

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:35 p.m., on Tuesday, October 11, 2016. The meeting was held in the Auditorium of the Myerstown Government & Business Center, 101 S. Railroad Street, 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, Councilmembers Vince Podolski, Eric L. Powell, Jeffrey L. Thomas, Dana Reich, Mayor Gloria R. Ebling, Treasurer Lee C. Smith, Economic Develop Manager Michael McKenna, Assistant Manager Barry A. Ludwig, Deputy Secretary Lisa A. Brubaker and Manager Christopher J. Moonis. Absent was: Solicitor Frederick S. Wolf

The Meeting Minutes for September 13, 2016 and September 19, 2016 were presented. A motion was made by Eric L Powell, seconded by Michael D. Behm, to dispense with the reading of and approve the minutes of the Regular Monthly Meeting, September 13, 2016 and the Planning Meeting, September 19, 2016. All those in favor: Motion unanimously carried.

Consultants Adam Melewsky and Patrick Kibler from Pennoni Associates were present for comments or questions regarding the 422 Corridor Safety Improvement Project. Consultant Adam Melewsky led the review. The Consultant stated a Safety Audit was performed by PennDot and they found 50 items they could make improvements on. The project will be starting the Final Design Phase.

Consultant Adam Melewsky started the review at the Locust Street and State Route 422 Intersection. There will be a signal upgrade, the "Pork Chops" will be removed for pedestrian crosswalks to be placed, upgrade the ADA Ramps, and some of the pavement will be removed from the medium strip and then extend the medium strip towards the intersection.

At State Route 422 and 501 Intersection, there will be a signal upgrade with emergency preemptions, two of the "Pork Chops" will be removed, two will be replaced, and pedestrian crosswalks will be placed.

Solicitor Frederick S. Wolf entered the meeting at 6:40 p.m.

The consultant stated on State Route 501, they will be doing some widening to add a left turning lane, which should help with some of the congestion issues, and a signal upgrade will help with safety. At the Railroad Street and State Route 422 area, the original plan was to close off the crossing to Railroad Street. The EMS (Emergency Services) Departments had some concerns with the closing of the area relating to emergency response times. The plan now proposes a left lane into Railroad Street which allows them to get down to the fire station on Railroad Street, and then a right lane out from Railroad Street to State Route 422 which will then have a U-turn lane to be able to head West on State Route 422.

Moving East, there will be smaller improvements, some curbing placement, sight distance improvements, and guiderail improvements will be done.

Consultant Adam Melewsky asked if there are any questions. Councilmember Park W. Haverstick, II asked for the EMA Departments, are they confident the companies will be able to make the U-turn on State Route 422 with the equipment, especially the ladder truck.

The consultant stated the departments gave the dimensions of the vehicles, so the lane width was created using that information, and is actually even wider then needed for their vehicles.

Councilmember Eric L. Powell asked if PennDot will be maintaining the street lightening. The consultant stated they will be and additional lightening will be placed to help light the crosswalks.

Terry Witter 107 N. College Street asked if the trees on College Street will be removed. The consultant stated no, the trees will remain.

The Assistant Manager informed the consultant he received their letter and will be submitting comments before the deadline date.

The President opened the floor for Citizens and Visitors Comments:

President Rittle asked anyone here relating to Ordinance 836, to please refrain from comments at this time. The item will be discussed later in the meeting. This time is for other items to come before Council.

Myerstown, PA
Tuesday, October 11, 2016

Rich Eckenroth 15 N. College Street – came to talk about the conditions of State Route 501. At the July Council Meeting, he suggested the Council look into doing something about the road. Rich Eckenroth stated he was told the roadway is a State Road and he went to his State Representative. The State Representative told Rich Eckenroth to contact the Borough Manager to see if he would petition PennDot to address the situations on the street.

Rich Eckenroth stated the two major issues are, first, that the speed limit be reduced to a 25 mph zone and second “No Jake Brake” signs be placed. He is here to request that Council send a formal letter to PennDot regarding these issues.

Rich Eckenroth stated nowhere else in town are the speed limits on the streets higher than 25 mph then the State Streets. There are accidents, with cars and trucks sliding into yards, which he believes speed is the critical factor. The Jake Brakes are rattling the houses and he feels are not necessary to use in town.

