

**EPHRATA BOROUGH COUNCIL
WORK SESSION MINUTES
JULY 6, 2021**

The Ephrata Borough Council Work Session was called to order by President Susan Rowe at 7:00 PM on July 6, 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, Wes Dudley, Linda Martin, Ricky Ressler, Victor Richard, Greg Zimmerman and Mayor Ralph Mowen.

Also in attendance were Assistant Borough Manager Debra Bartow, Municipal Services Manager Nancy Harris and Borough Solicitor James R. McManus, III, Esq.

The following visitors were present within Council Chambers:

Larry Alexander, The Ephrata Review
Tim Auker, 542 N. State Street, Ephrata
Teresa Caruthers, 229 Railroad Avenue, Ephrata
Jean Lausch, 950 Hammon Avenue, Ephrata
Brenda Perrotti, 1065 W. Main Street, Ephrata
Joanne Ressler, 245 Mason Drive, Ephrata
Justin Snyder, 290 Duke Street, Ephrata
Kim Stonebraker, 527 N. Maple Street, Ephrata

The meeting then began with a moment of silence which was followed by the Pledge of Allegiance.

STATEMENT FROM PRESIDENT ROWE

“I wanted to take a few minutes of your time to provide information to everyone in attendance as well as to clarify some information mentioned at our June 14, 2021, Regular Voting Session that may have been misinterpreted. Ephrata Borough Council, at previous public meetings, approved and ratified Bylaws and Rules of Order. Our Bylaws state that we have adopted Roberts Rules of Order as a parliamentary authority. As such, our rules state that an individual must wait to be recognized by the Council President before speaking. This rule applies to Council Members as well as a member of the public in attendance. Also stated is that interruption of any individual who has the floor is not acceptable. If I use the gavel to enforce this rule, it is not because we disagree with an opinion being expressed or are not interested in discussing or debating a topic. I am simply exercising my required duty to keep our parliamentary authority.

Borough Council does comply with Act 65 also known as The Sunshine Law. As President of this body, I do my best to assure that this is adhered to at all times. Section 710.1 of Act 65 provides clear direction for public participation at public meetings. While some municipalities do require any resident wishing to address the governing body to provide advanced written notice, Ephrata Borough Council does not. Our agenda always provides two opportunities to address Borough Council. We encourage people to take advantage of these opportunities. We want to hear opinions. It is possible there will be disagreement of opinions presented; however, it is important to remain respectful when giving a descending opinion. That applies to members

of the public in attendance as well as to Council Members.

Again, as the individual overseeing this public meeting, if I believe the discussion is becoming disrespectful, I can and will use the gavel. This is not an indication that I am not interested in hearing the discussion, it simply is that the exchange is becoming disruptive to our agenda. Any resident may use their time during public comment to ask questions. The public, however, must understand they may not receive an answer to the question immediately. This is acceptable. Governing bodies do have the right to direct a member of Staff to ensure the question is answered. Any question asked at a public meeting may be requested to be answered at a later public meeting. Many times I will direct the Borough Manager to ensure a topic raised by a citizen comment is placed on a Committee agenda.

Finally, I want to again emphasize – Council does want to hear from Borough residents. Those of us sitting at the dais need to be informed of their opinion. All I'm asking is that we all remain respectful of each other's opinions.”

First Opportunity for Citizens to be Heard

Kim Stonebraker, 527 N. Maple Street, Ephrata, referenced a letter she submitted to the Highway Committee asking for the closure of Third Street. Ms. Stonebraker advised there was an error in the letter with the revised request being to close Third Street in its entirety (from the dead end all the way to the creek). Ms. Stonebraker advised the residents were contacted and advised of the road closure.

With no citizens in attendance wishing to address Council, President Rowe moved onto the Discussion of Committee Actions.

