

Myerstown, PA
Tuesday, February 9, 2016

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:32 p.m., on Tuesday, February 9, 2016. The meeting was held in Borough Council Chambers in the Myerstown Municipal Center, 101 East Washington Avenue, Myerstown, PA 17067.

Following the Pledge of Allegiance, a roll call was taken. Present were: President Bryan L. Rittle, Vice President Michael D. Behm, President Pro Tem Park W. Haverstick, II, Vince Podolski, Eric L. Powell, Jeffrey L. Thomas, Dana Reich, Mayor Gloria R. Ebling, Solicitor Frederick S. Wolf, Code Enforcement Officer John Neely, Assistant Manager Barry A. Ludwig, Deputy Secretary Lisa A. Brubaker and Manager Christopher J. Moonis. Absent was Treasurer Lee C. Smith.

The Meeting Minutes for January 11, 2016, and January 12, 2016 were presented. A motion was made by Park W. Haverstick, II, seconded by Dana Reich, to dispense with the reading of and approve the minutes of the Planning Meeting, January 11, 2016 and the Regular Monthly Meeting, January 12, 2016. All those in favor: Motion unanimously carried. All those in favor: Motion unanimously carried.

The President took the opportunity to thank everyone for their concerns for his wife following her accident last month. He appreciated the thoughts.

The President opened the floor for Citizens and Visitors Comments:

Ronald Ream – 621 S. Railroad Street – asked if there have been any decision regarding the intersections that were previously discussed for the possible four way stop placement. The Manager stated the Public Works Committee will be meeting to discuss four way stops, speedhumps, results of the traffic study, truck traffic, etcetera. It is all in planning so we have a plan for spring.

Sam Moyer – 107 E. Washington Avenue – added an observation on speedhumps. Out at the high school, they have speedhumps and they are shaped differently for easier passage. The President stated the Manager will provide information for newer products to the committee for their meeting.

The Council received reports from the Mayor, Department Supervisors, Solicitor and the Borough Manager. Staff was present to provide additional information on their report, and answer any questions from the Council.

Mayor Gloria R. Ebling presented her report. The Mayor thanked the road crew for a fantastic job during the snow storm. The storm and snow removal was discussed.

The Mayor stated Scott Yeagley is willing to serve as the Borough's EMA Director and Michael Yiengst has informed him that he is willing to serve as the Deputy EMA Director. If the Council appoints Scott Yeagley, his appointment then goes to the Governor. Once he is officially approved by the Governor, Council could appoint the Deputy. There was no State Police report.

The Code Enforcement Officer John Neely presented his report. The Council commented the report was nicely done. Several property maintenance and parking issues were discussed. The Code Enforcement Officer stated many have been completed and he is working on the outstanding issues.

Assistant Manager Barry A. Ludwig presented the Utilities report, which includes the Wastewater and Public Works Department. The Assistant Manager is requesting approval to move forward with the payment of the subcontractors for snow removal from the snow storm. The invoice from Landis Deck totals \$24,375.00; SLH invoice totals \$9,142.50; and Wenger's of Myerstown for the Skid Steer rental totals \$650.00. The Manager provided details for the State reimbursement. The application is due tomorrow and has been completed by the Assistant Manager and the office support staff. The Manager recommends the payments be made out of the General Fund, monies would be transferred from the investments with Edward Jones. Once the reimbursement from the State is received it would be deposited back to the same fund. The

Manager suggested \$45,000.00 be transferred from the investment account over to the operating cash, and he supports making the payments to the subcontractors. A motion was made by Park W. Haverstick, II, seconded by Michael D. Behm, to approve the payment of \$34,167.50 to those three entities for snow removal. All those in favor: Motion unanimously carried.

The Assistant Manager stated he had no comments on the ARRO Engineering Report, it is an overview to his report of the work being done.

The Solicitor Frederick Wolf presented the report. The Solicitor gave an update on the property at 212 – 214 W. Main Avenue. This property has been on the violation list and the Code Enforcement Officer has taken the property owner to the District Justice and fines were imposed. The property has been taken back by the bank at Sheriff Sale. They now have a buyer for the property. The Solicitor's office has received a call from the bank because the borough has liens placed on record against the property. All invoices for utilities, property maintenance costs, and attorney costs need to be prepared for submission to the bank. The Solicitor has provided the bank for the new owner at settlement, a copy of the Notice of Violation so the new owner knows what will be needed to bring the property into compliance. Once the Solicitor sees that the transfer of the deed takes place, he will get in touch with the new owner to provide them with the contact information to the Borough Code Enforcement Officer so they can coordinate with him a schedule to get the property code violations completed.