Rich Eckenroth stated College Street has the library, playground, pool, the retirement homes, pedestrians walking, the seminary, and many Amish buggies using the road. It is scary and he is afraid someone will get hurt. The intersection at Main and College Street is being ripped up because the trucks are slamming on their brakes and the big skid marks are all due to going too fast.

Rich Eckenroth asked if brake retarder signs are placed are they enforceable by the State Police. The Mayor stated the State Police can enforce.

Logan Salem – 116 N. College Street – stated last month he discussed his concerns regarding the conditions on 501, especially the shaking of his house when the trucks go down the street. Logan Salem stated he was told a copy of the minutes would be sent to PennDot and wanted to know if that was done.

President Rittle stated Route 501 is scheduled for repaving in 2017. The Manager stated the point is, it is already scheduled to repave the road, and PennDot is not going to come in advance and do base repair until the project is started.

Gregg Bahney – 121 W. Main Avenue – stated the paving is being pushed up in the intersection at Main Avenue and College Street. It has been fixed several times but keeps reoccurring because the traffic is traveling to fast. Daily trucks are running right through the red light because they are going too fast to be able to stop. Gregg Bahney stated we all know 35 mph means 45 mph, speed reduction and brake restrictions may really help. The Mayor stated she will contact the State Police regarding the speeding.

The President asked the Traffic Consultants Adam Melewsy and Patrick Kibler from Pennoni Associates, what is needed for speed reduction. Consultant Adam Melewsy stated a traffic study would be needed on that corridor to determine speed and the Borough should contact LTAP program to provide advice. The PA Vehicle Code may also have guidelines on speed.

The President stated the Solicitor informed him a Brake Retarder Ordinance would need to be adopted by the Council. Rich Eckenroth asked Council to go to PennDot with these concerns. A motion was made by Michael D. Behm, seconded by Park W. Haverstick, II, to petition PennDot regarding the request to reduce the speed limit, place brake retarder signs, and see if they can do anything about the road surface. All those in favor: Motion unanimously carried.

Ron Weidman – 116 S. Broad Street – stated he believes another important thing is to have better enforcement. Councilmember Haverstick stated he is the chairman of the Public Safety Committee and the committee is trying to schedule a public meeting to discuss safety concerns in the Borough; tentatively set for October 19, 2016. The Council has a budget meeting scheduled for that evening that may not be needed. If the budget meeting is not needed, than the safety meeting will be scheduled, so watch for the advertisement and Borough website for the date.

James Rittle – 210 S. Railroad Street – asked if a camera can be placed on the traffic light at Main Avenue and Route 501. Consultant Adam Melewsy stated he did not know an answer for that question.

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 stated she contacted the State Police regarding the drag racing on Broad Street. The Mayor stated a State Police Community Awareness Bulletin was received titled Recent Threats to Pennsylvania Schools. The bulletin provides information on the number of clown related threats to our schools. The State Police are encouraging you to report any suspicious activity to the Terrorism Tip line.

Assistant Manager Barry A. Ludwig presented the Utilities report. First, the storm drain that was hit during the water line installation at Route 422 and 501, they are still working through that directly with the Water Authority. Second, one of the raw sewage pumps we lost VFD and a contactor. He is investigating pricing and will report back to the Council.

Solicitor Frederick S. Wolf presented his report. Councilmember Dana Reich questioned why there are barricades and caution tape on the sidewalk at 15 W. Main Avenue. The Manager explained the borough was notified by a neighbor that a piece of the eaves had fallen onto the sidewalk. The Borough is pursuing the code enforcement of this property through the court system. Until then, we wanted to make sure pedestrians were safe, so we placed the barricades.

Economic Development Manager Michael McKenna presented his report. Michael McKenna highlighted the three areas of the circuit rider program. In the area of business development the Borough is moving forward with the creation of the business center. The center will provide technical assistance to new and existing businesses. Currently, we do have resources created. A business guide called A Guide to Doing Business in Myerstown, was created to provide step by step information on how to start a business.

Michael McKenna stated once the Borough is moved into this building, an area will be devoted to the business center and several resources available for entrepreneurs hoping to start a business. The Borough is currently creating incentives to attract business; a LERTA (Local Economic Revitalization Tax Assistance Act) District is being looked at for the Borough. If a property owner makes an improvement and that improvement results in a rise in assessed value, the taxes will be abated over a period of seven years.