Discussion of Committee Actions

Development Activities Committee

Mr. Zimmerman advised the Committee met on June 28, 2021, and has four Action Items:

1. Ms. Harris reviewed proposed changes to the Borough Building Maintenance Capital Project with the Committee. Several changes have occurred throughout the year. The budgeted FMG raingarden is not needed. The Eicher roof came in less than budgeted. The playhouse was supposed to be repainted and repaired, but it was discovered there was extensive rot to the siding and a larger project will need to be budgeted next year. Ms. Harris is recommending to substitute the painting of the playhouse for a video surveillance system at the playhouse. There has been vandalism at the park and the playhouse. This will offer enhanced enforcement options for the police. The Police Department is requesting money for carpeting in the training room. The carpeting is damaged and becoming a tripping hazard. The cost of the carpet is \$3,286.93 and when added to the previously approved painting request, it brings that total to \$13,286.93. After a budgeted server project was completed at the Electric garage, it was discovered that Public Works connectivity is at risk. Public Works is tied into Electric and needs to be moved onto its own server and firewall. The proposed changes total approximately \$90,000 and \$100,000 was budgeted. The Committee will recommend that Borough Council authorize the changes to the Borough Building Maintenance Capital Project for 2021 at their July meeting.
2. The Committee reviewed a final drawdown request for land development improvements for the new Ephrata Re-Uzit Store at 1054 South State Street. The improvements have been completed and inspected. The applicant is requesting the release of their remaining funds. The Committee will recommend that Borough Council release \$58,452.00 at the July Borough Council meeting. This will appear on the consent agenda.
3. The Committee reviewed a request from the Ephrata Performing Arts Center (EPAC) to install two keyless entry systems and change the locks on the building for enhanced security. The costs of this will be paid for by EPAC, but as a tenant they need the landlord's permission. The Committee will recommend that Borough Council grant EPAC's request at the July Borough Council meeting.
4. The Committee reviewed a request from the Ephrata Performing Arts Center (EPAC) to serve for-sale wine and beer at performances, but not at youth programs. The sales would occur before the performances, during intermission and after the performances. The Committee will recommend that Borough Council grant the request to sell wine and beer at EPAC performances as noted on the request dated June 26, 2021 at the July Borough Council meeting subject to receipt of a copy of the special occasion permit, receipt of a certificate of insurance naming the Borough as additional insured and the condition that no one can leave the building at any time with alcoholic beverages.

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

Ms. Martin, in referencing Action Item #1, inquired as to why the rain garden project at the Fulton Maintenance Garage is no longer needed; in which, Ms. Harris advised a few years ago, an inlet and piping was put at the rear of the building due to some flooding issues being experienced. Ms. Harris advised at that time, it was not known what the impact of that would

have on the Fulton Street Lot so a rain garden was budgeted in the event there would be any issues. Ms. Harris further advised as three years have passed and with no issues being observed, there is no longer a need to complete the rain garden project.

Ms. Martin inquired as to what damage was done to the Police Department's carpet; in which, Mayor Mowen advised the carpet is worn out and needs replaced.

President Rowe, in referencing the Committee Report, requested the members of the Committee be amended to include Mr. Barr as a member; in which, Ms. Harris advised she will revise the Committee Report.

Public Safety Committee

Vice President Reinhold advised the Committee met on June 21, 2021, and has one Action Item:

1. Termination of COVID-19 Declaration of Emergency: Borough Manager Thompson provided an overview of the declaration termination. The Committee agreed that a resolution will be presented for action at the July 12, 2021, Council Voting Session.

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

Mr. Richard, in referencing the American Legion's request to land a helicopter in the Borough, reiterated his concerns of the turbulence of the helicopter and is hopeful it can be safely done. (It should be noted a formal request on American Legion letter has not been received to date and a vote will not occur until the request is received.)

Mr. Ressler, in referencing the Resolution to end the Declaration of Emergency, stated, "... I think that we all are really glad to do this Resolution."

Mr. Ressler, in referencing the Pioneer Fire Company's ladder truck accident, stated, "... it is unfortunate ... this really puts a real crime in our operation here and the safety of the Borough ... that was basically careless driving."

