

**EPHRATA BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
AUGUST 14, 2023**

The regular Ephrata Borough Council meeting was called to order by Vice President Linda Martin at 7:00 PM on August 14, 2023, in the Council Chambers of the Borough Office, 124 South State Street.

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

Also in attendance were Borough Manager Nancy Harris, 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  
Steve Aronson, 424 Lake St., Ephrata  
Richard Gehman, Lincoln Fire Company  
Mike Kiefer, Pioneer Fire Company

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

**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.

Vice President Martin asked if there were any requests to add a matter of Borough business to the meeting agenda. Ms. Harris advised of the following additional time-sensitive action items:

1. That Borough Council adopt Resolution 2023-17, authorizing the Borough Secretary to commit to purchase energy blocks in accordance with the Power Supply Master Plan. (Municipal Enterprises Committee)
2. That Borough Council approve the request from Ephrata Pioneer Fire Company to close South State Street from West Franklin Street to Fulton Street on Tuesday, August 29, 2023, from 5:30 PM to 9:30 PM to conduct an open house. (Highway Committee)

Vice President Martin asked for a motion to accept the additional action items to the meeting agenda. Mr. Richard moved and Mr. Ressler seconded to approve the addition of the two action items to the meeting agenda. Motion carried unanimously.

Vice President Martin then asked for a motion to accept the amended meeting agenda. Mr. Richard moved and Mr. Ressler seconded to approve the amended meeting agenda. Motion carried unanimously.

## **APPROVAL OF MINUTES**

Mr. Barr moved and Mr. Richard seconded that Borough Council approve the July 3, 2023, Work Session Meeting Minutes and the July 10, 2023, Regular Meeting Minutes. Motion carried unanimously.

## **MUNICIPAL MOMENT – RICHARD GEHMAN, LINCOLN FIRE COMPANY**

Richard Gehman, Chief, Lincoln Fire Company, began his presentation by extending his appreciation to Council for their support of the Lincoln Fire Company over the years. Chief Gehman then reviewed the Fire Company's Mission Statement, Vision Statement, Values and Motto followed by an overview of the services they provide to the community as well as an inventory of their apparatus.

Chief Gehman reviewed their 2022 and 2023 (through July) statistics advising there was a total of over 14,046 volunteer hours in 2022 and that 2023 is on track to be an even higher number of hours. Chief Gehman highlighted the Fire Company's 2023 Goals and Projects to include: (1) Continue All Operations Levels; (2) Training Events and Hours; (3) Implementation of New Firefighter Training Levels; and (4) Implementation of New Fire Records Management Software. In addition to their Goals and Projects, Chief Gehman advised they are continuing to review, revise and update their Standard Operating Guidelines and By-Laws.

Chief Gehman provided an overview of the newly established firefighter training levels implemented with the Fire Company: (1) Entry Level = New Member; (2) Level 1 = Exterior Firefighter; (3) Level 2 = Interior Firefighter; (4) Level 3 = "Senior" Firefighter, as well as the Vehicle Rescue Level. Chief Gehman then provided an overview of the new fire records management software, First Due, and its features which include the following modules: (1) Fire Reporting; (2) Training; (3) Personnel; (4) Pre-Incident Planning; (5) Mapping; (6) Fire Hydrant Locations; (7) Water Source Locations; (8) Apparatus Records; (9) Equipment Inventory; (10) Electronic Apparatus Checks; (11) Electronic Equipment Checks; (12) Fire Safety; and, (13) Events & Activities.

Chief Gehman provided an update on the "New Engine 161 Committee" advising a new replacement engine is on order and has an anticipated delivery date in the Spring of 2026. Chief Gehman advised that a Research Committee has been established to look into replacement options for their current Traffic 16 vehicle.

In concluding his presentation, Chief Gehman again expressed his, as well as Lincoln Fire Company's, appreciation to the community and Borough Council for their continued support and opened the floor for questions.

Mr. Ressler inquired if the Lincoln Fire Company collaborates with the Pioneer Fire Company; in which Chief Gehman confirmed that both Fire Companies work collectively in numerous matters and situations. Chief Gehman commented that the two Fire Chiefs work together and he feels that is a benefit to both the Fire Companies and the community.

Mayor Mowen, referencing the Fire Police for both Companies, advised that they do work as one as their job descriptions are under the Borough's purview.

Vice President Martin extended her appreciation to Chief Gehman for his presentation.

### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

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

### **ACCEPTANCE OF REPORTS**

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

### Development Activities Committee

The Development Activities Committee met on July 24, 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.
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.

