstration of the rescue tools upon the conclusion of the meeting.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Teresa Caruthers, 229 Railroad Avenue, Ephrata, inquired if there is a forum in place for residents to provide suggestions to Borough Council; in which, Mr. Thompson referred Ms. Caruthers to the Borough’s website for online submittal of suggestions.

Ms. Caruthers then shared upon conducting research as to what other municipalities do who have experienced being “landlocked,” she read an article advising that one town had repurposed a building to house a food market, business offices as well as other venues and believes something like this would be beneficial to downtown Ephrata.

Randy Gockley, 62 Robert Road, Ephrata, shared that the Lancaster County Emergency Management Agency has a large amount of free PPE equipment and cleaning supplies they are now offering to houses of worship and churches. Mr. Gockley advised the deadline to submit request for these materials is Sunday, June 20, 2021, and asked for assistance in spreading the word to those places.

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

ACCEPTANCE OF REPORTS

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

Budget & Finance Committee

The Budget & Finance Committee met on May 24, 2021, and discussed the following:

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.

Discussion Items:

1. Ms. Bartow updated the Committee on disconnection statistics as of May 19, 2021. There were 151 accounts that are subject to disconnections totaling \$115,658. Of that amount \$68,549 is for 90 units that are tenant occupied and \$47,109 is for 61 owner occupied units. The first disconnections for

Group 1 are scheduled for June 10th. There was a total of 14 Emergency Rental Assistant Program (ERAP) applications filed as of this date, with 1 being approved and 13 pending. The Committee saw no merit in an additional extension, given the lack of ERAP activity or progress in arrearages. Door tags are placed 7 days prior, giving impacted parties additional time and notice to seek assistance or payments plans. No further action is required.

2. The Committee reviewed a proposal from the current auditor Maher Duessel giving one- and three-year renewal options. The Committee was in agreement that the three-year option is priced in a manner that controls costs over the period and should be selected. It was noted that they are satisfied that auditor has not become complacent given staff turnover on the engagement. No further action is required.
3. The Committee discussed a volunteer interest request form. Currently there is no vacant position the Youth Aid Panel and the Shade Tree Commission has no quorum of 3 members. The request form will be kept on file pending further volunteer interest. The Committee noted that the Borough website should be refreshed to more clearly encourage volunteerism. President Rowe suggested that the Shade Tree Policy be reviewed in the absence of a current committee.
4. Staff provided a work log provided by the finance consultant. The Committee discussed projected end dates of the consultant's current work which is tentatively the end of June 2021.
5. Staff provided a report on a solicitor's invoice. The first was a summary page and the second report is the detailed invoice. No further action is required.
6. Staff provided the Check and ACH registers to the Committee for April to date. No further action is required.
7. Staff provided a first quarter 2021 update for the Police and Non-Uniform Pension Plans. Additionally, Staff discussed the Pension Committee's progress on adding participant directed investment options (similar to the current employee deferred 457 Plan) to the Borough's Defined Contribution Plan. No further action is required.

Old Business Items:

1. Staff provided the Committee with American Rescue Plan Act Guiding Principles issues by the GFOA. The committee commented this will be helpful in evaluating management's suggestions for projects with the funding.
2. Staff reported that a conversation occurred with leadership of the Ephrata Pioneer Fire Company to introduce the topic of potential Borough Parking in the future.

Development Activities Committee

The Development Activities Committee met on May 24, 2021, and discussed the following:

Action Items:

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.

1. 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.
2. 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.
3. 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.
4. 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.