Mr. Ressler, in referencing the unfortunate occurrences of fires resulting from the poor disposal of fireworks stated, "... people need to be more responsible."

Ms. Martin, in referencing the Resolution to end the Declaration of Emergency, inquired if there will be future opportunities for residents to participate in meetings via Zoom; in which, President Rowe advised there is not a requirement in place to have Zoom meetings. President Rowe further advised that she and Mr. Thompson will be discussing this matter further and a decision will be communicated to Council at a later time.

Ms. Martin, in referencing the American Legion's event request, advised she was informed that the letter requested by Chief Petrick was hand-delivered to the Police Department on this date; however, Staff was not able to confirm its receipt at the time of this meeting.

Ms. Martin, in referencing the Pioneer Fire Company's ladder truck accident, clarified the accident was due to unsafe driving by the driver of the other vehicle involved in the accident. Ms. Martin inquired as to if the ladder truck will be able to get back into operation at some point; in which, Mayor Mowen advised they are waiting for additional information as to the status of the truck.

Mr. Zimmerman, in referencing the Committee Report, requested a change be made as he was out of town on the meeting date and the report states he was in attendance. President Rowe requested the Committee Report be revised.

President Rowe, in referencing the American Legion's event request, inquired if information has been received from the Borough's insurance provider; in which, Ms. Harris advised she does not have that information at this time, but will follow-up to see if it has been received.

Highway Committee

Mr. Richard advised the Committee met on June 28, 2021, and has eight Action Items:

1. The Committee reviewed a letter from Kim Stonebraker, Manager of Safety and Emergency Management, representing WellSpan-Ephrata Community Hospital, requesting to close Third Street between Ephrata Avenue and the Cocalico Creek for an emergency preparedness drill and mass decontamination exercise on Tuesday, July 13, 2021 from 6:00 p.m. to 10:00 p.m. The Committee will recommend that Borough Council conditionally approve the request subject to neighbor notifications by WellSpan-Ephrata Community Hospital at their July 12, 2021 meeting.

It should be noted, due to Ms. Stonebraker's revised request to close Third Street in its entirety, Mr. Richard, addressing fellow Committee members, inquired if they are in approval of the change. Ms. Martin advised she has no concerns as affected residents have been provided notification of the road closure. Mr. Zimmerman was in agreement to revise the Committee's Recommendations for vote at their July 12, 2021, meeting.

2. The Committee reviewed and discussed the results of Bid #21-4 2021 Street Improvements. Burkholder advised the Committee that the Borough received a very good price for the prescribed work associated with this bid. The Committee will recommend that Borough Council award the bid to apparent low bidder: New Enterprise Stone & Lime Co., Inc. from Ephrata, PA in their total bid amount of \$480,610.57 at their July 12, 2021 meeting.
3. The Committee reviewed Comcast's plans to install approximately 9,407 linear feet of underground cable in conduit within the Sycamore Acres, Eden Gardens, Peyton Acres and Cloister Court developments. Staff has reviewed and approved the latest revised plans. The Committee will recommend that Borough Council conditionally approve Comcast's plans known as Drawing No. 0931920019-D last revised March 26, 2021 subject to a fully executed Street Opening and Cable System Construction Agreement being in a form acceptable to the Borough Solicitor, Borough receipt of a satisfactory performance guarantee in the amount of \$210,723.00 and provision of a certificate of

insurance naming the Borough of Ephrata as additional insured at their July 12, 2021 meeting.