Regarding the Bahney Trust, the Manager met with the Doug and Greg Bahney, and they did agree the Borough would no longer be the trustee in holding the funds of the trust, which are set aside for beatification within the Borough. The Solicitor will be petitioning the court to have the Borough removed as trustee and substitute the Bahney Brother's as the trustees of the funds. The Borough has commented, instead of the Bahney Family Trust paying for the flowers, mulch, and cleanup at the pork chops, that the Borough would provide that service, as they did this year. This should be completed in the near future so the Borough is no longer involved in the trust part.

The Solicitor was contacted by the attorney office that represents the purchaser for a portion of the property at Quaker Alloy. He was informed the property owner is going to convert some of the buildings into uses and activate it again. He is coordinating with the attorney's office what needs to be done to reconnect the municipal water service, which will be done through the Water Authority and also to provide sewer service to the buildings that will be used. The hope is this will result in the development of the property.

Manager Christopher J. Moonis presented the report. On Monday, March 21, 2016 at 7:30 p.m., there will be a Zoning Hearing Board meeting on a petition from Chapel Road Enterprises, Inc. d/b/a Enck's Gun Barn. The purpose of the Zoning Hearing is to seek a special exception pursuant to the Borough Zoning Ordinance, for the installation of an indoor target range as an integral part of their retail store known as Enck's Gun Barn located in the Central Business District. The Manager will attend the hearing representing the Borough, if there are any concerns or comments from the body, let him know before the hearing. The neighboring property owners will receive notification of the hearing for comments, if required.

Scott Yeagley asked what the Councilmembers views are on the petition. Councilmember Park W. Haverstick, II stated if it is safe and noiseless he has no problem with the petition. The President stated with the technology they have today, combined with the fact that most of the building is underground it would be safe. Scott Yeagley stated his concern is the parking. The Manager stated parking is a good problem to solve, the fact that there is excessive parking in the commercial business district. This is an issue the Public Works Committee should take and look at further, as far as the Borough lot. It is inconvenient for residents, but it is a public street and people may park on a public street. The President stated this is an issue that Mr. Yeagley should present at the Zoning Hearing. It is not relevant to the petition but the hearing is the best forum for the owners to hear the concerns.

The Manager stated the Public Works Committee will be looking at parking on the Borough lot and how we can be more accommodating for parking.

The Manager asked for an executive session later in the meeting to discuss the acquisition of property. The Manager made a public statement on behalf of the Borough Council. The Borough is in formal negotiations for the Myerstown Elementary School Building with the ELCO School District. This information was made public at the School Board meeting last evening. The Manager felt it was an appropriate time to

publicly put it on record. The Manager thanked those who attend the Business Breakfast meeting. It was an excellent kickoff for 2016. We had very good attendance from the business community, plus Senator Michael Folmer, Congressmen Ryan Costello, Lebanon City Mayor Sherry Capella, and State Representative Russ Diamond were in attendance. It was a good day with a lot of good positive feedback and is just another jumping off point of what to expect in the future with economic development in the downtown area. He hopes to produce for Council in March an economic report that will highlight where we are at and where we are going.

The Manager and Councilmember Park W. Haverstick, II attended a meeting at Jackson Township regarding the proposed improvements to State Route 422. The meeting was similar to the meeting the Borough had with the Emergency Services. Thomas Kotay, Transportation Planning Consultant for Lebanon County was present for the discussion. The group meeting will be scheduled with Michael Keiser, PennDot Engineer to give him the concerns. The Borough area improvements can still be changed, but the Jackson Township portion may be too far for changes.

The President proceeded to the Committee Reports:

The Public Works Committee – (Vince Podolski, Dana Reich and Michael D. Behm) met at the Borough Parking Lot to look at the lot and discuss signage and regulation changes. Chairman Vince Podolski stated they will be meeting again with the Assistant Manager to discuss the parking needs. They will try to meet soon since the Zoning Hearing Petition has been submitted. The Borough Traffic Ordinance was reviewed and a copy will be given to the Public Works Committee.