Michael McKenna stated the Borough is in the process of rewriting the Zoning Ordinance and Map to make the zoning more business friendly. The primary recommendation for revitalization strategies is the creation of a Downtown Revitalization Committee. The committee would be made up of downtown stakeholders, and diverse members of the community. The purpose is to take ownership of the downtown revitalization. If you look at areas that have been successful in revitalizing their downtown area, the catalyst for that was some type of downtown organization or committee of local business and community members.

Michael McKenna stated the final project is the creation of the Capacity Plan. The purpose of the plan will be to identify the investment opportunities in the Borough, properties that may be underutilized. Michael McKenna provided a list of all properties that are classified as nonresidential. It lists business properties, vacant buildings, tax exempt properties, apartments and utilities, which can be used for the economic development of the Borough.

Manager Christopher J. Moonis presented his report. The Manager had one item to add. Last month, the Council tabled proceeding with the public sale of the existing Myerstown Municipal Center at 101 E. Washington Avenue. The Manager compiled some information from the Architect for the Phase I renovations to this building (101 S. Railroad Street). A sketch showing what the building could look like at full capacity based on current interest as well as potential interest. The Manager is urging Council to reconsider taking this off the table so we can get started on the process of selling the current facility (101 E. Washington Avenue) and moving towards municipal offices moving here to this building (101 S. Railroad Street). The timeframe for the auction is a minimum of 60 days and then settlement would be at least another 60 days. The Manager believes the Borough will be ready to move into the 101 S. Railroad Street Center within 120 – 150 days.

The President proceeded to the Committee Reports:

Planning/Zoning/Public Safety Committee: (Park W. Haverstick, II, Vince Podolski, and Eric L. Powell) Chairman Park W. Haverstick, II again announced a public safety meeting has tentatively been set for October 19, 2016, watch for the advertisement and check the Borough website for details.

The President stated the Isaac Meier Homestead voted to withdraw their application for the building of a heritage center. Since the Borough purchased this building, they will be offered space on the second floor, so they no longer are in need of a building.

Treasurer Lee C. Smith prepared and presented Borough Council with the monthly Treasurer's Report. A motion was made by Park W. Haverstick, II, seconded by Michael D. Behm, 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 10/10/2016

Activity for: 9 months 2016

<u>Activity</u>	<u>Date:</u> <u>09/30/2016</u>
<u>GERNERAL FUNDS:</u>	<u>FINANCIAL INSTITUTION:</u>
<u>OPERATING FUND:</u>	<u>FULTON:</u>
<u>\$ 874,053.17</u>	<u>\$ 729,428.26</u>
INCOME	EXPENSES
	Transfer out: <u>\$ 38,500.00</u>
	Transfer in: _____
	<u>BALANCES:</u>
	Cash: <u>\$260,553.36</u>
	P-Card: <u>\$ 8,804.19</u>
	Ed Jones: <u>\$ 211,554.22 BV</u>
	<u>\$ 209,065.53 MV</u>
	A/P: <u>\$ 36,722.30</u>
	Payroll: <u>\$ 12,846.31</u>
	<u>FINANCIAL INSTITUTION:</u>
<u>RESERVE ACCOUNT:</u>	<u>FULTON:</u>
<u>\$ 3,416.09</u>	<u>\$ 187,629.64</u>
INCOME	EXPENSES
	Transfer out: <u>25,500.00</u>
	Transfer in: _____
	<u>BALANCES:</u>
	Cash: <u>\$ 2,624.38</u>
	Ed Jones: <u>\$ 213,690.79 BV</u>
	<u>\$ 211,981.65 MV</u>
	A/P: <u>\$ 14,660.72</u>
<u>WASTEWATER FUNDS:</u>	
<u>OPERATING FUND:</u>	<u>FULTON:</u>
<u>\$ 664,238.02</u>	<u>\$ 620,794.81</u>
INCOME	EXPENSES
	Transfer out: <u>19,000.00</u>
	Transfer in: _____
	<u>BALANCES:</u>
	Cash: <u>\$ 70,826.65</u>
	P-Card: <u>\$ 3,555.62</u>
	Ed Jones: <u>\$ 382,700.48 BV</u>
	<u>\$ 366,808.11 MV</u>
	A/P: <u>\$ 21,585.83</u>
	Payroll: <u>\$ 46,789.41</u>
	A/R: <u>\$ 114,505.96</u>
<u>RESERVE ACCOUNT:</u>	<u>FULTON:</u>
<u>\$ 20,548.89</u>	<u>\$ 147,385.00</u>
INCOME	EXPENSES
	Transfer out: _____
	Transfer in: _____
	<u>BALANCES:</u>
	Cash: <u>\$ 56,584.58</u>
	Ed Jones: <u>\$ 2,036,046.87 BV</u>
	<u>\$ 2,009,804.09 MV</u>
	A/R: <u>\$ _____</u>