4. The Committee reviewed a resolution to adopt experimental traffic and parking regulations under Section 305-5 of the Code of the Borough of Ephrata restricting parking along a certain portion of Railroad Avenue. The Committee will recommend that Borough Council adopt Resolution No. 2021-27 at their July 12, 2021 meeting.
5. The Committee reviewed an application for traffic signal approval to PennDOT for planned signal improvements to install emergency vehicle pre-emption and updated retro-reflective signal backplates at the South Reading Road, Rothsville Road and Parkview Heights Road intersection. The Committee will recommend that Borough Council authorize the President of Borough Council to execute the application at their July 12, 2021 meeting.
6. The Committee reviewed an application for traffic signal approval to PennDOT for planned signal improvements to install emergency vehicle pre-emption and updated retro-reflective signal backplates at the South Reading Road and South State Street intersection. The Committee will recommend that Borough Council authorize the President of Borough Council to execute the application at their July 12, 2021 meeting.
7. The Committee reviewed an application for traffic signal approval to PennDOT for planned signal improvements to install emergency vehicle pre-emption at the North State Street and Locust Street intersection. The Committee will recommend that Borough Council authorize the President of Borough Council to execute the application at their July 12, 2021 meeting.
8. The Committee reviewed plans and a cost opinion prepared by ELA Group, Inc. on behalf of Scott Cover the property owner of 300 West Chestnut Street to install, at his cost and subsequently dedicate to the Borough of Ephrata, proposed stormwater facilities along the west side of Park Avenue just north of West Chestnut Street. This work will tie-in existing roof drain pipes from the building at 300 West Chestnut Street to a new stormwater pipe at a deeper pipe cover preventing future concrete sidewalk damage due to shallow depth pipes. The Committee will recommend that Borough Council conditionally approve an improvement agreement for the installation of stormwater management facilities along Park Avenue adjacent to 300 West Chestnut Street subject to the agreement being in a form acceptable to the Borough Solicitor at their July 12, 2021 meeting.

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

Mr. Zimmerman, in referencing Bid #21-4 2021 Street Improvements, clarified there were seven bids for the project with six of the bids being under the \$800,000 estimated cost. Mr. Zimmerman stated, "... we finally got to take advantage of some very competitive bidding ... that was good for us ... good for the residents."

Ms. Martin, in referencing the Scott Cover improvement agreement, addressing Ms. Harris, inquired (1) if this type of situation has happened in the past where a resident pays for the improvements and then dedicates it to the Borough, and (2) if that is the reason there are sidewalk issues due to the water coming off of the roof of the building. Ms. Harris responded that typically in new developments a developer will install the improvements and then dedicate it to the Borough. Ms. Harris advised in this situation, the Borough really does not benefit a whole lot by the improvements resulting in the building owner being financially responsible for the project.

Mr. Dudley advised a discussion was held regarding some of the parking challenges within the Borough including the Locust Street lot and he believes future discussions to resolve these issues will be beneficial. Mr. Richard advised while the discussion was initiated for the Franklin Street lot, the Locust Street lot “came on the table” and is “... messy at best with the signage or lack of signage.” Mr. Richard further advised due to the initial request coming from taxpayers regarding the Franklin Street lot issues, that particular lot will be looked at first followed by the Locust Street lot.

Ms. Martin informed Mr. Dudley that a parking study was recently completed and will share that information with him. Ms. Martin advised the conclusion of the in-depth study showed that there is not a parking problem – in terms of a shortage. Ms. Martin advised the study showed there is an education problem, a signage problem which can be easily fixed; however, those are not being addressed “... as quickly as I’d like to see, but there is not a shortage of parking” according to the study. Ms. Martin ended her comments by stating, “... I think some re-education and re-direction ... things like that will help ... go a long way to help solve the problem.”

Mr. Ressler advised he was surprised to find out that there is a long-standing easement agreement having to do with the lot which precludes us making certain changes at this point due to the agreement being in place for another five years.

Mayor Mowen, in referencing the Franklin Street lot, advised that the Boy Scouts utilize the lot for a fundraiser during the week of the Ephrata Fair and inquired if any changes would affect them; in which, Mr. Richard advised the Committee is in the beginning stages of this discussion and that there will be transparency to “... all players of the Fair and the Boy Scouts.”

President Rowe advised the 2014 Comprehensive Plan provides quite a bit of information on parking as well as suggestions regarding parking and thought it may be a valuable resource. Ms. Harris advised the plan/information is available for public viewing on the Borough’s website.

