

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
AUGUST 9, 2021**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on August 9, 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, President Pro Tem Ricky Ressler, Council Members Timothy Barr, Wes Dudley, Linda Martin, Victor Richard, Greg Zimmerman and Mayor Ralph Mowen.

Also in attendance were Assistant Borough Manager Debra Bartow, Police Chief John Petrick, Borough Solicitor James R. McManus, III, Esq., Charlie Nigrelli, Utilities Manager, David Burkholder, Project Engineer Manager, and Stephanie Fasnacht, Recorder.

The following visitors were present within Council Chambers:

- Larry Alexander, The Ephrata Review
- Tim Auker, 542 N. State Street
- Rebecca Beres, 44 Brookfield Drive, Ephrata
- Teresa Caruthers, 229 Railroad Avenue, Ephrata
- Andrew Casey, Eagle Disposal
- Brian Chalk, Republic Services
- Richard Gehman, 1791 Marilyn Avenue, Ephrata
- Randy Gockley, 62 Robert Road, Ephrata
- Jean Lausch, 950 Hammon Avenue, Ephrata
- Stacy Martin, 1142 Steinmetz Road, Ephrata
- Bill Rocky, 177 Old Mill Road, Ephrata
- Matt Showalter, 172 Buchanan Drive, Ephrata
- Kelly Withum, Mainspring of Ephrata
- Amy Zimmerman, 1136 Steinmetz Road, Lot 4, Ephrata

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

APPROVAL OF AGENDA

It was moved by Mr. Ressler, seconded by Vice President Reinhold, and unanimously passed to approve the meeting agenda as publicly posted on the Borough's website, meeting location as well as distributed to meeting attendees.

STATEMENT FROM PRESIDENT ROWE REGARDING PUBLIC MEETINGS

"Ephrata Borough Council follows Rules of Order and Bylaws. We have adopted Robert's Rules of Order as a parliamentary authority. If you are addressing Borough Council, you must be a resident or taxpayer of the Borough of Ephrata or represent an organization of the Borough of Ephrata. Any individual wishing to address Council must wait to be recognized before speaking. This applies to elected officials as well as any member of the public in attendance. Interruption of any individual who has the floor is not acceptable. I can and will use the gavel to enforce that rule."

APPROVAL OF MINUTES

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed that Borough Council approve the July 6, 2021, Work Session Meeting Minutes and the amended July 12, 2021, Regular Meeting Minutes.

DEMONSTRATION OF EPHRATA POLICE DEPARTMENT'S ELECTRIC BICYCLES

Chief Petrick and Officer John Garver provided an overview of the Department's newest addition – a RECON Police Power Bike. Chief Petrick advised the electric bicycles have a speed up to 30 mph depending on the terrain. Chief Petrick further advised the bicycles will help increase not only the Department's footprint with limited exertion to the officers as well as community policing presence.

Chief Petrick extended his sincere appreciation to WellSpan-Ephrata Community Hospital for their donation of the three electric bicycles to the Department.

Officer Garver highlighted the biggest advantage he has observed is the lack of fatigue that the officers experience enabling them to arrive on scenes with more energy to provide police services. Officer Garver further advised the officers do have the option to pedal; however, the bikes give the officer the opportunity to power the bicycle in full electric mode, if needed. Officer Garver commented that this has built confidence in the officers that have been trained and received certification to operate the bicycles.

Chief Petrick commented that the bicycles allow officers to patrol areas that would be difficult, or impossible, utilizing a patrol vehicle and/or on foot as the bikes are "practically silent."

MUNICIPAL MOMENT – MAINSPRING OF EPHRATA

Kelly Withum, Mainspring of Ephrata, provided a 3-year review of the organization, advising it is the lead economic development organization for the Borough with the mission being, "... to improve the quality of life in the communities through economic opportunity."

Ms. Withum then overviewed Mainspring's key strategies including:

- Sustainability (Community and Organizational)
- Economic Development
- Community Connectivity
- Community Identity

Ms. Withum extended her appreciation to the many volunteers for their dedication to the community and who give their time freely. Ms. Withum then highlighted events such as "Christmas in Ephrata" and various events held at Whistlestop Plaza.

Ms. Withum expressed how vital it is to get the community's youth involved as "... they are our future." Ms. Withum shared how she has met with several youth and is always taken aback at their ideas to improve our community.

In concluding her presentation, Ms. Withum inquired if there were any questions; in which visitor, Teresa Caruthers, 229 Railroad Avenue, Ephrata, advised she recently spoke to someone who was utilizing the Rail Trail but did not know where he was. Ms. Caruthers inquired if signage could be placed to inform individuals as to which town they are in; in which, Ms. Withum advised that the soon-to-be completed wayfinding signage will resolve that issue.

Ms. Martin advised she wished to expand on Ms. Withum's comments regarding volunteers stating, "... we are always looking for more volunteers." Ms. Martin further stated, "... new fresh volunteers equals new ideas" and encouraged spreading the word to community members.

Mr. Richard requested an update as to the status of the Wenger Feed Mill building; in which, Ms. Withum advised that there is nothing new to report regarding the building, but she is hopeful that a buyer will see the opportunities of the location of the building will bring to them.

Visitor, Amy Zimmerman, 1136 Steinmetz Road, Lot 4, Ephrata, advised that she feels having maps placed along the trail would be helpful to those who use it; in which, Ms. Withum confirmed that maps are in already in place.

Mr. Dudley expressed his appreciation for all of the services Ms. Withum has provided to the Borough by serving in her current role with the organization.

In closing the Municipal Moment, President Rowe also extended her appreciation to Ms. Withum for the valuable service she provides to the community as well as congratulated her on her upcoming retirement.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Amy Zimmerman, 1136 Steinmetz Road, Lot 4, Ephrata, advised of her concern regarding the lack of “Children at Play” signage around her residence; in which, President Rowe advised due to the location being on private property, Borough Council is unable to take action on her request and she will need to address her concerns with the property owner.

Andrew Casey, Eagle Disposal, advised he is in attendance as Borough Council is scheduled to vote on the award of a bid for trash and recycling services to the low bidder. Mr. Casey advised it is his belief that the low bid should be determined by unit price and feels there is a material flaw in how the low bidder was determined. Mr. Casey explained he believes the bid award should be determined by unit price (combination of trash and recycle costs) which Eagle has bid at \$15.92 per month which is lower than Republic Services bid of \$16.62 per month. Mr. Casey encouraged Council to reopen the bidding process with Eagle honoring the contract until the end of the due date process. President Rowe confirmed the matter is being brought forward by the Municipal Enterprises Committee for a vote later in the meeting.

Teresa Caruthers, 229 Railroad Avenue, Ephrata, in referencing Boy Scout Troop #38’s Ephrata Fair parking request, extended her appreciation that the recommendation clearly states to park on the asphalt only and not the grassy area which is the area that she is concerned about.

Secondly, Ms. Caruthers advised she did speak with the downtown vape shop owners and was informed that the drug, Kratom, while not regulated, they do not sell it to any individual less than 21 years of age.