The Utilities Committee – (Eric L. Powell, Park W. Haverstick, II and Jeffrey L. Thomas) Chairman Eric L. Powell stated the committee has not met yet, but will be meeting to discuss the trash collection in the Borough.

Park & Recreation Committee – (Jeffrey L. Thomas, Dana Reich, Park W. Haverstick, II,) Chairman Jeffrey L. Thomas stated the Recreation Board met on February 1, 2016 to meet with the perspective pool Manager for the 2016 season. An ad for lifeguards and snack bar workers will need to be placed.

The Christmas Light Contest winners were given. Jackson Township Recreation Members picked the borough winners and the Borough Recreation Members picked the township winners.

Treasurer Lee C. Smith prepared and presented Borough Council with the monthly Treasurer's Report. A motion was made by Michael D. Behm, seconded by Vince Podolski, to approve the Treasurer's Report and have it on file for audit. All those in favor: Motion unanimously carried.

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 02/08/2016

Activity for: January 2016

<u>GERNERAL FUNDS:</u>	<u>Activity</u>	<u>Date:</u> <u>01/31/2016</u>
	<u>FINANCIAL INSTITUTION:</u>	<u>BALANCES:</u>
OPERATING FUND:	FULTON:	Cash: <u>\$ 11,393.75</u>
	<u>\$ 62,118.00</u>	P-Card: <u>\$ 10,004.99</u>
	INCOME	Ed Jones: <u>\$ 300,335.20 BV</u>
	<u>\$ 75,497.43</u>	<u>\$ 299,531.03</u>
	EXPENSES	
	Transfer out: <u>\$ 17,225.00</u>	A/P: <u>\$ 13,442.48</u>
	Transfer in: _____	Payroll: <u>\$ 25,025.73</u>
<u>MV</u>		

Treasurer's Monthly Report – (continued)

Activity for: January 2016

<u>GENERAL FUNDS:</u>	<u>Activity</u>	<u>FINANCIAL INSTITUTION:</u>	<u>Date:</u> 01/31/2016
			<u>BALANCES:</u>
RESERVE ACCOUNT:		FULTON:	
	<u>\$ 49.77</u>	<u>\$ 245.00</u>	Cash: <u>\$ 4,703.20</u>
	INCOME	EXPENSES	Ed Jones: <u>\$ 423,528.09 BV</u>
		Transfer out: _____	<u>\$ 421,275.99 MV</u>
		Transfer in: _____	A/P: <u>\$ 245.00</u>
 <u>WASTEWATER FUNDS:</u>			
OPERATING FUND:		FULTON:	<u>BALANCES:</u>
	<u>\$ 130,675.73</u>	<u>\$ 54,383.90</u>	Cash: <u>\$ 131,473.60</u>
	INCOME	EXPENSES	P-Card: <u>\$ 6,000.00</u>
		Transfer out: _____	Ed Jones: <u>\$ 437,852.04 BV</u>
		Transfer in: <u>\$ 17,225.00</u>	<u>\$ 435,927.82 MV</u>
			A/P: <u>\$ 27,358.17</u>
			Payroll: <u>\$ 14,342.80</u>
			A/R: <u>\$ 46,167.70</u>
 RESERVE ACCOUNT:		FULTON:	<u>BALANCES:</u>
	<u>\$ 1,130.77</u>	<u>\$ 0</u>	Cash: <u>\$ 123,614.66</u>
	INCOME	EXPENSES	Ed Jones: <u>\$ 2,102,948.05</u>
		Transfer out: _____	<u>\$ 2,093,981.58</u>
	<u>BV</u>	Transfer in: _____	
	<u>MV</u>		
 DEBT SERVICE RESERVE:		FULTON:	<u>BALANCES:</u>
	<u>\$77,343.60</u>	<u>\$99,303.75</u>	Cash: <u>\$ 195,233.68</u>
	INCOME	EXPENSES	Ed Jones: <u>\$ 1,353,052.97</u>
		Transfer out: _____	<u>\$ 1,340,665.17</u>
	<u>BV</u>	Transfer in: _____	
	<u>MV</u>		A/R: <u>\$ 62,625.58</u>
 <u>WASTEWATER FUNDS:</u>		<u>FINANCIAL INSTITUTION:</u>	<u>BALANCES:</u>
REVENUE BOND, SERIES OF 2007:		PLGIT:	
	<u>\$161.41</u>	<u>\$ -</u>	Cash: <u>\$ 634,433.17</u>
	INCOME	EXPENSES	Ed Jones: <u>-</u>
		Transfer out: _____	
		Transfer in: _____	