Municipal Enterprises Committee

Ms. Martin advised the Committee met on June 21, 2021, and has three Action Items:

1. Borough Manager Thompson reviewed the submissions from a request for quotations to purchase three (3) 15 kV 3,000 amp circuit breakers and one (1) 15 kV 1,200 amp circuit breaker. Two quotations were received and Mr. Thompson informed the Committee that the staff concurs with the recommendation of Utility Engineers (the Borough’s

consultant) to award the purchase to the low quotation from Siemens Industry in the amount of \$114,907.00. Siemens also quoted the quickest delivery time of 14 weeks versus 28 weeks from the second proposal. The Committee will recommend that Borough Council award the purchase of the circuit breakers to Siemens Industry at their July 12, 2021 meeting.

2. Mr. Thompson informed the Committee that the Borough will be submitting a grant application to the Lancaster County Community Foundation Clean Water Implementation Large Grant for the Gross Run Streambank Restoration Project. The application will request the maximum grant amount of \$500,000 toward a total project cost of \$1,770,000. Mr. Thompson recommended that the Committee issue a letter of commitment for matching funds in the amount of \$690,936. These funds are currently budgeted. The Committee will recommend that Borough Council approve the issuance of the letter of commitment for the Lancaster Community Foundation Clean Water Implementation Large Grant at their July 12, 2021 meeting.
3. Mr. Thompson reviewed a memorandum from Nancy Harris with the Committee requesting to fund additional design services for the Gross Run Streambank Restoration Project in the amount of \$24,200. The additional design services will prepare the construction documents for the improvement along the pond serving Gross Run. The current condition of the pond is worse than anticipated and it is suggested those improvements be made prior to any other downstream improvements to preserve the integrity of those future improvements. The Committee will recommend that Borough Council approve the additional design services per the proposal presented from Land Studies of Lititz PA, at their July 12, 2021 meeting.

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

Mr. Ressler stated, "... kudos to Staff for continuing to find grant money to help out with these extremely large projects – this MS4 is over multi-years and multi-millions of dollars – it's a very big impact to us ... so I think that's important that we continue." President Rowe clarified that MS4 is a State-mandated, unfunded mandate.

Community Services Committee

Mr. Ressler advised the Committee met on June 28, 2021, and has five Action Items:

1. In 2020 the Borough received a Community Development Block Grant for improvements at Grater Park. A bid was awarded and the work was completed this year. One part of the project was for a new roof on the Eicher Museum. During the installation, the contractor found rotted wood that needed to be replaced. Another part of the project was to replace a mulched playground surface with rubberized material. The mulched area is lined with landscaping timbers. Some of the timbers were rotted and needed to be replaced. These two issues were not part of the original bid and a change order was issued in order to complete the work. Since the amount spent is different than what was bid, Council will need to ratify the change order. The Committee will recommend that Borough Council ratify the Change Order issued April 28, 2021 for the Grater Park Project in the amount of \$9,410.84 at their July meeting.
2. The Committee reviewed a proposal for professional engineering services to design the trailhead restroom facilities located near the Fulton Street parking lot. Hanover Engineering will provide design services for a year-round restroom located near the bike shed for \$28,700. There will be separate facilities for men and women and they will be handicap accessible. The Committee will recommend that Borough Council authorize the President of Borough Council and Borough Secretary to execute the proposal with Hanover Engineering at the July Borough Council meeting subject to it being in a form acceptable to the Borough Solicitor.
3. The Committee reviewed a request from Fulton School to place small US flags by the Winters Memorial prior to Veterans Day and Memorial Day (2022). They will remove the flags after each holiday. The Committee will recommend that Borough Council grant the request at the July meeting subject to receipt of a certificate of insurance naming the Borough as additional insured.
4. The Committee reviewed a proposal for professional engineering services from Hanover Engineering to prepare plans for the infrastructure of the dog park at a cost of \$12,000. The extent of the work the Borough will provide is fencing, parking lot, stormwater management facilities, buffer plantings (if required) and water to the site. The citizen committee will be providing the amenities such as play structures, seating and shade structures. Mrs. Martin suggested that it would be best to get the staff and the citizen groups together in September. Based on the availability of the consultant, the time it takes for the design and approval process, this probably won't get constructed until late spring or early summer of 2022. The Committee will recommend that Borough Council authorize the President of Borough Council and Borough Secretary to execute the proposal with Hanover Engineering at the July Borough Council meeting subject to it being in a form acceptable to the Borough Solicitor.