Thirdly, Ms. Caruthers, in referencing the “buggy parking lot/buggy shed” (confirmed to be located on the parking lot for Ephrata National Bank (Main Street)) advised she wished to report damage to the building; in which, President Rowe referred Ms. Caruthers to notify Ephrata National Bank personnel as the shed is located on private property owned by them and is, therefore, not a Borough Council matter.

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 Ms. Martin, seconded by Mr. Richard, and unanimously passed to approve the Acceptance of Reports consisting of the following documents:

Budget & Finance Committee

The Budget & Finance Committee met on July 26, 2021, and discussed the following:

Action Items:

1. The Committee reviewed a request from Mainspring of Ephrata for \$86,347 of budgeted funds. It was noted that Mainspring's fiscal year ends 6/30; accordingly, for them it is the first request of their year, but for the Borough it represents the final transfer of the 2021 calendar year. Chairman Ressler inquired as to the financial position of the Economic Development Fund expenditures on the Second Quarter Budget review being at 84.21% prior to this distribution and Staff will investigate prior to the Work Session of Council. President Rowe inquired from her review of the Economic Development minutes, which referenced market gaps in Township, to verify utilization of the funds. Ms. Martin reported that it was a mere reporting of information from EDC Lancaster. The Committee will recommend that Borough Council approve the payment as budgeted at their August 9, 2021 meeting.

Discussion Items:

1. Ms. Bartow updated the Committee on disconnection statistics as of July 27, 2021. There were 25 accounts that are subject to disconnections totaling \$14,885. Of that amount, \$5,567 is for 11 units that are tenant occupied and \$9,318 is for 14 owner-occupied units. There were a total 12 Emergency Rental Assistant Program (ERAP) applications pending, and 5 units with disconnected service as of this date. Ms. Bartow also reviewed a graph depicting Electric Sales and Accounts Receivable from 1/1/2019 to the current, noting that trends have been fairly consistent and that re-instituting the disconnection process has been successful in managing the receivables. The Committee also expressed appreciation for the ERAP program being available to those in need. No further action is required.
2. The Committee reviewed the 2nd Quarter Budget Review. In addition to the commentary on Economic Development noted above, Chairman Ressler inquired about Civic Contributions being at 94.11% through June, noting a check in the July register to Lincoln Fire Company. Ms. Bartow informed that the Lincoln check represents the final 2021 disbursement for Civic Contributions and the remaining portion of that check was budgeted through the Mobile Equipment Fund. Additionally, it was noted a timing difference with Pool income with an additional \$100,000 deposited in July 2021.
3. The Committee expressed appreciation in reference to a letter of thanks from the Ephrata Cloister Associates for the Cultural Arts Grant in support of their mission.
4. Staff provided a report on the Solicitor's invoice. The first was a summary page and the second report is the detailed invoice. No further action is required.
5. Staff provided the Check and ACH registers to the Committee for July to date. The Committee discussed payments to Reiff's Lawn Care Services and the interaction with the Ephrata Rec's management of the Parks and Recreation budget. Borough Manager Thompson explained the bidding of a portion of the mowing services. Chairman Ressler directed Staff to discuss the service level of mowing of the Brickyard Park with Rec management.
6. A guest inquired as to whom pays the electric for the Ephrata Fair and the Committee informed her that both police protection and electric are billed to the Ephrata Farmers Day Association, Inc.

Old Business Items:

1. The first tranche of American Rescue Plan Funds of \$725,462.31 has been received. Preliminary management suggestions for utilization will be reviewed at the August 23rd committee meeting.
2. The Committee stressed the importance of requesting payments in lieu of taxes on a bi-annual basis.

3. The Committee, while acknowledging the increased amount of grant funding being sought, stressed continual review for potential revenue sources.

Development Activities Committee

The Development Activities Committee met on July 26, 2021, and discussed the following:

Action Items:

1. The Committee reviewed a land development plan for Horst Plumbing. The developer is planning on adding onto the existing building and reconfiguring the parking lot. There is a private easement that needs to be kept open per the deeds. The Committee will recommend that Borough Council approve four (4) waivers/modifications and approve the plan as a final land development plan subject to inclusion of HRG comments dated July 7, 2021. This item will appear on the August Consent Agenda.
2. The Committee reviewed one new HVAC repair invoice for the Ephrata Public Library. This invoice will be paid out of the Borough Building Maintenance Fund. The Committee is recommending that Borough Council authorize a payment of \$5,535.00 directly to Trago Mechanical, Inc., at the August Council meeting.
3. The Committee reviewed a request from Mainspring of Ephrata to serve alcohol at an additional Wednesday at the Whistle Stop event on September 15, 2021. They have requested to close the driveway from Main Street to the rear of the Railroad Station and prohibit parking along the driveway. The Committee will recommend that Borough Council approve the request at the August meeting subject to the receipt of a certificate of insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management and receipt of a copy of the PLCB special occasion permit.
4. Harris presented information on the existing fire alarm system at Borough Hall. It is original to the building. Recently there have been multiple false alarms. The problem was traced to the main control panel. The panel is obsolete and can't be replaced. A new system needs to be installed. The cost for engineering the system to comply with current codes is \$4,550 and the installation cost is \$14,120. The total cost of the project is \$18,670. Harris suggested delaying the Capital Project for the demolition of 833 Spring Garden Street until next year. The budgeted funds of \$25,000 could be used for the alarm panel replacement. The Committee will recommend that Borough Council authorize the use of the Capital Project funds allocated for 833 Spring Garden Street for the fire alarm system replacement at Borough Hall at their August meeting.

Discussion Items:

1. The Committee reviewed the second quarter budget report for activities under their purview. There were no concerns regarding the budget report raised at this meeting.
2. No Zoning Hearing Board meetings were held in July so there are no decisions.
3. There are no new applications for the August Zoning Hearing Board Meeting.

Public Safety Committee

The Public Safety Committee met on July 19, 2021, and discussed the following:

Action Items:

1. None

Discussion Items:

1. **Police Department Monthly Report:** Chief John Petrick provided an overview of the June monthly report. He reviewed the two drone team deployments. One deployment was assisting New Holland Police with locating a fleeing suspect. The suspect was located using the drone's thermal imaging camera. He also detailed the "Excellence in Policing" efforts of the department. Specifically discussing how officers successfully communicated during several incidents with individuals who were deaf and/or mute. Chief Petrick notified Council that three electric patrol bikes have arrived with nine officers being trained in their use. The use of the electric bikes will increase an officer's patrol "footprint" exponentially. A bike officer also recently attended a Mainspring event. Electric bike use will also reduce officer fatigue. Chairman Reinhold appreciated our drone use capabilities. Councilman Ressler inquired about the status of the body worn cameras. Chief Petrick responded that the Borough Solicitor is currently reviewing the purchase agreement and the purchase would be made shortly after the agreement is finalized. Councilman Ressler inquired about the body worn camera costs. Chief Petrick responded that WellSpan Ephrata Hospital graciously provided funding for the cameras and PCCD grant provided the additional funding for the project.
2. **Police Quarterly Report:** Provided in the packet.
3. **Emergency Management Report:** Randy Gockley provided an overview of the Emergency Management monthly report. He stated that the recent July 3rd Firecracker Race went well and there were no medical transports. The July 4th Fireworks Event was uneventful related to emergencies. He mentioned that the recent decontamination drill at Ephrata WellSpan went well with first responders, police and fire personnel participating. As of Friday, Ephrata WellSpan had no hospitalized COVID-19 patients. Also, the mall vaccination clinic was closing; however, COVID-19 vaccines are still available via healthcare providers. He stated that Borough Staff is reviewing the Emergency Operation Plans for the upcoming Ephrata Fair.
4. **Alarm Ordinance Chapter 115:** Borough Manager Thompson provided an overview of the current ordinance and discussion item related to having two categories of false alarms; one for fire and the other non-fire related false alarms. Solicitor McManus received some input from Staff and Council on the ordinance changes. Solicitor McManus stated that Council sets policy regarding how to allocate the fees from false alarms. Councilmen Richard and Ressler both agreed with having the two categories previously discussed and Councilman Barr had no issues with it.
5. **Unavoidable Patrol Vacancies:** Chief John Petrick informed Council that 2021 was an unusual year for patrol staffing and overtime due to the following: officers in quarantine for COVID-19, line of duty injuries, and other medical leaves. We will continue to monitor the financial impacts of the overtime to fill staffing voids and refer to Budget and Finance Committee if necessary. Councilman Ressler asked about mid-year finance report. Chief John Petrick responded that the mid-year report would be issued and discussed at the upcoming Budget and Finance Committee meeting.
6. **Public Safety Siren Activation:** Councilman Wes Dudley inquired about his desire to better understand the usefulness and process of the siren activation. He understood the reasoning behind the siren activation and wanted to know if there were other means to alert personnel. He inquired about its possible use in a weather emergency such as a tornado.

Chairman Reinhold stated that the siren activation issue has been a discussion item before. He inquired as to how the siren is actually activated. Lincoln Fire Chief Richard Gehman provided an overview of the activation process. Chief Richard Gehman informed Council that County 911

activate the sirens remotely which is similar to a paging system. When fire services are called out by County 911, the siren is automatically activated.

Mayor Mowen commented that to his knowledge, all area fire departments utilize such a siren system. He also stated that the siren is not activated between the hours of 11 PM to 6 AM.

Chairman Reinhold inquired about use of the siren for a tornado warning. Randy Gockley responded that the average tornado warning notice is approximately 6-9 minutes and it would not be possible to manually activate the siren in that time. Mr. Gockley mentioned that individuals need to take some personal responsibility for emergency planning, such as weather alert radios or cell phone weather warning alerts. Also, one could subscribe to media outlet weather alerts.

Council members Mr. Richard and Mr. Barr recommended no changes to the siren activation procedure.

Councilman Ressler inquired about the status of the siren along Queen Street (rail trail). Mr. Jim Kiefer responded that when the siren stopped working, it was never repaired.

Teresa Caruthers commented about the community organizing during disasters with people checking in on the welfare of others during these times. She also asked if safety messages could be placed in the utility bills. Manager Thompson stated that "bill stuffers" were an option as well as printed messages on the bill itself.

Councilman Dudley inquired as to who makes the decision about the times that the siren can be activated.

Lincoln Fire Chief Richard Gehman stated that the siren is a digital paging system that is on a timer system. He also added that Lincoln Fire Company only has the siren activated during 8 AM to 9 PM as a courtesy to neighbors. He also mentioned that he has received comments from volunteers that work in the agricultural community that while they operate machinery, they can still discern the siren activation, whereas they might not hear the pager.

Mayor Mowen stated that there are outdoor activities when it might not be practical to have a pager on and, therefore, the siren is helpful. The siren also notifies that public that the fire companies are very active.

James Gehman of Lincoln Fire Company stated that there have been times when the voice pager did not work and therefore the siren was very helpful.

Rebecca Beres asked if Pioneer Fire Company could consider adjusting the siren activation times to match that of Lincoln Fire Company. Mr. Jim Kiefer stated that he would look into this.

7. **Sergeant Promotional Process:** Chief John Petrick provided an update on the promotional process. He informed Council that on May 10, 2021, Borough Council approved the Resolution Amending Civil Service Commission Rules and Regulations for the proceedings of the Police Civil Service Commission Relating to Certain Testing and Examination Requirements. He informed them that the two Sergeant position vacancies will be filled using the previously mentioned process is well underway. He stated that the Ephrata Borough Civil Service Commission is overseeing the process that was previously approved by Council. He stated that the Written Examination portion of the promotional process took place on June 30, 2021 and was a prepared and administered by Harrisburg Area Community College. He stated that the Structured Interview portion of the process

will take place on August 3 followed by the Selection Committee interview and a recommendation to the Public Safety Committee and finally to Borough Council for final approval. He previously reported on the promotional process to the Public Safety Committee at the June 21, 2021, meeting. No concerns were voiced by Council members present.

8. **Unemployment Fraud:** Chief Petrick informed Council of unemployment frauds that are being reported to our agency. He suggested the individuals visit social media sites for helpful tips to protect themselves from fraud.

Highway Committee

The Highway Committee met on July 26, 2021 and discussed the following:

Action Items:

1. The Committee reviewed a Resolution providing for price adjustment of bituminous materials in small quantities associated with Bid #21-4 2021 Street Improvements. The Committee will recommend that Borough Council adopt Resolution No. 2021-31 at their August meeting.
2. The Committee reviewed a request from Lori Weaver, Boy Scout Troop 38 Parking Lot Coordinator, per her letter dated July 15, 2021, to use the Major Winters Memorial Trail parking lot adjacent to Railroad Avenue and Ephrata Borough Hall parking lot during the 2021 Ephrata Fair to park cars as a fundraiser. Troop 38 will be reminded that they are to park cars on asphalt surfaces only. 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 August meeting.
3. The Committee reviewed UGI's plans to install approximately 1,550 linear feet of 2" PE3408 gas main in West Franklin Street, a portion of South Oak Street and a portion of Hunter Alley. Staff has reviewed and recommends for approval UGI's plans. The Committee will recommend that Borough Council conditionally approve UGI's plans known as WR #915177, Sheets 1-10 dated May 5, 2020 subject to a fully executed Agreement in a form acceptable to the Borough Solicitor, Borough receipt of a satisfactory performance bond, certificate of insurance naming the Borough of Ephrata as additional insured, and payment in lieu of pavement restoration in the amount of \$53,624.42 at their August meeting.
4. The Committee reviewed a Municipal Winter Maintenance Services Agreement by and between the Commonwealth of Pennsylvania, acting through the Department of Transportation (PennDOT) and the Borough. This agreement requires the Borough, as Service Provider, to remove snow and ice and provide and apply de-icing and anti-skid materials for designated snow lane miles along SR 0322 between Market Street and Bethany Road as calculated by PennDOT and compensates the Borough at a rate of \$1,222.67 per snow lane mile for snow and ice removal during the 2021/2022 winter season. The total anticipated reimbursement to the Borough for the 2021/2022 winter season is \$14,794.31 plus any applicable adjustment to offset costs associated with severe winters. The Committee will recommend that Borough Council approve this Agreement at their August meeting.
5. The Committee reviewed a Resolution authorizing the President of Borough Council and Borough Secretary to execute a Winter Maintenance Services Agreement with the Commonwealth of Pennsylvania, Department of Transportation. The Committee will recommend that Borough Council adopt Resolution No. 2021-32 at their August meeting.
6. The Committee reviewed the July 21, 2021 letter of requests from Mainspring of Ephrata's Christmas in Ephrata Committee regarding the Christmas in Ephrata 2021 event. Council Member

