

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:30 p.m., on Tuesday, December 13, 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, Councilmembers Vince Podolski, Eric L. Powell, Jeffrey L. Thomas, Mayor Gloria R. Ebling, Solicitor Frederick S. Wolf, Treasurer Lee C. Smith, Code Enforcement Officer John Neely, Assistant Manager Barry A. Ludwig, Deputy Secretary Lisa A. Brubaker and Manager Christopher J. Moonis. Absent were: President Pro Tem Park W. Haverstick, II, and Councilmember Dana Reich.

The Meeting Minutes for November 7, 2016, and November 8, 2016 were presented. A motion was made by Michael D. Behm, seconded by Vince Podolski, to dispense with the reading of and approve the minutes of the Planning/Budget Meeting, November 7, 2016, and the Regular Monthly Meeting, November 8, 2016. All those in favor: Motion unanimously carried.

Councilmember Dana Reich entered the meeting at 6:33 p.m.

The President opened the floor for Citizens and Visitors Comments:

Dane Bicher – 425 S. Broad Street – was present to discuss the 2017 budgets. The following areas of the General Operating Budget were reviewed pertaining to questions from Dane Bicher- 425 S. Broad Street, Steve Hammer – 5 W. Richland Avenue, and Al Bennick – 7 W. Richland Avenue.

Revenue:

- 301-10 – Real Estate Tax – Current Tax
- 310-81 – Street Light Tax
- 310-21 – Earned Income Tax – Current Tax
- 342 - Rental Revenues
- 351-10 – Anchor Building Grant
- 357-19 – EIP III Grant
- 357-20 - Circuit Rider Grant
- 360 - Charges for Services
- 390-013 - Payment in Lieu of Taxes – PILOT

Expenses:

- 400-194 – Sestercentennial
- 401-110 – Salary – Borough Manager
- 402-311 – Auditing Expense
- 402-312 – Actuarial Expense
- 402-318 – Payroll
- 403-319 - Tax Collection – Keystone
- 401-196 – Health Insurance
- 401-171 – PTO
- 408-352 – MS-4 Annual Stormwater Expenses
- 409-361 – Utilities – Electric – Office
- 409-362 – Utilities – Gas – Office
- 409-375 – Office Cleaning Wages
- 411-540 – Fire Company Contribution – Keystone
- 411-541 – Fire Company Contribution – Goodwill
- 430-112 – Public Works Wages
- 452-368 – Recreation Areas – Portable Toilet Rental
- 484-00 - Insurance – Workers Compensation

Expenses: (continued)

- 486-20 – Property/Casualty Insurance
- 486-85 – Inland Marine Insurance
- 401-187 – HSA Contribution
- 407-171 – Fringe Benefits
- 430-110 – Department Head Wages Public Works

The Borough Manager, Assistant Manager, and Council answered all pertaining question for the categories listed.

The Manager encouraged Dana Bicher to attend the yearly scheduled budget meetings. The Manager stated we welcome input and participation throughout the budget process.

Logan Salem – 116 N. College Street – asked for an update from last month's meeting from the concerns expressed regarding the conditions on State Route 501.

The Manager stated he has not received a response from the PennDot District 8-0 Traffic Engineers. Logan Salem stated there was equipment on 501 and they did a patch repair but nothing else.

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 received the information to advertise in the 2017 Lebanon County Firefighter's Association Convention program book. A motion was made by Michael D. Behm, seconded by Jeffrey L. Thomas, to place a half page ad for \$65.00 in the 2017 Lebanon County Firefighter's Association Convention Program Book. All those in favor: Motion unanimously carried. There was no State Police report.

Assistant Manager Barry A. Ludwig presented his report. On behalf of the Women's Club, the Mayor thanked the Assistant Manager for the placement of the Christmas wreath lights.

The Assistant Manager had two service contracts for approval. First one is from Tyco for the Wastewater Treatment Plant annual service of the alarm system. It is a five year contract totaling \$3,940.00. The second one is from Reading Elevator totaling \$5,311.00 for various repairs and items necessary for an upcoming inspection. A motion was made by Michael D. Behm, seconded by Dana Reich, to approve the service contract from Tyco and Reading Elevator. All those in favor. Motion unanimously carried.