Treasurer's Monthly Report – (continued)

Activity for: 9 months 2016

Date: 09/30/2016

DEBT SERVICE RESERVE:

FULTON:

BALANCES:

\$ 508,582.11 \$ 459,288.30
 INCOME EXPENSES

Cash: \$ 291,438.84

Ed Jones: \$ 1,349,753.49 BV
\$ 1,347,294.93 MV

Transfer out: _____
 Transfer in: _____

A/R: \$ 114,505.96

REVENUE BOND, SERIES OF 2007:

PLGIT:

BALANCES:

\$ 1,729.93 \$ _____
 INCOME EXPENSES

Cash: \$ 636,001.69

Ed Jones: -

Transfer out: _____
 Transfer in: _____

OTHER FUNDS:

FINANCIAL INSTITUTION:

UNEMPLOYMENT COMPENSATION:

PLGIT:

BALANCES:

\$ 252.36 \$ 19.01
 INCOME EXPENSES

Cash: \$ 92,234.66

Transfer out: _____
 Transfer in: _____

LIQUID FUELS:

PLGIT:

BALANCES:

\$ 85,513.71 \$ 9,750.73
 INCOME EXPENSES

Cash: \$ 138,876.77

AP \$ _____

Transfer out: _____
 Transfer in: _____

BEAUTIFICATION TRUST:

PLGIT:

BALANCES:

\$ 89.26 \$ -
 INCOME EXPENSES

Cash: \$ 43,493.84

Transfer out: _____
 Transfer in: _____

RECREATION:

FULTON:

BALANCES:

\$ 1,697.31 \$ 9,084.04
 INCOME EXPENSES

Cash: \$ 25,106.44

Ed Jones: \$ 20,597.82 BV
\$ 20,036.16 MV

Transfer out: _____
 Transfer in: 25,000.00

A/P: \$ _____

Treasurer's Monthly Report – (continued)

Activity for: 9 months 2016

Date: 09/30/2016

WM DERR SWIMMING POOL:

FULTON:

BALANCES:

\$ 57,130.15
 INCOME

\$ 70,624.31
 EXPENSES

Cash: \$ 10,482.06

Ed Jones: \$ 34,133.26 BV
\$ 33,607.52 MV

Transfer out: _____
 Transfer in: 19,500.00

A/P: \$ _____

POOL CAPITAL CONSTRUCTION FUND:

FULTON:

BALANCES:

\$ 202.99
 INCOME

\$ 17,365.00
 EXPENSES

Cash: \$ 21,312.24

Ed Jones: \$ _____ BV
\$ _____ MV

Transfer out: _____
 Transfer in: 38,500.00

A/P: \$ _____

MUNICIPAL CENTER FUND:

FULTON:

BALANCES:

\$ 3,901.10
 INCOME

\$ _____
 EXPENSES

Cash: \$ 3,901.10

Ed Jones: \$ _____ BV
\$ _____ MV

Transfer out: _____
 Transfer in: _____

A/P: \$ _____

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 Jeffrey L. Thomas, to approve payment of all invoices as listed. All those in favor: Motion unanimously carried.

The communications were reviewed.

Letters and comments were received regarding Ordinance 836; Comcast letter regarding Set-Top Boxes; and a letter from Ellen Kramer dated 9/22/2016 stating she is going to move forward on her own with a Sestercentennial Book.

Cindy Lehman – 454 Stracks Dam Road – asked how many letters did the Borough receive regarding Ordinance 836? The Borough received approximately five from private citizens, two from an organization – Alley Cat Allies, and Facebook posts.

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

- Water Authority – one (1) vacancy
- 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.