Linda Martin provided event details. The Committee will recommend that Borough Council conditionally approve the requests associated with the Annual Christmas Tree Lighting and Santa's Arrival planned for Friday, November 26, 2021 at their August meeting subject to EMC Randy Gockley's approval and establishment of an Incident Support Plan, Borough receipt of a certificate of insurance naming the Borough of Ephrata as additional insured, and receipt of a PennDOT issued Special Events Permit to close a numbered state route with Mainspring of Ephrata as permit applicant.

7. The Committee reviewed a Borough of Ephrata Parking Space Lease Agreement for proposed leasing of parking spaces at the West Franklin Street parking lot. Following discussion the Committee directed staff to add snow removal language to Section VI. Maintenance and add the Lease Agreement as an Action Item. September 1, 2021 is the planned start date for leasing parking spaces at the West Franklin Street parking lot. The Committee will recommend that Borough Council approve the Borough of Ephrata Parking Space Lease Agreement at their August meeting.

Discussion Items:

1. The Committee discussed the difficult to understand parking issue at the East Locust Street parking lot and directed staff to provide a plan of the parking lot along with a listing for what each space is currently used for review and further discussion at the August 23, 2021 Highway Committee meeting.
2. The Committee reviewed the 2nd Quarter 2021 budget report for those activities under their purview and noted no concerns at this time.

Old Business Items:

1. Borough staff continues attempts at communicating 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 contact the consultant performing the November bridge inspection to discuss concerns regarding the pedestrian railing/vehicle barrier.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on July 19, 2021, and discussed the following:

Action Items:

1. The Committee reviewed and discussed the results of Bid #21-5 Contract Waste & Recyclable Materials Collection. The Committee will recommend that Borough Council award the bid to the apparent low bidder: Republic Services of PA, LLC from Marietta, PA in the bid amount of \$705,389.76 for the first year of the contract at their August 9, 2021 meeting.
2. The Committee reviewed and discussed a resolution to authorize the execution of the Sewer Service Agreement between Ephrata Borough, Clay Township, and Ephrata Borough Authority. The Committee will recommend that Borough Council adopt Resolution No. 2021-29 at their August 2, 2021 Work Session.
3. The Committee reviewed and discussed a resolution to approve the Consent Agreement between Ephrata Borough and Clay Township. The Committee will recommend that Borough Council adopt No. Resolution 2021-30 at their August 2, 2021 Work Session.

Discussion Items:

1. Staff informed the Committee of a Change Request received from Eagle Disposal of PA, Inc. Staff discussed their current dissatisfaction with the request and recommended no action from the Committee at this time, pending further discussion.
2. Staff provided a status update of the Peaking Generators at the Ephrata substation. Mr. Morrison informed the Committee that Commissioning Testing was intended to occur this week, but questions about relaying from PPL have delayed the testing. Mr. Morrison believes the generators should be tested and online in the next couple of weeks.
3. Staff provided an update on the 2nd Quarter Budget status. Mr. Morrison informed the Committee that all fund accounts are in-line with 2021 budget.

Old Business Items:

1. Borough Staff will continue to communicate with Borough residents in response to questions about electric rates and the general operating practices of Ephrata Borough Electric Dept. Chairman Martin indicated that she had hoped to answer specific questions, however, the resident was not able to attend tonight’s Committee meeting. Staff will follow up.

Community Services Committee

The Community Service Committee met on July 26, 2021, and discussed the following:

Action Items:

1. Mainspring of Ephrata requested the use of Whistle Stop Plaza from November 1, 2021 – January 7, 2022. This is the same request as previous years with the addition of the Holiday Christmas Market to be held Saturday November 27th from 10 am – 2 pm. Concerns were raised by Councilperson Rowe about taking parking away from the downtown area during Small Business Saturday. The consensus was that this event will bring more people into the downtown, which will result in more people shopping downtown. The Committee will recommend that Borough Council grant Mainspring of Ephrata’s request to use Whistle Stop Plaza for the Holiday Season events at their August meeting.

Discussion Items:

1. The Committee reviewed the second quarter budget report for activities under their purview. There were no concerns regarding the budget report.

Special Projects Committee

The Special Projects Committee met on July 19, 2021 and discussed the following:

Action Items:

1. None

Discussion Items:

1. The Committee discussed the need to continue allowing remote participation to Borough public meetings. With the termination of the Commonwealth’s Declaration of Emergency so goes Act 15 of the Commonwealth requiring public meetings of local government to provide for remote participation of meeting via electronic devices. Currently there is a policy per the Borough Code which allows remote participation for Council members, with the permission of the Council President, per the guidelines of the Borough Code. The Committee indicated that they support the Borough policy and leaned towards live streaming of Borough meetings versus interactive participation by remote participants. Borough Manager Thompson will ask the Staff to investigate

the equipment requirements to stream Borough meetings. Borough Manager Thompson will discuss with the Borough Solicitor any restrictions that need to be considered to stream public meetings.

2. Borough Manager Thompson reviewed with the Committee the proposed changes to Chapter 115, Trees, of the Code of the Borough of Ephrata. Former Shade Tree Commissioner, Justin Snyder, discussed several concerns he had and asked that the Committee consider addressing those concerns in the ordinance update. The Committee requested additional time to review the ordinance. The proposed ordinance will be reviewed with the Committee at their August 16 Committee meeting.

Personnel Committee

The Personnel Committee met on July 12, 2021, and discussed the following:

Executive Session:

1. There were no Executive Session items.

Action Items:

Prior to discussing the Action Items, Ms. Rowe mentioned that a Committee member wished to have a public discussion regarding the retirement date of the Borough Manager. Ms. Rowe reminded those in attendance that there is no provision that Council set an employee retirement date; the State Borough Code §1141 and §1142 and Chapter 57 of the Code of the Borough of Ephrata give clear direction on the position and Council involvement of the Borough Manager position. The discussion centered around the vacation time earned by the employee on January 1, 2022 (as stated in the Salaried Employee Handbook).