5. The Committee reviewed a request from the Ephrata Public Library to apply for a Keystone Recreation, Park and Conservation Fund Grant. The Library would use the funds to replace the existing lighting with LED fixtures. As part of the grant submission, the Library is requesting that the Borough be a sponsor on the application and provide a grant match of \$12,500. The Library will prepare and submit the grant application. The Library estimates that the lighting costs would drop from \$17,000 annually to \$6,000 annually. The Library has received a quote for the cost of the lamps and the fixtures, but they are still waiting on an estimate for the installation costs. After some discussion, it was decided to increase the match amount to a not-to-exceed amount of \$20,000. This will be an unbudgeted expenditure. The higher amount will provide a buffer in the event the installation estimation forces the project cost over \$25,000. The Committee will recommend that Borough Council authorize the President of Borough Council to sign the application as a sponsor for the grant application for LED lighting and offer an unbudgeted match of a not to exceed amount of \$20,000 at the July meeting.

Mr. Ressler advised of a matter that was not discussed by the Committee as it was only received after the meeting date. Mr. Ressler advised a request was received for a recommendation of a grant application (\$196,272.51) and commitment letter for the Rail Trail extension which has been included in the budget over a period of years. Mr. Ressler further advised this grant would save the Borough a lot of money and due to the application being time-sensitive, the matter will need to be voted on at the July meeting. Mr. Ressler, addressing fellow Committee members, inquired if they are in agreement to bring the request forward for vote. Ms. Martin inquired if the grant is a DCED grant; in which, Ms. Harris confirmed it is a Transportation Multimodal Grant. Mr. Ressler clarified the Borough will be guaranteeing a match of 30% which is included the budget. Ms. Martin inquired as to how Staff learned of the grant opportunity; in which, Ms. Harris advised a consultant provided them with this information. Both Ms. Martin and Mr. Barr were in agreement to bring this matter forward. Ms. Martin provided some guidance for the submission of the grant application advising that including a letter of support from State Representatives and/or Senators assist in the awarding of the grants.

Mr. Ressler clarified the two Recommendations will be as follows: (1) the Borough approving the 30% match; and (2) the letter of commitment.

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

Ms. Martin advised she was at the Ephrata Community Pool on Sunday, July 4, 2021, at its opening time of 12:00 Noon and by the time she left, at approximately 2:30 PM, the pool was closed to day passes – only members were able to get in. Ms. Martin advised her experience was, “... very pleasant ... everybody was well behaved ... there was plenty of space on the lawn.”

Mr. Barr advised the Committee has discussed, “... a bunch of ideas that, hopefully, once they’re implemented will save the taxpayers a bunch of money ... and the first being the LED lights at the library.” Mr. Barr, in referencing the Dog Park, stated, “... I can’t wait to get my 13-year-old Greyhound down there ... she’s gonna love it.”

Vice President Reinhold, in referencing the Ephrata Community Pool, advised according to the information provided, it appears that revenue is doing better than in 2019; in which, Mr. Ressler confirmed that revenue is up and attendance is down. Vice President Reinhold, in referencing Ms. Martin's comments, then advised it was his understanding that this past weekend was for pre-scheduled members only. Vice President Reinhold stated, "... he is hopeful that we should finish black this year, I'd imagine, with the pool." Ms. Martin replied, "... if they can keep the numbers where they were ... it was pretty full ... I had been there the year before that and it was a lot fuller than that and it looked like they were still letting people in ... so I think that policy has changed ... the maximum amount they have has changed ... I think Jim (Summers) said they were going to enforce that ... I just think it made for a more pleasant experience for everybody ... I was pleased with what I saw." Vice President Reinhold then stated, "... even with the attendance down, with the rates increasing from two years ago ... it doesn't stop people from still wanting to pay it ... even if it is the day rate."