Tabled item from the September 13, 2016 meeting, Agenda Item #23: Council may approve to place the Boroughs Washington Avenue main building and lower garage building up for public sale.

A motion was made by Michael D. Behm, seconded by Vince Podolski, to un-table the motion to place the municipal building at 101 E. Washington Avenue up for sale. All those in favor: Motion unanimously carried.

A motion was made by Park W. Haverstick, II, seconded by Michael D. Behm, to start the process of selling the municipal building at 101 E. Washington Avenue. All those in favor: Motion unanimously carried.

The President proceeded to the agendas order of the business:

Roy Krow, Jr. – 208 E. Main Avenue – was present to request relief for his sewer bill. The President explained per the letter, the property has been vacant and Roy Krow, Jr. did not realize the hot water heater was broken. The water did not enter or was not treated through the sewer system. President Rittle explained to Roy Krow, Jr., he will still have to pay the water usage total and the normal base rate total of \$34.50 for sewer. A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to grant relief to Roy Krow, Jr., - 208 E. Main Avenue - of \$212.50 for the sewer bill. All those in favor: Motion unanimously carried.

We received a request from the Woman's Club. A motion was made by Eric L. Powell, seconded by Dana Reich, to approve the request and grant permission to the Woman's Club of Myerstown to hold the Annual Christmas Tree Lighting Ceremony and Carol Sing on Saturday, November 26, 2016 at 6:30 p.m. All those in favor: Motion unanimously carried.

The Solicitor has prepared a draft Ordinance (838). Council will need to approve the draft and authorize the Solicitor to advertise the Ordinance to adopt the supplement to the Code of Ordinances. A motion was made by Eric L. Powell, seconded by Vince Podolski, to authorize the Solicitor to advertise Ordinance 838 for action at the Council meeting on November 8, 2016. All those in favor: Motion unanimously carried.

The Borough received a request from Robert Schreffler - 308 S. Cherry Street – requesting the placement of a handicap parking space in front of his property. He is aware of the fee and that the space is a public parking spot for anyone with a handicap plaque. A motion was made by Dana Reich, seconded by Michael D. Behm, to approve the request from Robert Schreffler for a handicap parking space at 308 S. Cherry Street. All those in favor: Motion unanimously carried.

We received a request from Heidelberg Township for Fire Police assistance. A motion was made by Vince Podolski, seconded by Jeffrey L. Thomas, to approve the request for Fire Police assistance from Heidelberg Township for their Halloween Parade on Saturday, October 29, 2016. All those in favor: Motion unanimously carried.

President Rittle stated the Council will now hear comments relating to Ordinance 836 – Feeding of Stray Animals. The President opened the floor to Kathy Fitzkee, President of PAWS of PA for her presentation.

Kathy Fitzkee asked if she may include Audrey Hoffman, Veterinarian for PAWS in the presentation and discussion. President Rittle stated she may.

Kathy Fitzkee thanked the Borough Manager, President Rittle and Councilmember Haverstick for meeting with her last week. PAWS has taken the stance that a feeding ban is not an effective approach to solving an over population of community cats. A ban will only cause more problems by not feeding them. PAWS has offered to help with a trap, neuter, vaccinate, and return program - TNR. PAWS has already spayed and neutered forty-one cats and taken sixteen into the foster and adoption program.

Kathy Fitzkee stated that number does demonstrate there is a situation in Myerstown. A feeding ban will not make the cats go away. A feeding ban will still allow the cats to breed and will allow them to get sicklier, more aggressive, and you will see them more. Starving the cats will compound the problem.

Kathy Fitzkee stated the decision here is not for the community to live with or without cats, you do not have that option, you will always have cats in a community. The only effective way to manage cats is through a TNR program. This is what PAWS can offer.

Veterinarian Audrey Hoffman stated PAWS is able to spay and neuter a large numbers of cats quickly. A TNR Program is the only way to help with this problem. You are not going to get rid of the cats, you are just going to make them ill. Without food a cat will become more aggressive. Feeding bans do not work and she would really like the Borough to let her and PAWS help with a TNR program and take care of these cats.