Treasurer's Monthly Report – (continued)

Activity for: January 2016

<u>OTHER FUNDS:</u>	<u>Activity</u> <u>FINANCIAL INSTITUTION:</u>	<u>Date:</u> <u>01/31/2016</u> <u>BALANCES:</u>
UNEMPLOYMENT COMPENSATION:	PLGIT:	
	\$ <u>1.89</u>	Cash: \$ <u>92,003.26</u>
	INCOME	
	\$ <u>-</u>	
	EXPENSES	
	Transfer out: _____	
	Transfer in: _____	
LIQUID FUELS:	PLGIT:	<u>BALANCES:</u>
	\$ <u>11.16</u>	Cash: \$ <u>63,125.06</u>
	INCOME	
	\$ <u>-</u>	
	EXPENSES	
	Transfer out: _____	
	Transfer in: _____	
BEAUTIFICATION TRUST:	PLGIT:	<u>BALANCES:</u>
	\$ <u>7.67</u>	Cash: \$ <u>43,415.25</u>
	INCOME	
	\$ <u>-</u>	
	EXPENSES	
	Transfer out: _____	
	Transfer in: _____	
RECREATION:	FULTON:	<u>BALANCES:</u>
	\$ <u>18.53</u>	Cash: \$ <u>8,127.75</u>
	INCOME	
	\$ <u>7,065.00</u>	Ed Jones: \$ <u>20,033.94</u> BV
	EXPENSES	\$ <u>19,965.61</u>
	Transfer out: _____	
	<u>MV</u>	
	Transfer in: _____	A/P: \$ <u>7,065.00</u>
WM DERR SWIMMING POOL:	FULTON:	<u>BALANCES:</u>
	\$ <u>227.70</u>	Cash: \$ <u>1,088.51</u>
	INCOME	
	\$ <u>197.32</u>	Ed Jones: \$ <u>36,172.63</u> BV
	EXPENSES	\$ <u>35,701.82</u>
	Transfer out: _____	
	<u>MV</u>	
	Transfer in: _____	A/P: \$ <u>114.00</u>

MEMO:

- A/R – Accounts Receivable
- A/P – Accounts Payable
- BV - Book Value
- MV - Market Value

The monthly listing of invoices was presented. A motion was made by Michael D. Behm, seconded by Dana Reich, to approve payment of all invoices as listed. All those in favor: Motion unanimously carried.

The communications were reviewed.

We received the Annual Financial Report from the Goodwill Fire Police; the Annual Financial Report from Keystone Hook & Ladder Company; a letter from the United States Department of Commerce Census Bureau regarding a questionnaire we will be receiving; a letter from Blackford Venture, LLC. PA Auditor General, providing information on a seminary on municipal pension crisis is being held on February 29, 2016. If anyone wants to attend let the office staff know for registration; and a letter from Lebanon County Clean Water Alliance, providing information on a grant they received from the National Fish & Wildlife Foundation for watershed protection to develop a countywide plan to reduce pollutions entering the waterways due to Stormwater runoff (MS-4).

The President read the list of current Committee and Board vacancies.

Recreation Board – two (2) vacancies

International Property Maintenance Code Board of Appeals – one (1) vacancy

If anyone is interested in volunteering to serve on any of these boards contact the Borough office.

There is one (1) tabled item, the general parking in the Borough East Main Avenue lot. This was discussed earlier in the meeting and the Public Works Committee will be meeting for this matter.

The President proceeded to the agendas order of the business:

The 2016–2017 Salt Contract with the Co-stars Program was presented for approval. Under the contract the borough is required to purchase 60% of the tonnage requested, but can purchase up to 140% of the total tonnage requested. A motion was made by Michael D. Behm, second by Vince Podolski, to approve the Salt Contract with the Co-stars Program for 300 tons of salt for the 2016-2017 Season. All those in favor: Motion unanimously carried.