Discussion Items:

1. The Staff provided an update for 1 East Main Street easement request. Prior to the trail being built, the Borough secured two easements. One is an exclusive easement from the former owners of 21 East Main Street (Robert Gehret). The other is on the mill property and was originally executed with Robert Wenger and Ephrata National Bank now owns. The second agreement is not an exclusive agreement, but does require Borough approval for anyone else to use the easement. The Staff will reach out to the owners to discuss our concerns regarding parking conflicts due to future uses.
2. At a previous meeting, Councilperson Martin commented that Lancaster City eliminated their parking requirements. The Staff provided Lancaster City's parking requirements and Ephrata Borough's parking requirements. Lancaster City removed parking from their CB and CB1 district, but have parking requirements for their other districts. Ephrata Borough has also eliminated their parking in the Central Business District for commercial uses. New residential uses need to provide one parking space per apartment. Councilperson Martin noted that it appears Lancaster City's parking requirements are not as restrictive as the Borough's. This will be removed from the agenda.
3. The Committee reviewed the decision from the May Zoning Hearing Board. Larry and Nevin Horst were granted two special exceptions for expansion of a nonconforming use and changing a nonconforming use at 131 Cherry Street.
4. There are no new applications for the June Zoning Hearing Board Meeting.
5. Mayor Mowen voiced his concerns regarding the appearance of the pavers downtown. There are weeds growing in them and they look terrible. It's not the appearance we want for downtown. He said that an employee has a pesticide license, but the Borough isn't utilizing them. The Mayor said he was told it was a union issue, but the employee in question showed him an email from the union that said it wasn't a union issue. Harris explained that a Public Works employee began the licensing process to be able spray pesticide. As part of the licensing process to oversee the pesticide program, the state requires that an employee practice for one year before they can completely administer the program. The employee can do weed spraying, but since it is not a job requirement, they can refuse to do it. Harris explained that it was too important and it had to get done right away. A contractor was hired and did the weed spraying last week. The dead weeds will be cleaned up. Public Works will be pursuing having multiple employees licensed.

Public Safety Committee

The Public Safety Committee met on May 17, 2021, and discussed the following:

Action Items: None

Discussion Items:

1. **Police Department Monthly Reports:** Chief John Petrick reviewed the April monthly reports. He highlighted the Excellence in Policing section of the report. He spoke of the department's actions during a windstorm that occurred on 4/30/21 and how officers coordinated with other utilities to address weather related issues. Chief Petrick mentioned Officer Dell Isola's efforts related to people in crisis and how he was specifically requested by a consumer for assistance.
2. **COPS Grant:** Chief Petrick provided an overview of the FY 21 COPS Hiring Program from the Department of Justice-Office of Community Oriented Policing Services. He provided a vision for the program in Ephrata Borough and suggested a grant request of 2 (two) additional officers. These officers would be designated as community policing officers. If awarded, the grant would cover up

to 75% of salary and benefits for new officers but there would be a local 25% cash match from Ephrata Borough. The funding would cover the first 3 (three) years of new hire salary /benefits. After this period, salary/benefit funding would be the sole responsibility of the municipality. Council Member Linda Martin expressed concern with additional expenses to the Borough starting in the fourth year. Mayor Mowen explained that future retirements are expected so if the Borough did not want to fund the additional officers, they could be kept employed due to retirement attrition. The Public Safety Committee was in support of applying for the grant.

3. **Emergency Management:** Randy Gockley provided a COVID-19 update and answered questions about upcoming special events planning. Kim Stonebraker, WellSpan-Ephrata Community Hospital, provided a COVID-19 hospital vaccination update.
4. **Pioneer Fire Department Report:** President Kiefer provided an overview of the department's request to obtain Quick Response Service license in order to obtain Narcan for the protection of their members and others. The current District Attorney informed them that such a license was needed for them to be provided with Narcan. No objections from Council Members.

Old Business Items:

1. **Ordinance 123-1 Bee Hives Waiver:** Discussion was held by Council members of the waiver. Resident Jon Sullenberger of 1214 Marilyn Avenue reiterated his case for the bees and that opposition to him requesting a waiver is getting personal by others. Neighbor Gail Glatfelter (1220 Marilyn Avenue) reiterated her safety concerns about having the bees too close to other neighboring properties. Neighbor Frank Kirkpatrick (1208 Marilyn Avenue) spoke in support of Mr. Sullenberger having bees. Chairman Reinhold commented that he approves of the ordinance prohibiting bee hives and that Mr. Sullenberger would have to make arrangements to remove the hives off the property. Councilman Richard commented that it would not be appropriate to make an acceptance to have bees in such a dense area and denied the waiver request. Councilman Ressler commented that public input on issues is important and agreed not to approve a waiver for the bee hives. The waiver for bee hives will not be granted and the hives located at 1214 Marilyn Avenue must be removed.