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

### **Action Items:**

1. The Committee reviewed Bid 23-5 to repair the façade at the Public Works garage. The Committee will recommend that Borough Council award the bid to Old Philadelphia Associates, Inc., for \$119,905.50.
2. The Committee reviewed a request to serve alcohol at the 2024 FoodStock event on June 9, 2024. The Committee felt comfortable with the proposed safety measures and will recommend that Borough Council approve the request subject to receipt of a PLCB Special Occasion Permit.

### **Discussion Items:**

1. The Committee reviewed the 2<sup>nd</sup> Quarter Budget Report for activities under their purview. There were no concerns regarding the budget report raised at this meeting.
2. Ms. Harris reviewed the information and updates for the Downtown Strategy with the Committee.
3. The Zoning Hearing Board did not meet in July so there are no decisions.
4. There were no new applications for the August Zoning Hearing Board meeting.

### Public Safety Committee

The Public Safety Committee met on July 17, 2023, at 6:30 PM at Ephrata Borough Hall, 124 South State Street.

### **Approval of Agenda:**

Sgt. Randolph 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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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. None

### **Discussion Items:**

1. Emergency Management Report - Randy Gockley
  - July 4<sup>th</sup> activities within the Ephrata Community went well. There were two minor medical incidents during the race; 1 resulted in transport, 1 did not.
  - The Ephrata Recreation Center may be used as a cooling center during anticipated heat emergencies.
  - All plans requiring EMA review/approval have been reviewed/approved.
  - There were no Covid deaths reported in Lancaster County last month for the first time since March 2020.
  - In light of recent fatal flash flooding in the Philadelphia area, Mr. Gockley pointed out officials stated that the people who perished did not drive into water or disregard "road closed" signs, but rather, were caught in a "wall of water."
2. Police Report – Sgt. Randolph provided a summary of the monthly police report.
3. Quarterly Budget Review – The Committee reviewed the 2<sup>nd</sup> Quarter Budget Report for activities under their purview. Ms. Harris indicated that expenditures were consistent with what would be expected for this point in the year.
4. International Property Maintenance Code Update – Ms. Harris shared that in order to move forward with the "quick ticket" process, all codes for which the Borough wants to be able to write a "quick ticket" will need to be updated. Still lots of work to do to be set up for use of the "quick

ticket” program. The goal is to have the ordinance in final draft format next month. Also adding a “temporary structures” section.

5. Security Cameras – Pending the Police Chief and Mayor meeting with the facility security advisor.
6. Patrol Fleet Lease – Sgt. Randolph provided an initial informational presentation on the upcoming Police Department patrol fleet lease proposal. The final payment on the current patrol fleet was made earlier this year.
7. Nuisance Activity – Joy Ashley from Mainspring expressed concern with people spending extended periods of time at the Whistlestop Plaza. She also stated that they have noticed less police presence downtown. Mr. Ressler asked about whether there were consistent foot patrols downtown. Ms. Ashley asked about the definition of “loitering,” to which Sgt. Randolph responded that there is not a crime for loitering in a public. Ms. Martin inquired about the discarding of abandoned property left in public. There was discussion about abandoned property versus stored property.

**Miscellaneous Items:**

1. Council President Reinhold inquired about a sharp increase in arrests for the month of June. Sgt. Randolph explained that it would require an additional review of the arrest data to understand what may be driving that trend.
2. Rich Gehman, Fire Chief, Lincoln Fire Company, shared that the emergency services involvement at the July 4<sup>th</sup> fireworks event went well and was a very cooperative effort with five (5) total fire companies assisting (Lincoln, Pioneer, Akron, Durlach/Mt. Airy, and West Earl FD’s), two (2) ambulance companies (Ephrata and Rothsville).

Highway Committee

The Highway Committee met on July 24, 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 Vice Chair Martin asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Ms. Martin asked for a motion to accept the meeting agenda as posted. Mr. Musser moved, and Mr. Buohl seconded to approve the meeting agenda as posted. The motion carried unanimously.