We received a Use of Facilities request and a Certificate of Insurance from the ELCO Girls Softball Association. A motion was made by Dana Reich, seconded by Jeffrey L. Thomas, to approve the Recreation Request from the ELCO Girls Softball Association to use the Borough Softball Field for the 2016 season. All those in favor: Motion unanimously carried.

The Recreation Committee would like to hold the Annual Easter Egg Hunt. A motion was made by Park W. Haverstick, II, seconded by Vince Podolski, to approve the Easter Egg Hunt for Saturday, March 19, 2016 at 10:00 a.m. with the rain date of Saturday, March 26, 2016. All those in favor: Motion unanimously carried.

The Assistant Manager is requesting formal approval for the purchase of the fine screen for the Wastewater Treatment Facility. The Co-stars vendors purchase total is \$124,929.00 with the installation included. A motion was made by Michael D. Behm, seconded by Park W. Haverstick, II, to approve the purchase of the fine screen for the Wastewater Treatment Plant. All those in favor: Motion unanimously carried.

Lebanon County Children and Youth have requested to use the Fish Pond and the Lower West Pavilion to hold their annual Youth Only Day of Fishing Event. A motion was made by Vince Podolski, seconded by Eric L. Powell, to approve the recreation request from Lebanon County Children and Youth to use the Fish Pond and the Lower West Pavilion for their Annual Youth Only Day of Fishing Event on Saturday, April 9, 2016 and waive the pavilion fee. All those in favor: Motion unanimously carried.

The information for the Borough Association Annual Conference has been received. The Manager is requesting for three (3) attendee's as well as any Councilmembers who are interested. He stated it is a very informative and worthwhile to attend this conference. A motion was made by Vince Podolski, seconded by

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Dana Reich, to approve the attendance to the PA Borough Association Annual Conference in Hershey on June 5 – June 8, 2016 and approve the Manager as the voting delegate for the Borough. All those in favor: Motion unanimously carried.

We received information for Lebanon County Tire Collection. The collection will be held Wednesday, April 20, 2016 from 8:00 a.m. – 6:00 p.m. at the Lebanon Expo Center. Funds for the program are provided in part by Lebanon County and then to each municipality if additional funds are needed. A motion was made by Park W. Haverstick, II, seconded by Vince Podolski, to approve the participation in the 2016 Lebanon County Tire Collection. All those in favor: Motion unanimously carried.

Scott Yeagley has submitted a written request of interest to fill the vacancy of the EMA Director. The application and background check have been completed. Resolution 2016-06 – Appointment to vacant positions - has been prepared. If appointed by Council, it will then go to the Governor for approval. A motion was made by Michael D. Behm, seconded by Dana Reich, to approve Resolution 2016-06 – appointment of Scott Yeagley as the Borough EMA Director. All those in favor: Motion unanimously carried.

Michael Yiengst has expressed interest in becoming the Deputy EMA Director. After the Borough receives the Governors approval for the EMA Director appointment then a Deputy could be appointed.

The Borough Council recessed the regular meeting and entered into Executive Session at 7:53 p.m. to discuss acquisition of real estate, personnel and litigation.

The Borough Council returned from Executive Session at 8:41 p.m. reconvening the regular session and resumed consideration of and action on the regular meeting agenda.

Councilmember Vince Podolski presented a new logo for the Borough. The Manager stated an RFP (request for proposal) is being worked on for marketing and rebranding of Myerstown and this could be used as part of this project as well as the Economic Development plan.

The Sestercentennial was discussed. Councilmember Vince Podolski stated he has a lot of ideas for the event. The President stated the MAN (Myerstown Activities Network) will be taking the lead on the Sestercentennial activities, but Councilmember Vince Podolski may be the lead person representing Council to the group for the Sestercentennial.

The President asked if there were any additional comments for the good of the borough. Seeing none, a motion was made by Vince Podolski, seconded by Michael D. Behm, to adjourn the meeting at 8:46 p.m. All those in favor: Motion unanimously carried.

Lisa A. Brubaker
Deputy Secretary

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