Councilmember Park W. Haverstick, II, stated this issue was placed under the Public Safety Committee, which he is the Chairman of. Councilmember Haverstick apologized if anyone felt unheard or underserved but please understand the Borough has to listen to any special interest group with a degree of skepticism. The Borough has been receiving complaints about cats for some time, this did come to light again with a dispute between neighbors. The Council believed they were putting together a simple solution for a simple problem, but the more research he did, this is not a simple problem. It is a very difficult problem.

Councilmember Haverstick stated there are two sides to the issue, both have their own studies, data and theories. He has given this a lot of thought and sought out advice from someone with a background in conservation and came to conclude people do love cats and want to care for them. On the other side though is a public safety concern. Some residents do not want cats on their property and we do have to respect that also. When action is being considered, we have to take all sides into account.

Councilmember Haverstick stated he has learned feral cats can cause problems. As such we have certain responsibilities to care and reduce those numbers. Both sides make compelling arguments, but neither side can honestly say that their solution is perfect. With that, he is recommending to Council to put a moratorium on the ban with conditions and look at rewriting the Ordinance.

Councilmember Haverstick stated he is proposing to allow the TNR Program, but it will not be the law of the land. Residents may partake in the program but we also need to respect those who do not want the cats in their property. He is encouraging everyone to try to work things mutually before it gets to the Council, but keep in mind if this is an issue it will be addressed on a case by case basis. Also, if someone is feeding cats, there should be a registration with PAWS, so it is known where the feeding sites are. Hopefully registering feeders will help with the problem. Last, Councilmember Haverstick stated he is openly encouraging that residents do not place food to attract more cats.

The Solicitor asked in PAWS experience where you have an issue of one neighbor feeding cats and are large in number and causing problems to adjoining property owners and are effecting their peace and enjoyment of their property, have you experienced anything that could be done so those property owners do not have to suffer for what is going on in the neighborhood?

Kathy Fitzkee stated PAWS does not take sides between neighbors. The majority of issues is because of a neighbor dispute. When a complaint is received, PAWS will gladly go and speak to both parties and they will offer prevention tips. PAWS will do what they can to help the neighbors, but it is not perfect.

Cindy Patrick – 410 S. Goodwill Street stated it is the number, thirty cats. She came home tonight and there were fifteen in the alley and coming from her property. Kathy Fitzkee asked if things are even a little bit better since PAWS came. Cindy Patrick stated no the numbers are still there.

The Solicitor asked if PAWS becomes involved as they have described here tonight, do they stay involved or is this an initial service for a few months then they are gone and the problems are right back again. Kathy Fitzkee stated PAWS will stay involved as long as there is open communication between PAWS, Council, and the community. PAWS is here, cats are never going to be gone.

The Solicitor asked why doesn't catch and relocate work. Kathy Fitzkee stated there are not enough areas to do that to. The Solicitor stated the expenses for providing this service PAWS is not expecting the Borough to pay for this. Kathy Fitzkee stated they would love for the Borough to help financially, but it is not required. PAWS is an all-volunteer organization, they receive non-public funding, and will pay it forward as long as they can. PAWS wants to come in before numbers are unmanageable and help prevent that from happening. Kathy Fitzkee does not believe a registration will work, she believes it will deter people from registering, but PAWS can provide a monthly report to the Council.

The President announced there are three residents on the agenda and need to be heard first.

Siobhan & Gina Pucillo - 110 W. Main Avenue – Siobhan Pucillo stated she lives in the neighborhood where the large number of cats are and she does not see them in her yard. The problem here goes far deeper than this situation. Siobhan Pucillo started to discuss personal issues between the neighbors. The Solicitor stopped Siobhan Pucillo and stated this is not productive to the discussion, "please get to something positive". She spoke to Friends of all Animals and they would be willing to help as well.

President Rittle stated this has been an ongoing issue in the borough. The Manager stated this has been discussed for over a year and the Borough has received several complaints, even as recent as September 21, 2016. This is an ongoing problem in several areas of the Borough.

Siobhan Pucillo stated the cats are not a problem. President Rittle stated they are not a problem to her, but are to others.

Dale & June Shiffer – 300 E. Carpenter Avenue – stated he is disappointed that a group would think to penalize its citizens for being humane. He has done the TNR process and relocated some animals. This group decided the easiest way to do something is to threaten the citizens that have a humane bone in their body. If someone doesn't like cats then don't feed them, but if you think they will just go away, they will not. The Borough should have gone to an organization like PAWS when the issue was brought to light, not pass an Ordinance that makes people a criminal.