**Action Items:**

1. The Committee reviewed a July 19, 2023, letter from UGI Utilities, Inc. requesting a temporary closure to Rose Alley between Washington Avenue and North State Street to install a natural gas service to the rear of 34 East Main Street between 7:00 am and 4:00 pm on August 22 and 23, 2023. Borough staff will notify Mainspring of Ephrata staff regarding this alley closure. 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, providing access to emergency vehicles responding to an emergency, and re-opening of Rose Alley to all traffic by no later than 3:00 pm on August 23, 2023, at their August 14, 2023, meeting.
2. The Committee reviewed a July 6, 2023, letter from UGI Utilities, Inc. requesting a temporary closure to Sugar Alley between Lake Street and Adams Alley to install a natural gas service line to the rear of 47 East Main Street between 7:00 am and 4:00 pm on August 17, 2023. The Committee will recommend that Borough Council conditionally approve the temporary alley closure subject to providing access to emergency vehicles responding to an emergency at their August 14, 2023, meeting.
3. The Committee reviewed a PennDOT Municipal Winter Maintenance Services Agreement Renewal Letter and Exhibit A for SR 0322 between Bethany Road and Market Street for the 23-24 winter maintenance season which is the 3<sup>rd</sup> year of a 5-year agreement. The total anticipated reimbursement to the Borough for the 23-24 winter season is \$15,392.05. The Committee will recommend that Borough Council reactivate the agreement for the 23-24 winter season and authorize the Borough Secretary to execute the Renewal Letter and Exhibit A at their August 14, 2023, meeting.

**Discussion Items:**

1. Staff followed up on a citizen concern last month regarding ADA accessibility along West King Street and discussed with the Committee an email provided by the Borough's liability insurer. This item will remain as a discussion item for further dialog at a future Committee meeting.
2. The Committee reviewed the 2<sup>nd</sup> Quarter 2023 Budget Report for those activities under their purview and noted that snow and ice control numbers were lower than expected due to the milder winter months of January through March with little snow and ice. Mr. Burkholder updated the Committee on capital projects.

**Old Business Items:**

1. Staff is formulating a parking kiosk plan which will be included for review in the draft Capital Project Budget for 2024.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on July 17, 2023, at 5:30 PM at Ephrata Borough Hall, 124 South State Street.

**Approval of Agenda:**

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

**Action Items:**

1. The Committee reviewed a recommendation to provide written support for the County Watershed Act 167 Plan. The Committee will recommend Council approve the support letter at their August 14, 2023 meeting.

**Discussion Items:**

1. The Committee reviewed the 2<sup>nd</sup> Quarter Budget Report for activities under their purview. No significant issues were noted.
2. Staff provided an update on the production from the Ephrata-owned solar site. Mr. Morrison presented output/financial savings data for the energy purchased from the site. Staff will continue to provide periodic updates going forward.
3. Mr. Morrison presented data pertaining to Free Electric accounts. Staff was asked to provide more data and a policy concept is in progress.
4. Staff updated the Committee on the Quakertown Behind-the-Meter Generation issue at FERC. Mr. Morrison explained that FERC elected not to act on the issue essentially ending the argument. This is a positive outcome for the Pennsylvania Public Power communities.

Community Services Committee

The Community Services Committee met on July 24, 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.
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.

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. Melissa Zook is requesting to create walking trails in the wooded area on the Haller Homestead property. She would also like to clean up existing flower beds and possibly create more flower beds. Volunteers would do all of the improvements. The Committee will recommend that Borough Council grant the request subject to advice from the Borough Solicitor for the liability of the Borough.
2. The Committee reviewed a License Agreement to use land owned by Ephrata Borough Authority for a tree bank to be maintained by the Borough's Shade Tree Commission. The tree bank would be used to grow trees for the downtown tree lighting ceremony as well as trees to replace dead or dying trees owned by the Borough. The Committee will recommend that Borough Council enter into the License Agreement with Ephrata Borough Authority to create a tree bank at Trout Run Road, Tax Account Number 270-5674900000.

**Discussion Items:**

1. The Committee discussed the 2<sup>nd</sup> Quarter Budget Report under their purview. There were no concerns.
2. There was a discussion about securing the steps at the amphitheater at Grater Park. Items have been left unattended there. The Committee would like to consult the Borough Solicitor on what can be done with the items rather than securing the steps and having the items stored elsewhere in the Park.

July 2023 Borough of Ephrata Management Reports

July 2023 Borough of Ephrata Operations Reports

July 2023 General Ledger Report

Ephrata Pioneer Fire Company July 2023 Report

Lincoln Fire Company June 2023 Report

Lincoln Fire Company July 2023 Report

Ephrata Community Ambulance Association July 2023 Report

Emergency Management July 2023 Activity Report

Shade Tree Commission July 2023 Meeting Minutes

2<sup>nd</sup> Quarter 2023 Department Reports:

- Finance
- Police
- Electric
- Inspection Codes
- Wastewater
- Public Works
- Water
- Sanitation

2<sup>nd</sup> Quarter 2023 Organization Reports:

- Ephrata Public Library
- Ephrata Recreation Center
- Mainspring of Ephrata

2<sup>nd</sup> Quarter 2023 Mayor's Revenue Report

**NEW BUSINESS ITEMS**

**STANDING COMMITTEE RECOMMENDATIONS**

**Development Activities Committee**

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council award Bid 23-5 to Old Philadelphia Associates, Inc., for \$119,905.50. Motion carried unanimously via roll call vote.