Highway Committee

The Highway Committee met on May 24, 2021 and discussed the following:

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.

Discussion Items:

1. The Committee further discussed truck traffic on Apple Street and Lt. McKim with the Ephrata Police shared highlights of his recent meeting with the Garden Spot Auto Auction's General Manager. The Auction is being proactive about steering trucks clear of Apple Street by distributing educational pamphlets and directing trucks and car haulers to use other roads as they exit the Auction's facility. The Committee directed Staff and the Ephrata Police to continue to monitor truck traffic in this area and follow up with the primary complainants by the end of this year.
2. The Committee further discussed a resident's parking concern at 241 Railroad Avenue where motorists frequently park along the curb between driveways at 239 and 241 Railroad Avenue making it a challenge, and sometimes impossible, to enter and exit the driveway at 241 Railroad Avenue. Lt. McKim of the Ephrata Police suggested that this approximately 14 feet long area along the curb line be posted as no parking. Council Member Martin also suggested that overflow trail head parking at East Fulton Street be directed, via signage, to the Borough Hall parking lot after 5 pm on weekdays and weekends. The Committee directed Staff to draft a resolution for a 90-day experimental no parking restriction in this area for review at their next meeting.
3. The Committee further reviewed data associated with traffic concerns along a certain portion of South State Street between Lime Street and Old Mill Road previously brought forth by Council Member Barr. Staff advised the Committee that implementing certain traffic calming measures can be effective in controlling vehicle speed but can be expensive to construct. Lt. McKim of the Ephrata Police offered to arrange for a greater police presence in this area prompting motorists to check their speed. No further action necessary at this time.
4. The Committee further discussed a previous resident request to provide permit parking in the West Franklin Street parking lot. Staff provided information regarding leased parking spaces at the Locust Street parking lot per Committee request for their review. The Committee requested additional information for review and discussion at their next meeting.
5. The Committee reviewed an email received by Borough Staff on April 13, 2021 from Lisa Walker of 1162 Joann Avenue asking that ADA ramps be installed at the intersection of Joann Avenue and Susan Avenue to accommodate her husband who is handicapped and uses a power wheelchair. Borough Manager Thompson advised the Committee that the Americans with Disabilities Act is law and requires a municipality to respond to such requests. Borough Staff will obtain quotes from at least three (3) contractors to complete the construction of the ramps at 1142 Joann Avenue and 406 Susan Avenue to be paid for with Street and Alley Program Capital Reserve funds.
6. The Committee discussed a citizen concern regarding low manholes and a low water valve box in North Maple Street between East Walnut Street and East Pine Street. Staff advised Committee that the street in this area has lifted over the years due to freeze and thaw action allowing the manholes and water valve box, which have remained in place, to become lower than the street. Public Works will place rubber gaskets under the manhole covers raising them to an elevation closer to that of the street improving the issue and addressing the recent citizen concern. Permanent repairs will not be made due to the existing condition of the street. The water valve box will be repaired in the future as it requires a more complicated fix.

Old Business Items:

1. Borough Staff continues communications with PennDOT regarding the South Oak Street bridge pedestrian railing/vehicle barrier with regards to PennDOT's plans for replacing similar barrier on their West Main Street (SR 0322) over Cocalico Creek Bridge. Staff will also contact the consultant performing the bridge inspection in November to discuss concerns regarding the pedestrian railing/vehicle barrier.