Dale Shiffer stated whether you tell someone they can or cannot feed cats it will not stop animals from migrating. The only way to control the situation is a TNR Program and PAWS is here to help. He was glad to hear a Councilmember recommend a referendum on this Ordinance. There are groups willing to help.

The President asked Dale Shiffer, if you are feeding a cat, are you then taking responsibility for that cat, and if so then are you responsible for any damages that are done to other homeowner's properties? Council does have to also look at the other person's rights as well and try to find solutions.

President Rittle asked the Veterinarian, how long can a cat live after a TNR. The Veterinarian stated it can be five to seven years. President Rittle stated so someone who does not want the cats on their property may have to wait that period of time for a resolution. He is just trying to find a solution for these people too.

President Rittle stated he understands if you do not do anything the cats will keep multiplying, he agrees and he is not against the TNR program.

Kathy Fitzkee stated cats are very territorial but once they are spayed or neutered they are less likely to roam. For a person having a problem with cats roaming onto their property, please contact PAWS to try to help end or fix the situation.

Aphrodite Hermes – 302 E. Carpenter Avenue – stated she works for the Lebanon County Humane Society. The Humane Society holds a TNR Program once a month for thirty dollars. Cats will stray when they are looking for food. Her cats are healthy. Working with PAWS, she calls that community. This is dividing us. If you want responsible citizens, you want to be a good community that works together, then we get ahold of a group like PAWS. We don't separate and argue, we go to people like PAWS for help. We don't fine people for being kind and good. If you want to control the cat population a TNR Program is the only way to go.

The President opened the floor to Borough residents only for any comments. This is a Borough issue.

Sherry Hunsicker – 200 W. Carpenter Avenue – has some questions and she doesn't want to sound like she is being smart. These are just questions. If there is no food source, will cats then attack trash cans? Will that cause more problems if they do? Sherry Hunsicker stated there used to be a problem with mice, but not now and believes it is a blessing to have the cats. If there is a TNR Program, it that not something we are trying to do to help. Do you penalize something that has no control over what has happened to them?

Susan Weiss – 305 S. Railroad Street – stated PAWS is great and a TNR Program may help, but that does not stop a cat from coming onto someone's property and defecating all over their yard and flower beds. That is not right. Susan Weiss stated she loves animals but doesn't want them on her property.

President Rittle stated the Borough is not against the TNR Program, we are trying to look at the other problem that is still there and the damage that is being done to properties. We are trying to get some type of compromise were everyone is happy with it.

Councilmember Park W. Haverstick, II asked how long would it take until the Borough would see some results? Kathy Fitzkee stated weather can make it difficult, but she believes within six months to make a dent in the Borough situation. Nothing is going to be perfect, but what PAWS is offering is the best and closest you can get to. PAWS will do their best to solve neighbor conflict.

Phyllis Oxenrider – 120 E. Main Avenue – commended Council for trying to resolve this problem. This has been a problem for many years in her neighborhood at times. It is not nice to go work in your garden and reach into feces. Cats have been destructive and she believes some people do not realize that.

Phyllis Oxenrider stated dog owners are required to pick up their animals feces but cats can go anywhere and on anyone's property. It is a problem. Even with a TNR Program and you are in a

neighborhood where there are a lot of cats, they will still come into your yard. Her thoughts are, she is not against animals. She loves animals, and appreciates Council trying to solve the problem.

Phyllis Oxenrider stated she doesn't think everyone understands. The people who are feeding cats believe there are no problems for anyone else, but there really is. When you are not a pet owner, it really is an imposition when people do not take care of the animals they feed. If you want to feed them then keep them in their yard just like dog owners do. There has to be a better solution than just let them run all over.

Robin Groff – 198 W. Maple Avenue – stated her intent is to fence in her yard, it won't solve the problem for everyone, but to punish the animals is the wrong way to handle this. She is asking Council to remove the feeding ban.

President Rittle commended Robin Groff for her efforts she has made since this started.

Linda Hicks – 21 E. Main Avenue – stated they have participated in a TNR Program. The cats were trapped and placed for adoption. She believes we can work together to find a solution and a feeding ban is not the way. Let's give the TNR Program a try.