Mr. Dudley advised his family was at the pool this past weekend and "... had an outstanding experience ... so I would echo everyone else's sentiment that they are doing a great job ... and what's really impressed me too is just the fact that despite some of the shortages with staffing, they are really good job of kind of managing that without frustrating the members."

Mayor Mowen, addressing Ms. Harris, inquired as to where the public restrooms would be placed; in which, Ms. Harris advised Staff is looking for a convenient, well lit, visible from the street location would be. Ms. Harris additionally advised the restrooms would be placed 90 degrees from the bike shed. Mayor Mowen inquired if there will be a loss of parking spaces; in which, Ms. Harris confirmed there would not be.

Mayor Mowen inquired as to the exact location of the Dog Park; in which, Mr. Ressler advised the park will be located on Old Mill Road near the Haller Property.

Discussion of Committee Reports – No Actions

Budget and Finance Committee

Mr. Ressler advised the Committee met on June 28, 2021, and has no Action Items to bring forward at the July Voting Session.

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

Mr. Richard, in referencing the matter of credit card fees, stated, "... I really hope we can get this to fruition because we've been losing fees in excess of \$120,000 per year ... so it's been some serious money we've seen going out the door for the credit card fees and I'm ... I really hope we can put this to bed in the beginning of next year."

Vice President Reinhold, in referencing electric disconnects, when reviewing the numbers, advised there are only three customers remaining disconnected. Vice President Reinhold stated, "... to me that's like 94% payment rate – if you will – when that balance comes due ... how they pay, I'm not sure ... but they pay." Vice President Reinhold further stated, "... it's kind of

disappointing when there is only 16 ERAP applications ... it was kind of eye-opening to me of all of those in that final group, Group 3, half of them were owner-occupied and the other half were tenants ... I'd be curious to see, with Group 3, how many once they got those letters paid because I think they pay."

Special Projects Committee

Mr. Barr advised the Committee met on June 21, 2021, and has no Action Items to bring forward at the July Voting Session.

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

Mr. Zimmerman, in referencing the discussion of the utility bills staying with the property and ultimately the owner, stated, "... I think it's good that we're now getting identification with both the applicant and the landlord and they're both signing the agreement ... so, I mean, that's putting it right out there for the tenant to understand that this is still their bill to pay ... and, hopefully, that will help in the process of collecting the fees and not dragging them on for an extended period of time."

Mr. Dudley, in referencing Mr. Zimmerman's comments, stated, "... it felt like there weren't a lot of easy answers on how to handle that ... and we had some good dialog." Mr. Dudley advised, "... this seems like the best way to go even though we didn't have ... there was no amazing solution that jumped out at us ... so this seemed to, I think, providing more clarity to the tenant and lessee is going to help a lot ... but it was quite interesting to see how complicated it can become."

Vice President Reinhold, in referencing the tenant/lessee matter, stated, "... it was more complicated ... well it is still complicated now ... and it is, but this is at least a ... I think ... a small step in the right direction."

Ms. Martin, in referencing the Shade Tree Commission, inquired if there is any mechanism that the Borough has or can be a bit more creative about trying to advertise or reach out to the community to see if people are interested in serving on the Committee. Ms. Martin suggested the possibility of having Mainspring of Ephrata post the vacancies on their Facebook page. Ms. Martin advised it was her understanding there was one individual interested in serving, but a quorum was not in place to form the Committee. Ms. Martin concluded her comments by stating, "... it's all about education ... and it's all about putting information out there ... it doesn't seem like the Borough right now has this great mechanism ... I know Mainspring has sort of taken over some of that role ... we don't have this great mechanism to reach out and say, "Look at the opportunities your town has ... here's some options for you" ... I'm just thinking could we put something on the website that we're looking ... I don't know ... it seems such a shame we have ... 50%, we have a quorum ... we're almost there." President Rowe requested Mr. Barr to have this discussion at their next Special Projects meeting.