Miscellaneous Items:

1. Staff updated the Committee on UGI gas line and Comcast underground cable installations in the Borough. Comcast will likely begin Borough approved projects in the Brickyard, Pioneer View and Heatherwood Heights developments in the near future awaiting PA 1 Call clearances and resident notifications. UGI has completed their required final pavement restorations following gas service line installations approximately 18 months ago at various locations in the Borough. UGI's subcontractor plans to begin sidewalk restorations within 1-2 weeks. Comcast has submitted numerous new extension plans recently and Staff plans to review in the coming weeks. UGI has advised Borough Staff that they plan to submit gas main extension plans in July for the Lincoln Heights development.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on May 17, 2021, and discussed the following:

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.

Discussion Items:

1. The Committee heard a presentation from Diane Bosak, Executive Director of the Pennsylvania Municipal Electric Association and Isaac Wakefield, Esq. from the law firm of Salzman Hughes who serves as the Solicitor for PMEA. The presentation was entitled Regulation of Net Metering – Borough Electrics, and focused on the difference between investor owned utilities and public power municipalities. The presentation identified who has oversight of the IOU's versus who has oversight of public power municipalities. At the end of the presentation the presenters answered questions from the Committee, Council members in attendance and from guests in the audience. At the end of the meeting Chairman Martin once again asked Mr. Scot Sherbine to provide the Committee with specific changes to the Borough policies that he would like them to consider. No action is required by the Committee.

Special Projects Committee

The Special Projects Committee met on May 24, 2021 and discussed the following:

Action Items:

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.

Discussion Items:

1. President Rowe reported that she spoke with Ms. Engle at the school district. Her class did a project on the spotted lantern fly and wanted to present it to the Council. Due to time limitations it was agreed that their presentation would be displayed in the Borough Hall lobby for customers and guests to review. President Rowe will contact Ms. Engle and have her contact Borough Manager Thompson to work out the details. No further action is required on this item.
2. Ephrata Resident Rebecca Beres asked about the collection of recyclable materials in the Borough. Borough Manager Thompson responded that the collection contractor is experiencing a COVID outbreak and is having difficulty completing its daily pickups. The Staff is working with the contractor trying to make sure that everything is picked up in a timely manner.

Personnel Committee

The Personnel Committee met on May 10, 2021 and discussed the following:

Executive Session:

1. Borough Manager Bob Thompson met with the Committee in Executive Session to discuss a revised organizational structure for the Public Works Division.

Action Items:

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.

Discussion Items:

1. The Committee looked over the Human Resources Manager and IT Manager job descriptions. Rowe explained the only change to the job descriptions was that they were placed on the Borough header format. The Committee agreed all job descriptions should be on the Borough header format. Since the HR position was recently filled, the Committee would like to compare the advertised description with this at the next meeting. They would also like input from the Borough Manager and management employees to determine if job descriptions should be updated. These descriptions will be discussed at the next meeting; other management job descriptions will be discussed later this year.

2. The Committee would like additional time to review the Salaried Employee Handbook. Further information was requested to be provided for the next Committee meeting.
3. The Committee revisited the topic of Borough Council workshops. Mr. Ressler suggested the next workshop should be facilitated by Chief Petrick discussing Policing Matters and Borough Council Involvement. This is currently a topic of PSAB webinars. The Committee agreed this should take priority; therefore, the Right-to-Know Workshop that was placed on hold due to COVID-19 restrictions will now be planned for September. Other topics and workshops will be discussed at the June Committee meeting.
4. A resident discussed some questions regarding the Committee Report from September 2020. Various documents were requested; the Committee advised that a Right-to-Know request should be made.
5. The Committee discussed their hope of getting through some of the Old Business items on the agenda. They agreed to move the Revision of Evaluation Documents to the top of the Old Business items with hopes of beginning that discussion at the June 14th meeting.

Due to the late hour, the Committee adjourned.