Solicitor Frederick S. Wolf presented his report. The Solicitor stated he has litigation matters to discuss in execute session.

Manager Christopher J. Moonis presented his report. The Manager stated they continue to work on the approval of a LERTA (Local Economic Revitalization Tax Assistance Act) District in the Borough. We received the second payment application request for the pool construction and asked it be added to the agenda for approval of payment. Attached to his report is an additional proposal for the whole parking lot at the South Railroad Street property. The Manager asked the Council to review for discussion at the January 10, 2017 meeting.

The President proceeded to the Committee Reports: There were no Committee Reports.

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 12/12/2016

Activity for: 11 months 2016

	<u>Activity</u>	<u>Date: 11/30/2016</u>
<u>GERNERAL FUNDS:</u>	<u>FINANCIAL INSTITUTION:</u>	<u>BALANCES:</u>
OPERATING FUND:	FULTON:	Cash: <u>\$144,816.88</u>
	<u>\$ 1,016,794.72</u>	
	INCOME	P-Card: <u>\$ 11,577.43</u>
		Ed Jones: <u>\$ 212,296.43 BV</u>
		<u>\$ 209,227.39 MV</u>
	Transfer out: <u>59,500.00</u>	A/P: <u>\$ 10,041.94</u>
	Transfer in: _____	Payroll: <u>\$ 13,267.94</u>
RESERVE ACCOUNT:	FULTON:	<u>BALANCES:</u>
	<u>\$ 4,892.78</u>	Cash: <u>\$ 1,551.18</u>
	INCOME	Ed Jones: <u>\$ 171,192.82 BV</u>
		<u>\$ 168,798.32 MV</u>
	Transfer out: <u>25,500.00</u>	A/P: <u>\$ 14,660.72</u>
	Transfer in: _____	
<u>WASTEWATER FUNDS:</u>		
OPERATING FUND:	FULTON:	<u>BALANCES:</u>
	<u>\$ 870,284.35</u>	Cash: <u>\$ 122,773.97</u>
	INCOME	P-Card: <u>\$ 10,360.54</u>
		Ed Jones: <u>\$ 383,653.12 BV</u>
	Transfer out: <u>19,000.00</u>	<u>\$ 367,451.88 MV</u>
	Transfer in: _____	A/P: <u>\$ 28,604.31</u>
		Payroll: <u>\$ 46,784.70</u>
		A/R: <u>\$ 45,403.53</u>
RESERVE ACCOUNT:	FULTON:	<u>BALANCES:</u>
	<u>\$ 25,211.08</u>	Cash: <u>\$ 61,664.79</u>
	INCOME	Ed Jones: <u>\$ 1,772,629.05 BV</u>
		<u>\$ 1,735,078.36 MV</u>
	Transfer out: <u>263,000.00</u>	A/R: <u>\$ 105,200.00</u>
	Transfer in: _____	
DEBT SERVICE RESERVE:	FULTON:	<u>BALANCES:</u>
	<u>\$ 630,984.70</u>	Cash: <u>\$ 414,203.80</u>
	INCOME	Ed Jones: <u>\$ 1,353,659.77 BV</u>
		<u>\$ 1,342,737.23 MV</u>
	Transfer out: _____	A/R: <u>\$ 67,253.91</u>
	Transfer in: _____	

Treasurer's Monthly Report – (continued)

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 12/12/2016

Activity

Activity for: 11 months 2016

Date: 11/30/2016

FINANCIAL INSTITUTION:

REVENUE BOND, SERIES OF 2007:

PLGIT:

BALANCES:

\$ 2,156.33
 INCOME

\$ _____
 EXPENSES

Cash: \$ 636,428.09

Ed Jones: -

Transfer out: _____

Transfer in: _____

OTHER FUNDS:

UNEMPLOYMENT COMPENSATION:

PLGIT:

BALANCES:

\$ 257.68
 INCOME

\$ 19.07
 EXPENSES

Cash: \$ 92,239.98

Transfer out: _____

Transfer in: _____

LIQUID FUELS:

PLGIT:

BALANCES:

\$ 85,546.55
 INCOME

\$ 9,750.13
 EXPENSES

Cash: \$ 138,945.88

AP \$ _____

Transfer out: _____

Transfer in: _____

BEAUTIFICATION TRUST:

PLGIT:

BALANCES:

\$ 110.87
 INCOME

\$ -
 EXPENSES

Cash: \$ 43,518.45

Transfer out: _____

Transfer in: _____

RECREATION:

FULTON:

BALANCES:

\$ 1,773.17
 INCOME

\$ 10,285.98
 EXPENSES

Cash: \$ 25,131.55

Ed Jones: \$ 20,648.57 BV

\$ 20,017.00 MV

A/P: \$ 600.97

Transfer out: _____

Transfer in: 25,000.00

Treasurer's Monthly Report – (continued)

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 12 /12 /2016

Activity

Activity for: 11 months 2016

Date: 11/30/2016

FINANCIAL INSTITUTION:

WM DERR SWIMMING POOL:

FULTON:

BALANCES:

\$ 57,203.42
 INCOME

\$ 74,669.60
 EXPENSES

Cash: \$ 5,179.61

Ed Jones: \$ 34,146.43 BV
\$ 33,535.83 MV

Transfer out: _____

Transfer in: 19,500.00

A/P: \$ 68.14

POOL CAPITAL CONSTRUCTION FUND:

FULTON:

BALANCES:

\$ 283.16
 INCOME

\$ 122,253.88
 EXPENSES

Cash: \$ 201,444.28

Ed Jones: \$ BV
\$ MV

Transfer out: _____

Transfer in: 322,500.00

A/P: \$ 915.00

MUNICIPAL CENTER FUND:

FULTON:

BALANCES:

\$ 622,687.73
 INCOME

\$ 3,058.50
 EXPENSES

Cash: \$ 619,561.11

Ed Jones: \$ BV
\$ MV

Transfer out: _____

Transfer in: _____

A/P: \$

MEMO

A/R – Accounts Receivable

BV – Book Value

A/P – Accounts Payable

MV – Market Value

The monthly listing of invoices was presented. The Manager asked Council to also approve the UGI bill for the 101 S. Railroad Street property which was received after the list was completed for Council. A motion was made by Dana Reich, seconded by Vince Podolski, to approve payment of all invoices as listed and the addition of the UGI bill presented tonight. All those in favor: Motion unanimously carried.

The communications were reviewed.

Comcast rate and channel letters; Lebanon County Planning Department letter regarding the Isaac Meier Homestead withdraw.

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

Recreation Board – two (2) vacancies

International Property Maintenance Code Board of Appeals – three (3) vacancies

Vacancy Board Chairman – one (1) vacancy

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

The President proceeded to the agendas order of the business:

The previously introduced and advertised 2017 budgets for Wastewater Funds, General Funds and the Special Funds were presented. A motion was made by Michael D. Behm, seconded by Vince Podolski, to approve all of the 2017 budgets. All those in favor: Motion unanimously carried.

The Solicitor has prepared and advertised Ordinance 839 to establish the property taxation rate for the Borough for 2017. The real estate tax rate will increase from 2.0 mills to 2.5 mills for 2017, repeal the Per Capita Tax and levy a Special Purpose Tax (53 P.S. 46302) for a Street Light Tax at a rate of 0.26 mills. A motion was made by Dana Reich, seconded by Michael D. Behm, to approve Ordinance 839 – establishing the taxation rates for the Borough for 2017. All those in favor: Motion unanimously carried.

President Rittle stated agenda item number 19 – Ordinance 840 to adopt a LERTA District for the Borough is not ready for action.

