

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
JULY 10, 2023**

The regular Ephrata Borough Council meeting was called to order by President Thomas Reinhold at 7:00 PM on July 10, 2023, in the Council Chambers of the Borough Office, 124 South State Street.

In attendance in addition to the President were Vice President Linda Martin, President Pro Tem Victor Richard, Council Members Timothy Barr, Alan Buohl, Ricky Ressler, and Greg Zimmerman. Absent were Council Member Kory Musser and Mayor Ralph Mowen.

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

The following visitors were present within Council Chambers:

Larry Alexander, The Ephrata Review
Tim Auker, 542 N. State St., Ephrata
Mike Eichenlaub, Ephrata Public Library
Matthew Good, 1006 Lincoln Heights Ave., Ephrata
Val Houtz, 406 E. Main St., Ephrata
Jean Lausch, 950 Hammon Ave., Ephrata

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

Prior to beginning the meeting, President Reinhold made the following announcement:

- Borough Council members met in an Executive Session on July 10, 2023, to discuss contract negotiations.

APPROVAL OF AGENDA

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Borough business that will be or may be the subject of deliberation or official action at the meeting.
3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

President Reinhold asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, President Reinhold asked for a motion to accept the meeting agenda as posted. Mr. Barr moved and Vice President Martin seconded to approve the meeting agenda as posted. Motion carried unanimously.

APPROVAL OF MINUTES

Vice President Martin moved and Mr. Barr seconded that Borough Council approve the June 5, 2023, Work Session Meeting Minutes and the June 12, 2023, Regular Meeting Minutes. Motion carried unanimously.

MUNICIPAL MOMENT – MIKE EICHENLAUB, EPHRATA PUBLIC LIBRARY

Mike Eichenlaub began his presentation by extending his appreciation to Council for their support of the Library over the years. Mr. Eichenlaub then highlighted the following topics during his presentation:

- Mission Statement: To provide resources and to promote opportunities for everyone seeking to improve, change, enrich and enjoy their lives.
- Statistics: Increase in number of visitors, borrowing of books, reference questions answered, etc.
- Cost-Savings Analysis Data
- New Services: “Library of Things” Including: Board Games, Various Tools, etc.
- Grants:
 - o Charlie Cart Project: For cooking classes and demonstrations.
 - o Workforce Development: Assist with preparing an individual for the workforce.
- Annual Book Sale: October 20, 2023

In concluding his presentation, Mr. Eichenlaub opened the floor for any questions. President Reinhold, referencing the “Library of Things,” specifically, the borrowing of tools, inquired as to what happens if someone injures themselves with the tool while it is in their possession; in which, Mr. Eichenlaub advised he is sure the individual would have to sign a waiver prior to borrowing the tool. Mr. Buohl commented that he believes the “Walking Book Trail” is a “cool idea” and he has seen many residents utilize it as he walks his dog.

President Reinhold extended his appreciation to Mr. Eichenlaub for his presentation.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mike Eichenlaub advised he wished to speak as a citizen of the Borough thanking Council Members for the time they put into their roles and serving the community.

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

ACCEPTANCE OF REPORTS

Mr. Zimmerman moved and Mr. Richard seconded to approve the Acceptance of Reports. Motion carried unanimously.

Budget and Finance Committee

The Budget and Finance Committee met on June 26, 2023, at 6:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Gerhart provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

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

Action Items:

1. None.

Discussion Items:

1. The Committee reviewed the Maher Duessel 2022 audit reports for the Ephrata Borough, Non-Uniformed and Uniformed Pensions Plans, which resulted in an unmodified opinion and there were no material reclassifications or corrections identified by the auditors. As is required, with the completion of the 2022 audit, the necessary reports have been filed and advertised.
2. Ms. Gerhart informed the Committee that potential revenue sources are being explored, but the current focus is on evaluating expenses and processes across the Borough to determine ways to control expenditures in all departments.
3. The Committee reviewed a report provided by GMS Funding Solutions summarizing year to date funding and grant management. Ms. Harris informed the Committee that potential projects have been discussed and will be evaluated when new grant application windows open over the next few months. Mr. Ressler inquired about the status of the Warwick and Ephrata Rail Trail project that has been an ongoing project for a while. Ms. Harris discussed the delay due to acquiring property easements that involve the Solicitor. She acknowledged that GMS and staff members are cognizant of the grant deadlines and agreed that we don't want to lose the funding for the project.
4. Staff provided a copy of the Solicitor's invoice for June. No further action is required.
5. Check and ACH Register for June was provided. Mr. Ressler noted an increase in the number of checks issued for utility refunds and inquired whether there was a billing issue or other cause driving the higher quantity in June. Ms. Gerhart informed the Committee that it was likely due to an increase in moving in/out of the Borough as many families wait until the completion of the school year to move.

Old Business Items:

1. Ms. Gerhart reported to the Committee that Springbrook is in a testing phase for our software migration project. Mr. Kachel, Borough IT Manager, remains positive on the progress being made and is hopeful it will be completed in a few months.

2. Staff will bring additional information to the Committee in the future, as property leases continue to be reviewed.

Development Activities Committee

The Development Activities Committee met on June 26, 2023, at 7:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

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

Action Items:

1. The Committee reviewed a request from the Ephrata Area School District to waive the financial security for the Subdivision and Land Development Agreement for the Ephrata Intermediate School Athletic Field Improvements Land Development Plan. The District is pledging to cover any shortfalls. This has been done in the past. The Committee will recommend that Borough Council grant the request to waive the financial security for the Ephrata Area School District at their July 3, 2023, Work Session.
2. The Committee reviewed a final drawdown request for land development improvements for the Fulton Bank located in the Cloister Shopping Center. The improvements have been completed and inspected. The applicant is requesting the release of all their funds. The Committee will recommend that Borough Council release \$10,932.00. This will appear on the Consent Agenda.
3. The Committee reviewed a Subdivision and Land Development Agreement for the Morgan Truck Body Land Development Plan. The amount of the agreement is \$151,838.50. The Committee will recommend that Borough Council authorize the President of Borough Council and Borough Secretary to execute a Subdivision and Land Development Agreement with the developer, Morgan Truck Body, subject to it being in a form acceptable to the Solicitor. This will appear on the Consent Agenda.
4. The Committee reviewed a Stormwater Operation and Maintenance Agreement for the Morgan Truck Body Land Development Plan. The Committee will recommend that Borough Council authorize the President of Borough Council to execute the agreement with Morgan Truck Body. This item will appear on the Consent Agenda.

Discussion Items:

1. The Zoning Hearing Board did not meet in June so there are no decisions.
2. There were no new applications for the July Zoning Hearing Board meeting.

Old Business Items:

1. Ms. Harris provided an update that Staff is working with the Solicitor to prepare ordinances for the downtown strategies.

Public Safety Committee

The Public Safety Committee met on June 19, 2023, at 6:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Chief McKim provided confirmation of the following:

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

Action Items:

1. Appointment of Police Officer Candidates – Chief McKim briefed the Committee on an unexpected change in eligibility with one of the three candidates approved for probationary employment at a prior meeting. Chief McKim requested that the Committee approve a replacement applicant from the certified eligibility list. This will be a conditional offer of employment pending the candidate's successful passing of a physical, psychological and drug screening examination. Additionally, the candidate must attend and graduate the Reading Police Academy and successfully complete all necessary Municipal Police Officer Education and Training Commission certification requirements. He will be subject to a one-year probation period commencing upon the date he graduates from the police academy.

The Committee will recommend a conditional offer of probationary employment for the position of Police Officer effective July 10, 2023, for Travis Rader.

Discussion Items:

1. Police Report – Chief McKim provided a summary of the monthly police report.
2. Security Cameras – The Committee inquired generally about the status of security cameras to help with solving crime around the Borough. Mayor Mowen encouraged the use of cameras to assist in

public safety. Chairman Buohl would like to explore consolidation of systems. President Reinhold would like to expand the existing camera capabilities. Staff to follow up.