Miscellaneous Reports:

- ◆ May 2021 General Ledger Report
- ◆ Lincoln Fire Company May 2021 Report
- ◆ Ephrata Community Ambulance Association May 2021 Report
- ◆ Ephrata Emergency Management May 2021 Report
- ◆ Mainspring of Ephrata May 2021 Meeting Minutes

NEW BUSINESS ITEMS

CONSENT AGENDA

Vice President Reinhold 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 conditionally approve the May 3, 2021 letter request from Boy Scout Troop 73 to use the East Locust Street parking lot to park cars as a fundraiser and monitor the West Franklin Street parking lot for compensation of \$1,500 from The Ephrata Farmers Day Association, Inc. during the 2021 Ephrata Fair subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured. (Highway)

Visitor, Teresa Caruthers, indicated she wished to address Council regarding Troop 73's request; therefore, President Rowe removed the item from the Consent Agenda to be discussed during the Standing Committee Recommendations portion of the meeting.

STANDING COMMITTEE RECOMMENDATIONS

Budget and Finance Committee

It was moved by Mr. Ressler, seconded by Mr. Zimmerman, and unanimously passed via roll call vote

that Borough Council ratify the 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 01/01/2021.

It was moved by Mr. Ressler, seconded by Mr. Richard, and unanimously passed that Borough Council adopt Resolution 2021- 24 updating contact information, signers and online access authorizations for a checking account with Ephrata National Bank.

Development Activities Committee

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed that Borough Council authorize the release of the remaining escrow of \$2,006.57 for 52 East Fulton Street's stormwater improvements.

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed via roll call vote that Borough Council award the Borough Hall Security and Surveillance Video Equipment Replacement COSTARS contract to Triangle Communications, Inc. for \$63,501.78.

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed 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.

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed that Borough Council approve the planning deferral request for the David and Florence Harnish lot add-on plan in Ephrata Township.

Highway Committee

It was moved by Mr. Richard, seconded by Vice President Reinhold, and unanimously passed that Borough Council approve a disposition of asset for a 2007 Ford Ranger, VIN #1FTYR15E67PA72292 by way of auction through Municibid.

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council conditionally approve the May 3, 2021 letter request from Boy Scout Troop 73 to use the East Locust Street parking lot to park cars as a fundraiser and monitor the West Franklin Street parking lot for compensation of \$1,500 from The Ephrata Farmers Day Association, Inc., during the 2021 Ephrata Fair subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.

It should be noted prior to Borough Council's approval of the request, a motion was made by Vice President Reinhold, seconded by Mr. Barr, to re-open Public Comments in order to receive comments from Ms. Caruthers. Prior to Ms. Caruthers speaking, Mr. Richard advised he wanted to note this particular request has been received and approved by Council for the past 20+ years. Ms. Caruthers then inquired as to the Boy Scout Troop's request to use the Borough Hall and Fulton Street parking lots; in which, President Rowe advised to date a request for use of those lots has not been received to approve. With no additional public comments, a motion was made by Vice President Reinhold, seconded by Mr. Richard, to close Public Comments at this time.

It was moved by Mr. Richard, seconded by Mr. Zimmerman, and unanimously passed that Borough Council approve the request from Barrasso Excavating, Inc., Oley, PA to close Bethany Road between East Main Street and East Fulton Street, from 8:00 am to 4:00 pm, beginning June 15, 2021 through July

14, 2021.

It should be noted prior to the vote, Mr. Richard advised this is an added last-minute request is to allow Barrasso Excavating to complete their project in a timely fashion as well as to keep traffic moving/road open. Both Committee members, Ms. Martin and Mr. Zimmerman, advised they were in agreement to grant the request. Vice President Reinhold inquired if those who are impacted by this request have been provided notification; in which, Mr. Thompson advised proper notification was given. Mr. Thompson further advised that the Ephrata Police Department has also given their consent regarding the details of the request.

Municipal Enterprises Committee

It was moved by Ms. Martin, seconded by Mr. Ressler, and unanimously passed via roll call vote that Borough Council enact Ordinance 1561 amending Chapter 165, Electricity, of the Code of the Borough of Ephrata to require fault current studies for all new non-dwelling electric services.

It was moved by Ms. Martin, seconded by Vice President Reinhold, and unanimously passed that Borough Council authorize the Borough Manager to submit the Borough's nomination to serve another term on the Board of Directors of the Pennsylvania Municipal Electric Association.