1. The Committee discussed the revised job description for the Assistant Borough Manager position. There were no additional changes to the job description since the Committee last approved the draft; however, Ms. Rowe agreed to share concerns that were emailed to her. The Committee appreciated the comments of the employee but agreed on all matters that the concerns were best addressed by the employee's supervisor; they are not under the purview of the Committee or Council. Ms. Martin did suggest that the position title be changed to Assistant Borough Manager/Chief Financial Officer to ensure consistency with other job descriptions. The Committee was in agreement. It was also decided to change the position title in the Borough Manager Job Description to Borough Manager/Chief Executive Officer. Ms. Rowe will amend both documents and both will be brought to Council for a vote on August 9, 2021.
2. The Committee discussed the job description for the position of Finance Manager. No changes were suggested. This document will be brought forward to Council for a vote of approval on August 9, 2021.

Discussion Items:

1. The Committee discussed further review of management job descriptions. Ms. Rowe explained that following the previous Committee discussion, she had a conversation with the Borough Manager; it was agreed each management employee would be asked to assess their job descriptions and suggest any necessary changes. The Committee instructed Ms. Rowe to have additional conversations with the Borough Manager to ensure descriptions are available for Committee review at their September 13th Committee meeting. The Committee wishes this item to be moved to the second discussion item for future meetings.

2. The Committee briefly discussed any changes they would like made to the Salaried Employee Handbook. Ms. Rowe reminded the Committee any changes made would apply to new hires only. The Committee would like to review front-loading earned vacation and service awards. Ms. Rowe will provide the Committee with a dollar amount earned by salaried employees for the previous five years. While all Committee members were provided a copy of the Salaried Employee Handbook, they would like to see it placed in the Dropbox for the next Committee meeting. The Committee would also like this to be the first discussion item on the agenda for next month.
3. The Committee discussed their desire to resume holding Bimonthly Workshops. They instructed Ms. Rowe to contact Chief Petrick again to see if he would be interested in facilitating the September workshop on Council involvement in municipal police supervision. The final workshop for 2021 will be determined at a later date.

Old Business:

While no Old Business items were discussed, Ms. Rowe reminded the Committee of the urgency to amend the Evaluation Documents if those changes are expected to go in effect prior to the 2021 evaluation period. The Committee requested this be moved from Old Business to Discussion for the August 9th Committee meeting.

Due to the late hour, the Chairman adjourned the Committee meeting without discussing any of the remaining five Old Business items.

Miscellaneous Reports:

- ◆ July 2021 General Ledger Report
- ◆ Ephrata Pioneer Fire Company July 2021 Report
- ◆ Lincoln Fire Company July 2021 Report
- ◆ Ephrata Community Ambulance Association July 2021 Report
- ◆ Ephrata Emergency Management July 2021 Report
- ◆ Mainspring of Ephrata July 2021 Meeting Minutes
- ◆ 2nd Quarter 2021 Financial, Police, Electric Division, Inspection/Codes, Wastewater Treatment Division, Public Works Division, Water Division and Sanitation Reports
- ◆ 2nd Quarter 2021 Ephrata Public Library, Ephrata Performing Arts Center, Ephrata Recreation Center, Historical Society of the Cocalico Valley and Mayor's Revenue Reports

NEW BUSINESS ITEMS

CONSENT AGENDA

Vice President Reinhold advised the item on tonight's Consent Agenda has been discussed in detail at the respective Committee meetings and was brought forward for additional discussion at last week's Work Session. The item is considered routine in nature and voted upon under one umbrella. This item is 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 July 15, 2021 letter request from Boy Scout Troop 38 to use the Major Winters Memorial Trail parking lot adjacent to Railroad Avenue and the Borough Hall parking lot to park cars as a fundraiser during the 2021 Ephrata Fair subject to Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured.
(Highway)

Visitor, Teresa Caruthers, indicated she wished to address Council regarding Troop 38's request. Visitor, Rebecca Beres, requested the item be removed from the Consent Agenda for further discussion; 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. Richard, and unanimously passed via roll call vote that Borough Council approve the payment of \$86,347 to Mainspring of Ephrata as included in the 2021 budget.

Development Activities Committee

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed via roll call vote that Borough Council authorize a payment of \$5,535.00 directly to Trago Mechanical, Inc., for the Library's HVAC system.

It was moved by Mr. Zimmerman, seconded by Vice President Reinhold, and unanimously passed via roll call vote that Borough Council approve Mainspring's request to serve alcohol on September 15, 2021 and close the driveway and parking spaces from Main Street to the rear of the railroad station subject to the receipt of a certificate of insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management and receipt of a copy of the PLCB special occasion permit.

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed via roll call vote that Borough Council authorize the use of the Capital Project funds allocated for 833 Spring Garden Street for a fire alarm system replacement at Borough Hall.

Highway Committee

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council conditionally approve the July 15, 2021 letter request from Boy Scout Troop 38 to use the Major Winters Memorial Trail parking lot adjacent to Railroad Avenue and the Borough Hall parking lot to park cars as a fundraiser during the 2021 Ephrata Fair subject to Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata 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. Ressler, to re-open Public Comments in order to receive comments from Ms. Caruthers. Ms. Caruthers advised of her concerns of individuals parking on the grassy area adjacent to the Major Winters Memorial Trail parking lot as that has occurred in the past. Ms. Caruthers inquired as to what the insurance coverage would be if an individual would back into a car parked along Railroad Avenue. Ms. Caruthers reiterated her concern of the lack of space within the roadway for an individual parked in the grass to maneuver and back out of a space.

Mr. Burkholder confirmed and reiterated several times that the letter to be provided to the Boy Scout Troop will contain the language that they must park vehicles on asphalt services only with the area being policed by the Ephrata Police Department.

Ms. Caruthers, in referencing those individuals who randomly choose to park on the grassy area, inquired if the area can be properly signed as "No Parking." Mayor Mowen then informed Ms. Caruthers that the Borough will place "No Parking" signage along the grass strip between Railroad Avenue and the Major Winters Memorial Trail parking lot during the week of the Ephrata Fair; further requesting Chief Petrick to make note of the request.

With no additional public comments, a motion was made by Vice President Reinhold, seconded by Ms. Martin, to close Public Comments at this time.

It was moved by Mr. Richard, seconded by Mr. Zimmerman, and unanimously passed via roll call vote that Borough Council adopt Resolution No. 2021-31 providing for price adjustment of bituminous materials in small quantities associated with Bid #21-4 Street Improvements.

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council conditionally approve UGI’s plans to install natural gas main in and adjacent to West Franklin Street in accordance with UGI Plan WR #915177, Sheets 1-10 dated May 5, 2020, subject to a fully executed agreement in a form acceptable to the Borough Solicitor, Borough receipt of a satisfactory performance bond, certificate of insurance naming the Borough of Ephrata as additional insured and payment in lieu of final pavement restoration in the amount of \$53,624.42.

It was moved by Mr. Richard, seconded by Mr. Dudley, and unanimously passed that Borough Council approve entering into a Municipal Winter Maintenance Services Agreement with the Commonwealth of Pennsylvania, acting through PennDOT.