Eric Hicks – 21 E. Main Avenue – stated as his wife stated they have participated in a TNR Program. The cats were trapped, neutered, and placed for adoption which will now help reduce the numbers because no litters will be added to the population and provide them with good homes.

Rich Eckenroth – 15 N. College Street - stated in his observation, the cat problem is there because there are more apartment dwellers and they leave the cats when they leave. He sees it in his neighborhood, cats on the move.

Ron Weidman – 116 S. Broad Street – stated he agrees and people are leaving pets. People that are not responsible owners should be found and fined.

Eric Hicks stated he is in favor of something that would hold cat owners responsible especially against those who let their cats outside to roam.

Gina Pucillo - 110 W. Main Avenue – questioned what if you have house cats but let them outside during the day and bring them back in at night, what is the difference? The President asked wouldn't she then be responsible as the owner for anything the cat does, like damage.

Gary Hicks 104 E. Mill Avenue – stated the main point he would like the Council to focus on and reconsider the feeding ban. He believes the Council feels that by not feeding the cats they will somehow alleviate the problem. Many residents here feel it will not do a thing. The cats will still be present and become more aggressive, they will find food somewhere. It will not curb the population and will hinder a group like PAWS to do what they will have to do to reduce the population.

Councilmember Eric L. Powell stated he wanted to speak because he made the motion to approve the Ordinance at the last meeting. He is willing to try a TNR Program, but does not want this to be a long term trial. We have a responsibility to residents who have a problem and cannot enjoy their properties because of the damage caused by cats. We cannot push this off for eight or nine months.

Councilmember Powell is willing to support a 90 day moratorium on enforcement while we work with PAWS. The other observation he would like to make is almost every month since he is on Council, we have someone come in to a meeting and complain about their neighbor working on cars at midnight, or not cutting their grass or houses not being up kept or animals not staying in their yard.

Councilmember Powell stated what has happened to common neighbor courtesies? Everyone has the right to enjoy their property, to do what they want on their own property. But when they do that to the detriment and the enjoyment of the neighbor's property, then he has a problem, the same as with burning, and noise, you need to contain that to your own property and not impact the neighbors. The Borough is constantly addressing these issues because of the lack of common courtesies, the lack of common sense. He will support something on a short term moratorium or suspension of enforcement. He is not in favor or rescinding the Ordinance until we know if a TNR Program will work and have an impact.

Councilmember Park W. Haverstick, II stated he believes a lengthier period is needed. He believes a year is needed and then revisit it and see if there is any progress. A motion was made by Park W. Haverstick, II, seconded by Vince Podolski, to enforce a moratorium for one year on Ordinance 836 to further study the issues with the PAWS Group. All those in favor: On a roll call vote, - Michael D. Behm – yes; Park W. Haverstick, II – yes; Vince Podolski – yes; Eric L. Powell – yes; Jeffrey L. Thomas – yes; Dana Reich – yes; and Bryan L. Rittle – yes. Motion unanimously carried.

Myerstown, PA
Tuesday, October 11, 2016

Councilmember Haverstick stated this is a great example of your civic duty. The Council meets once a month and discusses a lot of issues that affect your everyday lives every month. It is your responsibility to the community to come to the meetings, not just when one issue is in dispute because everything we do impacts you. This is great and we would like to see more Borough residents come.

Cindy Lehman - 454 Stracks Dam Road (Jackson Township) – stated she does not live in the Borough but if she comes to the meetings will she be allowed to speak.

The Manager stated it is up to the President and the Council, as a whole, as to whether they want to hear outside input from people that do not live in the Borough.

President Rittle stated if you do not live in the Borough, you have no interest in the Borough, why would you want to. The meeting is for Borough residents.

Cindy Lehman stated what if Jackson Township Supervisors say well the Borough did it. The Manager advised her she should go to the Jackson Township meetings.

The Manager stated the Council represents the Borough tax payers, this is the governing body for the tax payers of Myerstown Borough proper. You're a tax payer in Jackson Township. People are always welcome to come, but it is the Council's decision to allow any outside input on issues.

The President asked if there were any additional comments for the good of the borough. Seeing none, a motion was made by Park W. Haverstick, II, seconded by Dana Reich, to adjourn the meeting at 9:18 p.m. All those in favor: Motion unanimously carried.

Lisa A. Brubaker
Deputy Secretary

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