It was moved by Ms. Martin, seconded by Mr. Richard, and unanimously passed that Borough Council approve the Tolling Agreement Extension between Clay Township, the Ephrata Borough Authority and the Borough extending the agreement's termination date to August 10, 2021 at 11:59 PM.

Special Projects Committee

It was moved by Mr. Barr, seconded by Mr. Ressler, and passed via roll call vote with six yeas from Messrs. Barr, Reinhold Ressler, Richard, and Zimmerman and President Rowe, and one nay from Ms. Martin that Borough Council adopt Resolution 2021-25 urging the General Assembly to enact Governor Wolf's 2021 state budget proposal for K-12 education funding.

Personnel Committee

It was moved by Vice President Reinhold, seconded by Mr. Richard, to approve the Assistant Borough Manager Job Description as revised by the Personnel Committee. It should be noted a vote was not taken for approval of the Recommendation as upon additional discussion, it was decided by Vice President Reinhold that the matter will be tabled and revisited at an upcoming Committee meeting.

APPROVAL OF CHECKS 45149 THROUGH 45387 AND THE ACH REGISTER DATED JUNE 2, 2021

It was moved by Mr. Richard, seconded by Mr. Zimmerman, and unanimously passed that Borough Council ratify the payment of bills performed by the Staff since the last regular Council meeting in the aggregate amount of \$688,933.22.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Jeanette Beck, 125 Woodchuck Drive, Ephrata, extended her appreciation to Council for their support of the resolution for fair funding for K-12.

Rebecca Beres, 44 Brookfield Drive, Ephrata, in referencing the Budget and Finance Committee Report, inquired if it is incorrectly referenced that door tags will be placed seven (7) days prior to the cutoff date instead of what she believed should be listed as ten (10) days prior; in which, it was confirmed that the correct number of days is seven (7) as stated in the Report.

Ms. Beres, in referencing the Main Street/Bethany Road project, inquired as to why the work is not being completed during nighttime hours; in which, Mr. Thompson clarified the project is being handled by the Ephrata Area Joint Authority, not the Borough.

Ms. Beres, in referencing a Right-to-Know submittal to obtain payment history to the Ephrata Recreation Center from the Borough (2015-present), requested additional payment details on two “large” payments listed on the record she received. Ms. Beres was advised the proper course to request that information is to submit another Right-to-Know Request for those specific records.

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

DISCUSSION/ANNOUNCEMENTS

Mr. Barr reiterated his comments from the Work Session stating, “... Mel (Weiler) will be missed.”

Mr. Richard advised he believes it would be beneficial for residents to submit their questions in advance of Council meetings so that answers could be provided to them as it is sometimes difficult to provide accurate answers without research. Ms. Caruthers inquired as to how these inquiries can be communicated; in which, Mr. Richard advised via contact with a Council Member (contact information on Borough’s website) or Mr. Thompson.

Vice President Reinhold clarified that even though a question may be asked at a public meeting, that does not mean an answer has to be provided at that specific time.

Vice President Reinhold advised that the Personnel Committee will be meeting approximately 15 minutes after the conclusion of Lincoln Fire Company’s demonstration. Additionally, Vice President Reinhold advised the Personnel Committee will be comprised of two Executive Sessions and no public discussions will be occurring.

Mr. Thompson, in referencing the Right-to-Know Request process, reiterated that when requesting a record to be mindful of the information being asked for.

President Rowe advised upon the expiration of the Declaration of Emergency, the virtual meeting provision of Act 15 will be rescinded. President Rowe reminded Council they must then adhere to the Telecommunication Policy regarding virtual attendance.

Ms. Martin reminded all in attendance about the upcoming Mainspring of Ephrata’s Party on the Plaza event being held at the Whistlestop Plaza on June 19, 2021, and encouraged their attendance.

ADJOURNMENT

It was moved by Mr. Barr, seconded by Mr. Richard, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 8:01 PM.

Respectfully submitted,

D. Robert Thompson, Secretary