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council adopt Resolution No. 2021-32 authorizing the President of Borough Council and Borough Assistant Secretary to execute a Municipal Winter Maintenance Services Agreement with the Commonwealth of Pennsylvania, acting through PennDOT.

It was moved by Mr. Richard, seconded by Mr. Zimmerman, and unanimously passed that Borough Council conditionally approve the July 21, 2021 letter requests from the Christmas in Ephrata Committee of Mainspring of Ephrata to conduct activities associated with the annual Christmas Tree Lighting and Santa’s Arrival event planned for Friday, November 26, 2021 subject to EMC Randy Gockley’s approval and establishment of an Incident Support Plan, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and Borough receipt of a Special Events Permit issued by PennDOT to close a numbered state route with Mainspring of Ephrata as applicant.

It was moved by Mr. Richard, seconded by Mr. Dudley, and unanimously passed that Borough Council approve the Borough of Ephrata Parking Space Lease Agreement for the Franklin Street parking lot.

Municipal Enterprises Committee

It was moved by Ms. Martin, seconded by Mr. Richard, and unanimously passed via roll call vote that Borough Council award Bid #21-5 Contract Waste & Recyclable Materials Collection to apparent lowest bidder, Republic Services of PA, LLC of Marietta, PA, in the total base bid amount of \$705,389.76 for the first year of the contract.

It should be noted prior to the vote, Ms. Martin sought clarification as to how the lowest bidder was chosen; in which, Ms. Bartow advised that within the Borough, trash/refuse service is optional while recycling service is mandatory. Ms. Bartow then provided the following cost breakdown:

Hauler	Refuse Cost per Unit	Recycle Cost per Unit	Total Refuse + Recycling Cost per Unit
Eagle Disposal	\$ 7.96	\$7.96	\$15.92

Republic Services	\$10.50	\$6.12	\$16.62
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Ms. Bartow advised the Borough currently has 2,842 contract waste customers and 4,729 recyclable materials customers. Ms. Bartow further advised that while Eagle’s total refuse and recycling cost is lower than Republic Services, when factoring in the number of customers for each service, Republic Services’ totals for the recycling costs are lower resulting in them being the lowest bidder.

Ms. Martin then inquired if there are less refuse customers than recycling customers; in which, Ms. Bartow confirmed the lower number of refuse versus recycling customers within the Borough.

Mr. Zimmerman inquired if the same bidding procedure was used for this bid as was used five years prior; in which, Ms. Bartow confirmed it was.

Mr. Barr sought clarification that the State requires municipalities to accept the lowest bid; in which, Ms. Bartow advised he was correct and that information was made clear within the bid documents.

In response to Mr. Richard’s inquiry as to how the number of customers is established as they fluctuate, Mr. Zimmerman advised that historic data is used to determine a base bid as there needs to be a starting point. Mr. Zimmerman further advised the end result, based on the way each firm bid, indicates that Republic Services is the low bidder. Mr. Richard advised while he agreed with Mr. Zimmerman’s comments, he would appreciate the Solicitor’s input if he is in agreement with that thought process.

Solicitor McManus, addressing Mr. Burkholder, asked for responses to following questions:

<i>Q.</i>	<i>The procedure has been used for some time, is that correct?</i>
<i>A.</i>	As far as I know, yes, it’s been the Lancaster County Solid Waste Management Authority document.
<i>Q.</i>	<i>The bid as prepared ... is that consistent with the Lancaster County Solid Waste Management Authority guidance and documents that the Borough has been following?</i>
<i>A.</i>	Yes.
<i>Q.</i>	<i>And is Ephrata the only municipality that calculates the recyclable and trash variables the way this bid as composed?</i>
<i>A.</i>	From what I was told, we’re not the only one ... but there aren’t too many.
<i>Q.</i>	<i>When the bids were prepared, is it clear to you that the proposal was to award the bid to the lowest responsible bidder?</i>
<i>A.</i>	Yes.
<i>Q.</i>	<i>The bid protest letter asserts that the bid is not in the public interest ... but correct me if I’m wrong ... those very same specifications and the method by which the bid prices were allocated is the same procedure, same formula that was used five years ago when Eagle was awarded the contract and there was no representation by Eagle at that point in time, to my knowledge, that that was not in the public interest ... is that fair to say?</i>
<i>A.</i>	I believe that’s fair, yes.

Solicitor McManus concluded his comments by advising there is no law that bars Council from acting on the recommendation that is before them. President Rowe, addressing Mr. Richard, inquired if he received

the information he was seeking; in which, Mr. Richard advised he did.

Mr. Ressler advised he reviewed the proposed bid document several times and observed the contract is set to be awarded October 1, 2021. Mr. Ressler stated, "... with that date quickly approaching and now being asked to reopen the bidding process, that, to me, would be precluding the other bidder because Eagle is going to say, "... well, we'll automatically extend their contract" while we do a new bidding process ... I don't see that as being exceptionally fair to Republic." Mr. Ressler further stated, "... the mandatory portion of this is the recyclables with Republic Services being considerably cheaper than Eagle on that portion of it ... that's the mandatory part ... and the other part can fluctuate ... quite frankly ... personally, I do not see a basis for that protest letter."

Community Services Committee

It was moved by Mr. Ressler, seconded by Mr. Barr, and unanimously passed via roll call vote that Borough Council grant Mainspring of Ephrata's request to use Whistle Stop Plaza from November 1, 2021 to January 7, 2022 for Holiday events subject to the receipt of a Certificate of Insurance naming the Borough of Ephrata as an additional insured.

Personnel Committee

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council approve the Borough Manager Job Description as revised by the Personnel Committee.

It was moved by Vice President Reinhold, seconded by Mr. Ressler, and unanimously passed that Borough Council approve the Assistant Borough Manager Job Description as revised by the Personnel Committee.

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council approve the Finance Manager Job Description.

APPROVAL OF CHECKS 45691 THROUGH 45908 AND THE ACH REGISTER DATED JULY 28, 2021

It was moved by Mr. Ressler, seconded by Mr. Barr, 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 \$857,770.52.

OPPORTUNITY FOR CITIZENS TO BE HEARD

Teresa Caruthers, 229 Railroad Avenue, Ephrata, expressed she wished to expand on Ms. Zimmerman's comments regarding Steinmetz Road. Ms. Caruthers advised there are no sidewalks and the trailer park is located close to the roadway. Ms. Caruthers then referenced her previous comments (from the August 2, 2021, Work Session) regarding her safety concerns and that she requested Steinmetz Road be evaluated for a possible lower speed limit and/or caution signs to be placed. President Rowe requested the matter be added to the August Highway Committee's meeting agenda; in which, Mr. Burkholder advised he has already requested the police department to place a speed check device in that area and is hoping for the data will be available in time for the August 23, 2021 Committee meeting.