Old Business Items:

1. Church and Main Pedestrian Accidents – The Committee noted that some of the trees at that intersection had been trimmed. Mr. Ressler requested a proactive approach from the police regarding difficult intersections' line of sight problems.
2. Fire Call Annual Comparison – These are being seen by Council via packets. Mr. Gehman reported on the busy past three (3) months. Chief McKim read an email regarding a large fire event from Randy Gockley.

Miscellaneous Items:

1. Hiring Process Update – Covered in Action Items
2. There was discussion regarding the Independence Day fireworks as they relate to the dry weather conditions.
3. Chief McKim updated the Committee regarding the complaint of people camping behind Applebee's. The property owner will be trimming the trees.
4. The Committee discussed a recent report of property left in a stairwell at a downtown business. Police identified the owner of the property and warned against trespass.
5. Mr. Reinhold inquired about a sharp increase in arrests for the month of May. Chief McKim explained an increase in citations filed by the SRO. The trend is not expected to continue.

Highway Committee

The Highway Committee met on June 26, 2023, at 5:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Burkholder provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

Committee Chair Richard asked if there were any requests to add a matter of Borough business to the meeting agenda. Steve Heffner of 139 West King Street asked to add ADA ramps on West King Street as a discussion item to the agenda. Mr. Richard asked for a motion to add the item to the agenda. Ms. Martin moved, and Mr. Musser seconded to add the item to the agenda. The motion carried unanimously. Mr. Richard asked for a motion to accept the meeting agenda as amended. Ms. Martin moved, and Mr. Musser seconded to approve the meeting agenda as amended. The motion carried unanimously.

Action Items:

1. The Committee reviewed a May 30, 2023, letter request from Michael Ast, representing UGI Utilities, Inc. requesting a temporary closure to Rose Alley to install a natural gas service to the rear of 34 East Main Street between 7:00 am and 4:00 pm on July 18 and 19, 2023. Borough staff will notify those directly impacted by this alley closure, including Mainspring of Ephrata staff. The Committee will recommend that Borough Council conditionally approve the temporary alley closure subject to maintaining access to the Railroad Station and Locust Street parking lots and providing access to emergency vehicles responding to an emergency at their July 10, 2023, meeting.
2. The Committee reviewed a June 13, 2023, street closure request from the Lincoln Heights Planning Committee to close Marilyn Avenue between Hummer Road and Julia Road from 1:00 pm to 8:00 PM on Saturday, September 9, 2023, for a block party. Linda Martin, representing Lincoln Heights Planning Committee discussed the event and traffic control. Linda plans to contact Ephrata Borough Public Works to inquire about the use of traffic control devices for this event. The Committee will recommend that Borough Council approve the request at their July 10, 2023, meeting.
3. The Committee reviewed and discussed the results of Bid #23-3 for 2023 Street Improvements. Project parameters, when available, will be shared with the Committee. The Committee will recommend that Borough Council award the bid to the apparent low bidder: D.H. Funk & Sons, LLC from Columbia, PA in their total bid amount of \$357,000.00 at their July 10, 2023, meeting.
4. The Committee reviewed a June 15, 2023, email request from Kim Stonebraker representing Boy Scout Troop 38 to use the Borough Hall and Major Winters Memorial Trail parking lots during the 2023 Ephrata Fair to park cars as a fundraiser. The Committee will recommend that Borough Council conditionally approve the request subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured at their July 10, 2023, meeting.

Discussion Items:

1. Staff updated the Committee regarding recently revised traffic control and detour plans associated with the C.B. Burkholder sanitary sewer project in Ephrata Township. Since Borough Council's June 12, 2023, approval of the use of designated Borough streets within planned detours, detour routes initially planned in East Cocalico Township were eliminated, detours initially planned in Ephrata Township were modified, and detour routes originally planned in Ephrata Borough remain the same.