The Manager reviewed the lease agreement with Harvest Bible. The Manager and Solicitor have revised and completed the agreement. A motion was made by Michael D. Behm, seconded by Jeffrey L. Thomas, to approve the lease agreement with Harvest Bible for space in the Myerstown Government & Business Center. All those in favor: Motion unanimously carried.

The Manager explained the Cash Management Services Master Agreement with Fulton Bank. The agreement separates the funds between the Borough and Water Authority since we no longer have the lockbox system. A motion was made by Vince Podolski, seconded by Dana Reich, to approve the Fulton Bank Management Services Master Agreement. All those in favor: Motion unanimously carried.

Resolution 2016-13 – 2017 Fee Resolution - has been prepared. A motion was made by Eric L. Powell, seconded by Jeffrey L. Thomas, to adopt Resolution 2016-13 - setting the Fee Schedule for 2017. All those in favor: Motion unanimously carried.

Resolution 2016-14 – Authorized Signatures – has been prepared. The Resolution authorizes the officials listed to execute contracts and documents of behalf of the Borough Council. A motion was made by Dana Reich, seconded by Eric L. Powell, to adopt Resolution 2016-14 – Authorized Signatures. All those in favor: Motion unanimously carried.

Resolution 2016-15 – Check Signatures – has been prepared. The Resolution authorizes the officials who may sign checks on behalf of the Borough. A motion was made by Vince Podolski, seconded by Eric L. Powell, to adopt Resolution 2016-15 – Check Signatures. All those in favor: Motion unanimously carried.

Resolution 2016-16 – Appointment to various Boards/Commissions. The Vacancy Chairman position is vacant. We received written notices of interest for the following appointments: Coby Long - International Property Maintenance Code Board of Appeals and the Water Authority; Dennis Dieffenbach - Alternate Member to the Zoning Hearing Board; Nancy Kirsch - Planning Commission; Vince Podolski - Planning Commission and International Property Maintenance Code Board of Appeals; and Larry Kramer – Water Authority. The President would like the office to set up a time for Coby Long to come and talk to the Council. A motion was made by Michael D. Behm, seconded by Dana Reich, to adopt Resolution 2016-16 - Appointment to Various Boards/Commissions with the following appointments; Dennis Dieffenbach - Alternate Member to the Zoning Hearing Board; Nancy Kirsch - Planning Commission; Vince Podolski - Planning Commission and International Property Maintenance Code Board of Appeals; Coby Long - International Property Maintenance Code Board of Appeals; and Larry Kramer – Water Authority. All those in favor: Motion unanimously carried.

Resolution 2016-17 – Escalation/De-escalation Resolution - has been prepared. The escalator clause is for price adjustments of bituminous materials for small quantities of asphalt cement as part of proposals for projects. A motion was made by Vince Podolski, seconded by Eric L. Powell, to adopt Resolution 2016-17 - Escalation/De-escalation Clause. All those in favor: Motion unanimously carried.

Resolution 2016-18 – Records Deposition: A motion was made by Vince Podolski, seconded by Eric L. Powell, to adopt Resolution 2016-18 - Records Deposition, as directed by the Municipal Records Manual. All those in favor: Motion unanimously carried.

Resolution 2016-19 – Appoint Stanilla, Seigel & Maser PC as the Borough's Auditors: A motion was made by Michael D. Behm, seconded by Vince Podolski, to approve Resolution 2016-19 - Appointment of Independent Auditor. All those in favor: Motion unanimously carried.

We received the Auditing Firm contracts from Stanilla, Siegel and Maser for services to audit the Sewer Revenue Accounts, the General Fund Accounts and Special Fund Accounts and prepare the Sewer calculation of shared expenditures to or from the Borough partners. For the Sewer Revenue Accounts the estimated fees will not exceed \$2,200.00 and the Sewer Calculation estimated fee will not exceed \$1,050.00. For the Borough General Fund Accounts including the Special Fund Accounts estimated fees will not exceed \$8,000.00. A motion was made by Michael D. Behm, seconded by Dana Reich, to approve the Auditing Contracts from Stanilla, Siegel and Maser, LLC for the year ending December 2016. All those in favor: Motion unanimously carried.