Secondly, Ms. Caruthers advised she received information from Randy Gockley, Emergency Manager, that "Emergency Procedures for Borough Residents" was published in the August 4, 2021, edition of The Shopping News. Ms. Caruthers requested the information be added to the Borough website; in which, President Rowe requested Ms. Bartow to have Staff complete her request.

Thirdly, Ms. Caruthers stated, "... I really think it might be a good idea to stop the gas lines because I ... you know ... there might be stranded assets being put in as far as future ... future issues with fossil fuels." President Rowe, addressing Mr. Burkholder, inquired if the Borough is allowed to refuse utilities; in which, Mr. Burkholder advised he does not believe so. Solicitor McManus advised the State Constitution requires the allowance for a utility to put their lines.

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

DISCUSSION/ANNOUNCEMENTS

Ms. Martin expressed her sincere appreciate to the volunteers of the local fire companies who battled the Weaver Nut Company and Locust Street house fires. Ms. Martin stated, "... it's just amazing what you guys do ... put your lives on the line ... I just want to give you a really ... a really big shout out because I know it has not been easy for you guys this week ... so thank you for that."

Ms. Martin then requested the fire company officials in attendance to provide their comments regarding the water supply at some time in the near future.

Ms. Martin advised she wished to address some derogatory remarks that were posted on Facebook aimed at Borough Council; specifically, addressing the following quote, "... I want to make the changes that our community deserves ... no backroom deals ... no lined pockets ... no dirty dealings." Ms. Martin further advised she is speaking for herself; however, other Council members may or may not have the same experience that she does. Ms. Martin then read the following statement:

"I have served this Council for over five years ... I did some rough math and I took into consideration our Committee meetings, our Work Sessions, all of the specialty meetings we have throughout the years and I came up with I've served about 1,056 hours ... I have never been paid a cent for my time ... nor do I expect to be paid ... I was never part of a discussion that included the matter of insufficient water should a disaster arise ... I have never lined my pockets with anything other than the humbleness I have towards the voters of the 4th Ward that have entrusted me to make decisions on their behalf ... I have never been involved in dirty dealings ... nor have I seen anything of the like through my Council members ... but this is what I have seen ... I have seen my fellow Council members show up at meetings prepared and ready to make the decisions for our community ... they take time away from their families ... time away from their hobbies ... time away from their recreational time to show up here with total professionalism ... I especially hold our Council President in the highest regard ... she conducts Council meetings with patience and fairness ... she painstakingly reviews proper procedures and protocols and implements them with the highest integrity ... she inspires and guides our members to make sound, thought out decisions for our community ... that's what I see ... and in closing, I just want to say I'm very proud to serve with such outstanding people who aren't deserving of the comments that were posted."

President Rowe advised prior to Ms. Martin's statement, she requested information regarding the recent fire at the Weaver Nut Company; in which, Rich Gehman, Fire Chief, Lincoln Fire Company, advised while his response was delayed in arriving on scene as he was out-of-state, he will provide details of what he knows. Mr. Gehman advised prior to the arrival of Engine 16-1 (Lincoln Fire Company) on scene, there were already flames through the roof as well as throughout the building resulting in a "large, heavy, significant fire." Mr. Gehman further advised the single 12" water main which runs along West Main Street "... met and exceeded our expectations ...". Mr. Gehman advised while there are fire hydrants located throughout the roadway, not each one can be opened or connected to simultaneously further commenting that firefighters are trained to handle these types of situations.

In referencing derogatory comments made about the lack of water, Mr. Gehman stated, "... the magnitude of that fire obviously did exceed ... and I'm not sure where the things came from for running out of water ... no time did they really lose water supply ... both engines had water." Mr. Gehman advised that Pioneer Fire Company laid a supply line from Durlach/Woodcorner to the scene and initially tankers, which is basically a fire truck that has at least a 2,500 gallon water tank, were brought in to assist (the total of tankers being 26-27) from throughout the County. Mr. Gehman stated, "... this is not an uncommon thing in rural water supply ... we train for this ... we practice for this." Mr. Gehman did advise there was a short drop in water due to another fire company unknowingly hooking up a line to a fire hydrant while others had already been opened; however, the issue was quickly resolved.

Mr. Gehman stated, "... the fire hydrant system did meet our expectations for those two hydrants and 3,000 gallons (a minute) of water was not stopping that fire ... it's that big ... it's that large from the beginning." Mr. Gehman further stated, "... we did our preliminary reviews ... between our pre-plans, our system planning worked ... all fire companies worked extremely well together."

Mr. Gehman provided an overview of where tankers were placed as well as where fill sites were located. Mr. Gehman stated, "... from an overall standpoint, I think the command officers did an excellent job ... all of the fire companies did an excellent job ... yes, we lost the warehouse ... but they saved the store ... their office ... and basically saved three businesses - Horst Auction Center, Red Run Exhaust, and Zimmerman Masonry." Mr. Gehman further stated, "... yes, we had a major loss ... we had a major fire ... but I also look at everything that was saved."

Mr. Gehman concluded his comments by stating, "... our preplanned ideas for the water system ... it exceeded ... it met and exceeded our expectations."

Mr. Barr inquired if a water bombing aircraft would have been helpful to assist in fighting the fire; in which, Mr. Gehman responded that he has never used one in his tenure as a firefighter and is not sure where the closest one is located. Emergency Manager Randy Gockley advised the closest unit would be Indiantown Gap or Hazleton where the Bureau of Forestry maintains their usage.

Mr. Barr further inquired if there were ultralights in their area and if they were a hindrance to fire personnel; in which, Mr. Gehman advised he is not aware of any, however, he does know some agencies on scene had drones in the air. In response to Mr. Barr's inquiry, Mr. Gockley advised that Chief Steffen, Northern Lancaster County Regional Police Department, reported there was an ultralight in the area.

Mr. Richard inquired if a game plan was already in place for fire company personnel to follow on how to address a fire of this magnitude in this particular area; in which, Mr. Gehman advised that personnel is trained how to handle this type of scenario.

Mr. Richard clarified that the water line being referenced is located within Clay Township and is serviced through the Ephrata Area Joint Authority, not the Borough of Ephrata. Mr. Richard further clarified the water line is the line that was requested by Clay Township to service that area.

Mr. Richard then inquired if the Borough experienced any difficulties during this time; in which, Mr. Nigrelli clarified that Borough residents/taxpayers were not affected in any capacity. Mr. Nigrelli further advised a meeting is scheduled between Lincoln Fire Company representatives, Pioneer Fire Company representatives and Borough Staff for further discussions.

In concluding his comments, Mr. Richard stated, "... I just want to mirror Linda's (Martin) comments ... her original comments about the Council ... I have been here 16 years and all of the comments that were

said, I ... I totally ... I'm all in on her comments as far as what she said and how she said it ... I took offense to some of the stuff I saw ... took direct offense to it and I think it so un-based and just has no bearing whatsoever whether it be about the Council, the fire, the impact to the Borough ... it's just all ridiculous."

Mayor Mowen advised while on the fire scene, he witnessed an ultralight as well as a paraglider flying through the smoke. Mr. Gehman advised that if any rules were violated, it is his belief that would fall under Northern Lancaster County Regional Police Department.