2. Staff updated the Committee on the parameters of a planned PennDOT mill and overlay project for West Main Street (SR 0322) from SR 0272 to Wood Corner Road in Clay Township. Bid opening occurred the week of June 26, 2023, with a planned notice to proceed to be issued in late July 2023.
3. The Committee heard from Steve Heffner of 139 West King Street regarding his concerns about the absence of ADA accessible ramps along West King Street including no ramp at his property at the corner of West King Street and Hess Alley. Staff explained that ADA ramps are typically installed to resolve a handicap pedestrian accessibility concern or as part of a street improvement project. Mr. Heffner illustrated that West King Street is a busy pedestrian way leading to and from the Ephrata High School and Intermediate School, Grater Park, Ephrata Community Pool, and Tent City during the Ephrata Fair. The Committee cited examples of other areas within the Borough where no ADA ramps currently exist. Realizing that this issue is Borough-wide the Committee asked staff to check with the Borough's liability insurer for guidance regarding installation of ADA ramps within public rights-of-way and report back to the Committee.

Old Business Items:

1. Staff are formulating a parking kiosk plan which will be included for review in the draft capital project budget for 2024.
2. Three (3) temporary on-street parking spaces will be identified along Julie Ann Court for Hocking tenant vehicles displaced during certain Gross Run Stream Restoration construction activities. These reserved parking spaces will not be enforceable. This item will be removed from future meeting agendas.
3. Due to the uncertainty of actual traffic impacts caused by proposed land developments within the Lincoln Heights area, the HRG, Inc. proposal dated May 19, 2023, to complete a study of the Hummer Road approach to West Main Street will be removed from future meeting agendas and revisited as necessary.

Community Services Committee

The Community Services Committee met on June 26, 2023, at 4:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Rineer provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

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

Action Items:

1. Tom Hayden, President of FoodStock, a small non-profit located in Lancaster County, is requesting to use Grater Park to host a fundraising event on June 9, 2024. Mr. Hayden gave a brief overview of what the event would entail. The Committee suggested having additional portable restrooms to supplement the facilities at the park. The Committee was in favor of moving the request forward to Council for a vote contingent on Development Activities Committee allowing alcohol at the event, having 4 additional portable restrooms available for the event and a certificate of insurance naming the Borough additionally insured. **NOTE: This item has been tabled upon Development Activities Committee's review of the request.**

Discussion Items:

1. Melissa Zook gave an update on her efforts to convert the Haller property into an environmental-based day care. She is currently waiting to work with a grant writer to do a feasibility study. Ms. Zook would like to know what she can do to keep the project moving forward. Ms. Martin told her to get some of her plans together for the nature trails on the property to bring to the Committee for a vote.
2. An update was given for a potential tree bank for Christmas trees along with other species of trees on a piece of land owned by Ephrata Borough Authority in Ephrata Township. The Shade Tree Commission is working on plans for the tree bank.
3. A discussion was held on potential pickle ball court locations. The Committee was not in favor of completely converting tennis courts into pickle ball courts since some residents may still use the courts to play tennis. It was recommended to possibly line the courts for pickle ball use while remaining a tennis court. This item will be considered for a Capital Project in the future.

Personnel Committee

The Personnel Committee met on June 16, 2023, at 4:00 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Committee Agenda:

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Borough business that will be or may be the subject of deliberation or official action at the meeting.
3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

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

Action Items:

1. None.

Discussion Items:

1. Personnel Update --- Veronica Barnes, HR Manager, mentioned they have a posting for a P/T Finance Administrative Assistant, and they also have advertised internally for a Codes position bumping the hourly wage up \$1/per hour. Vacancy still applies for Municipal Services Manager (title may go back to Director of Engineering and Public Works).
2. Code Enforcement Department Vacancy --- Consider turning over building inspections for residential properties to a 3rd party inspection agency.