Mayor Mowen, in referencing the Shade Tree Commission, stated, "... being a tree hugger ... one of the previous members of the Shade Tree Commission was frustrated about the number of trees that just get whacked ... and ... you know ... trees are critical to our well-being ... and

people look at them as dirty because they have leaves and they cut them down ... and every tree cut down that isn't replaced has an impact on our well-being and I just ... personally, I would love to see ... and I know we can't do it ... I'd love to see an Ordinance saying you can't cut a tree down unless you get permission." President Rowe advised that was part of their, the previous Commission's, suggested revisions.

Ms. Harris advised that Staff recognizes it was a deficiency in the old ordinance, so Staff was trying to build in there that basically if it is a hazard tree, it can be removed with proper documentation; but, otherwise, it is not to be removed. Mayor Mowen then inquired if the companies that cut trees down have to get any kind of permit before they can remove a tree; in which, Ms. Harris advised if it is within the street right-of-way – you got to remember that shade trees are only controlled within the street right-of-way – so, yes, they require a Shade Tree Permit. Mayor Mowen inquired if the trees are in the back yard, there is nothing that can be done to stop the removal of the tree; in which, Ms. Harris advised only if there are utility lines involved.

Personnel Committee

Vice President Reinhold advised the Committee met on June 14, 2021, in an Executive Session to discuss two personnel topics: (1) Discussion of Borough Manager Thompson's retirement date (January 15, 2022) and (2) Assistant Borough Manager/CFO Debra Bartow shared her thoughts on her first 60 days of employment as well as some ideas regarding the staffing of various vacancies. Vice President Reinhold further advised the Committee has no Action Items to bring forward at the July Voting Session.

Second Opportunity for Citizens to be Heard

Justin Snyder, 290 Duke Street, Ephrata, advised he previously served on the Shade Tree Commission but had not renewed his term. Mr. Snyder further advised he would be happy to address any questions Council or the newly established Commission may have. President Rowe inquired if Mr. Snyder has in possession the revised Chapter 115 that was discussed within the Committee; in which, Mr. Snyder advised he should have it, but is not sure where he has it. President Rowe clarified that Borough Council never voted on the revisions as it never got out of Committee before the Shade Tree Committee dissolved. Ms. Harris advised she has a copy of the document that what was completed in 2018; in which, President Rowe requested she provide a copy to the Special Projects Committee for their reference.

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. Barr stated, "... the fire company has been quite busy here recently ... they've been doing a fantastic job ... it's unfortunate that the pickup truck turned in front of the ladder truck and caused all of that ... I don't know how many pieces were responding to the fire ... it must have been a big one because they had a lot of pieces out there ... they've been quite busy and, hopefully, we didn't have too many accidents on the 4th ... actually it was a whole week before ... so I just want to commend them as well as the police force that's been on top of things ... thank you."

Mr. Richard advised the fireworks display on Sunday evening was well-attended and he is thankful that Ephrata has the means and ability with the volunteers and contributors to keep the fireworks going. Mr. Richard then stated, "... I think it's a great thing for the town."

Vice President Reinhold advised the Pennsylvania State Legion Tournament will be held at the Ephrata War Memorial Field from July 24-July 29, 2021. Ms. Martin suggested the information be shared with Mainspring of Ephrata to "spread the word" to the public of the event.

President Rowe congratulated the Historic Ephrata Cloister for their receipt of an Award of Excellence from the American Association for State and Local History.

President Rowe advised that the Municipal Moment for the July 12, 2021, Voting Session will be provided by the Middlecreek Search and Rescue.

President Rowe advised she has finalized Committee assignments and will provide the information to Council.

Adjournment

It was moved by Mr. Barr and seconded by Ms. Martin to adjourn. The meeting was adjourned at 8:27 p.m.

D. Robert Thompson, Secretary