President Rowe thanked Mr. Gehman for his time to discuss this matter with Borough Council.

Mr. Barr, referencing the vote for the trash hauler, stated, "... although legally mandated and obviously the low bid was a difficult one." Mr. Barr further stated, "... I wish them (Eagle) success and recovery and I hope that they do well here in the future."

Mr. Barr, in referencing the recent fires in the area, stated, "... the fire company volunteers have got to be dog tired ... you've been busy ... and I think you all did a fantastic job!"

Vice President Reinhold extended his appreciation to all of the fire companies that responded. Vice President Reinhold stated, "... I'm sure it's difficult with "that many chefs in the kitchen" at a location like that to get everything going, but that's what you guys train on ... that's what you do."

Vice President Reinhold then stated, "... I'm just going to continue to keep my focus and my energies on looking forward ... being positive ... learning if there are mistakes with what we have ... I'm not going to give my time to baseless claims ... that's just how I'm going to approach life ... because if you do, you just get pulled down into the muck and it's nonsense ... I guess my parting thought would be let's ... let's just be grateful that Horst and Red Run Exhaust and ... the office and the store were all pretty much saved ... that was some blaze ... we'll probably have another debrief, I'm sure, next Monday night at Public Safety and we'll see if the leadership that's there can determine if we're still doing what's right or if we are not providing that direction for the community which I'd like to think we are."

Vice President Reinhold concluded his comments by advising there will be a Personnel Committee meeting held approximately 15 minutes upon the conclusion of the Voting Session.

Mr. Dudley echoed his gratitude and appreciation for the volunteers of the fire companies. Mr. Dudley advised his church was hosting a Vacation Bible School during the time of the blaze which allowed for "... some good opportunities for us to say a prayer for you all, but also even to talk through just all of the different ways you provide service to our community." Mr. Dudley, in referencing the Locust Street fire, stated, "... I'm thankful for the swift response to that and we've been able to help provide some additional support to those families and making sure that they are covered there to ... it is kind of fascinating to see just how many fires we've been seeing in this region ... so, as everyone else said, I will echo it too ... just very, very thankful for that support there."

Mr. Dudley concluded his comments by expressing his thankfulness for the police department and all that they provide to the community. Mr. Dudley, in referencing the electric bicycles, advised he is thankful for the creative ways to be able to be within the community to create awareness as well as build relationships. Mr. Dudley ended his comments by stating, "... I'm excited where Ephrata is headed."

Mr. Zimmerman referenced the phenomenal job done by the fire companies as well as Borough Staff for their efforts in handling a fire of that magnitude. Mr. Zimmerman advised he has not heard any

complaints from any person in the Borough stating they experienced a drop in water pressure “ ... so kudos to the Staff as well ... just a phenomenal job.” Mr. Zimmerman concluded his comments by stating, ‘... the Borough water system has been great over the years and I’ve never heard that there has been any problem with lack of pressure or issues with our system so I think that’s another bonus that we have within the Borough.’”

Mr. Ressler added his appreciation to the fire companies pointing out that, “... these individuals are all 100% volunteers and they are giving of their time freely and they gave an awful lot of time ... there’s no amount of appreciation we could ever extend to them that would be equal to what they do for us ... thank you to you guys.”

Mayor Mowen, in referencing the Cherry Street matter discussed at the Work Session, inquired as to where and when will it again be discussed; in which, President Rowe advised it will be brought before the Development Activities Committee for further discussion at their August 23, 2021, meeting starting at 7:30 PM.

Mayor Mowen then advised he prepared a statement he wished to read:

“On Wednesday, August 4th, at about 6:30 PM, we had an emergency situation in Clay Township. We had the worst fire in the area in almost 20 years.

In an effort to bolster a political campaign, an individual has made comments and accusations that were not only untrue, but slanderous. There is a 12” main, as the Chief said, running out the 322 corridor. This line provides adequate water to handle a normal fire situation. There was a fire in a residence on Woodcorner Road that would be a prime example.

Weaver Nut was definitely not a normal fire. There was no issue with the water supply other than the fact that you can only get so much through a pipe. There were one to two, and as we heard today, three or four pumpers attached to that 12” line. No 12” line could handle that kind of draw. These pumpers pump at about 1,500 gallons a minute. That would pull more water than any line could provide.

In an effort to assist the water flow, the Water Department had pumps running in the Borough to push more water. Even so, the pumpers were pulling more than could be provided; thereby, pulling the Lincoln reservoir down to a near critical level. That is when the request was made to back off a little.

A rumor is going around that is if the Water Department would’ve provided more water, the building could have been saved. That is totally untrue. The building was almost fully involved when the fire company got there.

Comments were made that the firemen had to pump water from a creek. Very definitely. That is normal rural firefighting operation. Tankers were used. There are prepositioned fill sites for use to get water to the fire. These are predesignated fill sites around the area that the fire companies practice with on a regular basis. That is normal firefighting operation. I might say that the tankers worked very well in providing water for the suppression operation.

There is an online comment that shows lack of knowledge about rural fires. A huge amount of water was needed to supply (and I may not have the exact number) but three or four aerial pieces and God knows how many hand lines - far more than the main could supply.

An internet posts stated that the Borough’s water – which, by the way, the water system is owned by

EAJA, not the Borough – has been warned numerous times that the system cannot supply enough water in an emergency situation. Totally not true. As stated earlier, the system can handle a normal structure fire. You could not have had a large enough system to handle this emergency situation.

When the writer made the unfounded and slanderous accusations that officials made backroom deals, lined their pockets and conducted dirty deals, they crossed the line. The writer has turned a major disaster into a request for votes. They are using the loss and suffering of the Weaver family and their employees to ask for support in a campaign even though the posts are untrue, inaccurate and slanderous. Unfortunately, some people will buy into these distortions of the facts.

All of this, in my opinion, shows that that the writer does not have the qualities needed to fill a Council seat. I'm truly sorry for the loss of the Weaver family and employees. I'm extremely proud of the hundreds of dedicated volunteers who spent over 10 hours just that day fighting that fire. But I am disgusted that someone would make an attempt to turn this tragedy into a political issue.”

Chief Petrick, in referencing the electric bicycles, advised officers were deployed and attended the Mainspring of Ephrata Whistlestop functions as well as attended and walked through the Ephrata Community Pool. Chief Petrick further advised the Department is using that mobility as part of community policing.

President Rowe expressed her gratitude and appreciation to all of the volunteers. President Rowe stated, “... you know how I feel about the fire companies ... I get teary eyed when I talk about it ... I am just in awe of each and every one of you and the commitment that you have to the citizens of our community ... thank you very much.”

President Rowe concluded her comments by advising that Council will meet in a special Executive Session on Wednesday, August 25, 2021, at 4:00 PM to discuss a personnel matter.

ADJOURNMENT

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 8:59 PM.

Respectfully submitted,

D. Robert Thompson, Secretary