June 2023 Borough of Ephrata Management Reports

June 2023 Borough of Ephrata Operations Reports

June 2023 General Ledger Report

Ephrata Pioneer Fire Company June 2023 Report

Ephrata Community Ambulance Association June 2023 Report

Emergency Management June 2023 Activity Report

Shade Tree Commission June 2023 Meeting Minutes

Mainspring of Ephrata May 2023 Meeting Minutes

NEW BUSINESS ITEMS

Vice President Martin advised the items on tonight's Consent Agenda have been discussed in detail at their respective Committee meetings and were brought forward for additional discussion at last week's Work Session. These items are considered routine in nature and voted upon under one umbrella. These items are not open for discussion unless an individual or Council Member wishes to have the item removed from the Consent Agenda. If an item is removed it will be handed over to the Committee under which it was originally discussed during the Standing Committee Recommendations.

1. That Borough Council release \$10,932.00 to Cloister Associates LP for the Fulton Bank Land Development Plan. (Development Activities)
2. That Borough Council authorize the President of Borough Council and Borough Secretary to execute a Subdivision and Land Development Agreement with the developer, Morgan Truck Body, subject to it being in a form acceptable to the Solicitor. (Development Activities)
3. That Borough Council authorize the President of Borough Council to execute a stormwater O&M agreement with Morgan Truck Body. (Development Activities)

Vice President Martin moved and Mr. Richard seconded to approve the items as listed on the Consent Agenda. Motion carried unanimously.

STANDING COMMITTEE RECOMMENDATIONS

Highway Committee

Mr. Richard moved and Vice President Martin seconded that Borough Council conditionally approve the UGI Utilities, Inc. Rose Alley closure request subject to maintaining access to the Railroad Station and Locust Street parking lots and providing access to emergency vehicles responding to an emergency. Motion carried unanimously.

Mr. Richard moved and Vice President Martin seconded that Borough Council approve the Lincoln Heights Planning Committee request to close Marilyn Avenue between Hummer Road and Julia Road for a block party. Motion carried unanimously.

Mr. Richard moved and Vice President Martin seconded that Borough Council award Bid #23-3 for 2023 Street Improvements to D.H. Funk & Sons, LLC for their total bid amount of \$357,000. Motion carried unanimously via roll call vote.

Mr. Richard moved and Vice President Martin seconded that Borough Council conditionally approve the Boy Scout Troop 38 request to use designated parking lots to park cars as a fundraiser during the 2023 Ephrata Fair subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured. Motion carried unanimously.

APPROVAL OF CHECKS 51342 THROUGH 51560 AND THE ACH REGISTER DATED JUNE 29, 2023

Mr. Richard moved and Mr. Ressler seconded that Borough Council ratify the payment of bills performed by Staff since the last regular Council meeting in the aggregate amount of \$1,813,797.02. Motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO BE HEARD

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

DISCUSSION/ANNOUNCEMENTS

Mr. Richard commented that work has been occurring on the Oak Street Bridge which he is glad to see.

Mr. Ressler referenced the detour signage placed in that area for users of the trail which he found to be somewhat confusing.

Chief McKim extended his appreciation to Borough Council advising the three individuals hired as police officers for the Department began their program at the Police Academy.

Ms. Harris advised, per Mr. Zimmerman's inquiry a while back, she researched the number of Boroughs within Pennsylvania which totals 964 and that Ephrata Borough ranks as the 18th largest Borough within the State.

Mr. Barr advised that the Community Services Committee is continuing to address the public's interest of having a pickleball court in the area. Ms. Harris commented that this is a Capital Project for the upcoming budget.

Vice President Martin reminded attendees that on Tuesday, July 11, 2023, at 6:30 PM, the second in the Concerts by the Creek series is planned which features a David Bowie tribute band.

President Reinhold advised he attended former Councilman Sam Shirk's viewing who recently passed away.

ADJOURNMENT

Vice President Martin moved that Borough Council adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 7:26 PM.

Respectfully submitted,

Nancy E. Harris, P.E.
Secretary

SJF