Resolution 2016-20 – Appoint the Building Code Inspector: A motion was made by Vince Podolski, seconded by Eric L. Powell, to approve Resolution 2016-20 - Appoint Associated Building Inspections, Inc. All those in favor: Motion unanimously carried.

Resolution 2016-21 – Wage Resolution - has been prepared. A motion was made by Michael D. Behm, seconded by Vince Podolski, to approve Resolution 2016-21 - setting the wage and salary ranges for the Borough employees for 2017. All those in favor: Motion unanimously carried.

Resolution 2016-22 – Taxation Rates Resolution - has been prepared. A motion was made by Michael D. Behm, seconded by Vince Podolski, to approve Resolution 2016-22 - setting the Local Enabling Taxation Rates (Act 511) for the Borough for 2017. All those in favor: Motion unanimously carried.

The 2017 meeting date schedule has been completed. The Manager stated we are publishing the ad with the meetings being held here at the 101 E. Washington Avenue property because we do not have an exact date for the meetings to start at the 101 S. Railroad Street property as of yet. A simple ad will be done for publishing at that time notifying of the change in location. A motion was made by Eric L. Powell, seconded by Vince Podolski, to approve the 2017 meeting schedule and authorize the meeting dates be advertised. All those in favor: Motion unanimously carried.

The Manager stated he received a correspondence from Rick Clay stating he regretfully withdraws any interest in the 301 S. Railroad Property for any development. Councilmember Jeffrey L. Thomas stated the trees on the property are dangerous. The Assistant Manager stated he will look at them and get some proposals for removal.

We received a request from the Evangelical Seminary to hold a Four Chaplains Scholarship Run Event. A motion was made by Jeffrey L. Thomas, seconded by Vince Podolski, to approve the request from the Evangelical Seminary to hold a Four Chaplains Scholarship Run Event on Saturday, February 4, 2017, contingent upon receiving the event route and a Certificate of Insurance naming the Borough as additional insured. All those in favor: Motion unanimously carried.

We received a payment request pay application #2 from Stoneridge, Inc. for \$174,150.00 for the pool rehabilitation project. A motion was made by Vince Podolski, seconded by Eric L. Powell, to approve the pay application #2 for \$174,150.00 to Stoneridge, Inc. All those in favor: Motion unanimously carried.

Dane Bicher – 425 S. Broad Street – asked if the Bahney House pays taxes. President Rittle stated yes they do.

Myerstown, PA
Tuesday, December 13, 2016

Dane Bicher asked what the Council does at the Monday Planning Session. President Rittle stated this month the consultant doing the review for the Zoning Ordinance changes was here. Dane Bicher questioned if the Council has a meeting every second Monday before the regular meeting. President Rittle stated not every month. There will not be one in January but will be one in February.

Dane Bicher questioned if the Manager lives in the Borough. President Rittle stated no he does not.

Dane Bicher asked how can he get a copy of the budgets? President Rittle stated he should come into the borough office.

Dane Bicher thanked everyone for answering his questions.

Ronald Ream – 621 S. Railroad Street – asked if the Code Enforcement Officer received any complaints regarding the trash at 122 S. Cherry Street. The Code Enforcement Officer stated a Notice of Violation was mailed on Monday to the owner.

The Borough Council recessed the regular meeting and entered into Executive Session at 8:13 p.m. to discuss personnel and potential litigation.

The Borough Council returned from Executive Session at 8:34 p.m. reconvening the regular session and resumed consideration of and action on the regular meeting agenda.

A motion was made by Vince Podolski, seconded by Dana Reich, to approve to enter into the Isaac Meier Agreement with the Historic Preservation Trust, to continue negotiations on the agreement, and to approve such agreement and sign all documents. All those in favor: Motion unanimously carried.

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 Dana Reich, to adjourn the meeting at 8:37 p.m. All those in favor: Motion unanimously carried.

Lisa A. Brubaker
Deputy Secretary

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