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council grant a request to serve alcohol at the 2024 FoodStock Music and Arts Festival at Grater Park on Sunday, June 9, 2024, subject to receipt of a PLCB Special Occasion Permit. Motion carried unanimously.

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council authorize the President of Ephrata Borough Council to sign a letter of support for Mainspring of Ephrata's application for a DCED Keystone Communities Planning Grant. Motion carried unanimously via roll call vote.

**Highway Committee**

Mr. Richard moved and Mr. Musser 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, providing access to emergency vehicles responding to an emergency, and re-opening of Rose Alley to all traffic by no later than 3:00 pm on August 23, 2023. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council conditionally approve the UGI Utilities, Inc. Sugar Alley closure request subject to providing access to emergency vehicles responding to an emergency. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council reactivate the 3<sup>rd</sup> year of a 5-year agreement with PennDOT regarding municipal winter maintenance services for the 2023-24 winter season and authorize the Borough Secretary to execute the Renewal Letter and Exhibit A. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council approve the request from Ephrata Pioneer Fire Company to close South State Street from West Franklin Street to Fulton Street on Tuesday, August 29, 2023, from 5:30 PM to 9:30 PM to conduct an open house. Motion carried unanimously.

**Municipal Enterprises Committee**

Mr. Zimmerman moved and Mr. Richard seconded that Borough Council authorize the Borough Secretary to sign a letter of support for the County Watershed Act 167 Plan. Motion carried unanimously.

Mr. Zimmerman moved and Mr. Richard seconded that Borough Council adopt Resolution 2023-17, authorizing the Borough Secretary to commit to purchase energy blocks in accordance with the Power Supply Master Plan. Motion carried unanimously.

### **Community Services Committee**

Mr. Barr moved and Mr. Ressler seconded that Borough Council grant a request to hold the 2024 FoodStock Music and Arts Festival at Grater Park on Sunday, June 9, 2024, subject to the conditions of having four (4) additional portable restrooms available for the event, a Certificate of Insurance naming the Borough additionally insured, and an approved Incident Action Plan by Emergency Management. Motion carried unanimously.

Mr. Barr moved and Mr. Ressler seconded that Borough Council allow volunteers to create walking trails and flower beds at the Haller Homestead subject to recommendations from the Borough Solicitor regarding liability. Motion carried unanimously.

Mr. Barr moved and Mr. Ressler seconded that Borough Council enter into the License Agreement with Ephrata Borough Authority to create a tree bank at Trout Run Road, Tax Account Number 270-5674900000. Motion carried unanimously.

### **APPROVAL OF CHECKS 51561 THROUGH 51801 AND THE ACH REGISTER DATED AUGUST 1, 2023**

Mr. Ressler moved and Mr. Barr seconded that Borough Council ratify the payment of bills performed by Staff since the last regular Council meeting in the aggregate amount of \$1,914,046.89. Motion carried unanimously.

### **OPPORTUNITY FOR CITIZENS TO BE HEARD**

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

### **DISCUSSION/ANNOUNCEMENTS**

Mr. Buohl commented that both Fire Companies did an “excellent job” at the recent apartment building fire in Ephrata Borough.

Mr. Zimmerman dittoed Mr. Buohl’s remarks.

Mr. Richard, addressing Ms. Harris, inquired if there is an update on the production of a sign for the solar farm; in which, Ms. Harris advised she will look into the status and provide Council with an update.

Mr. Richard advised he attended the Ephrata Cloister Associates’ Ice Cream Social event stating it was a “fantastic day” with a large number of people in attendance. Mr. Richard commented, “it was a big win for the Ephrata Cloister Associates.”

Ms. Martin advised that the last Concerts in the Creek event will be held on Tuesday, August 15, 2023.

**ADJOURNMENT**

Mr. Barr moved and Mr. Zimmerman seconded that Borough Council adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 7:50 PM.

Respectfully submitted,

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Nancy E. Harris, P.E.  
Secretary

SJF