

Myerstown, PA  
Tuesday, May 12, 2015

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:33 p.m., on Tuesday, May 12, 2015. The meeting was held in Borough Council Chambers in the Myerstown Municipal Center, 101 East Washington Avenue, Myerstown, PA 17067.

#### ROLL CALL:

Following the Pledge of Allegiance, a roll call was taken. Present were: President Bryan L. Rittle, Vice President Michael D. Behm, Park W. Haverstick, II, Jeffrey L. Thomas, Dana Reich, Keith Fox, Mayor Gloria R. Ebling; Treasurer Lee C. Smith; Solicitor Frederick S. Wolf; Public Works Department Supervisor David C. Fake; Wastewater Department Supervisor Barry A. Ludwig; Deputy Secretary Lisa A. Brubaker and Manager Christopher J. Moonis.

#### MINUTES:

A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to dispense with the reading of and approve the minutes of the April 14, 2015 Regular Monthly Meeting All those in favor: Motion unanimously carried.

#### CITIZENS' AND VISITORS' COMMENTS:

Rebecca Rogers – 700 & 702 S. Railroad Street – was present to dispute a parking ticket she received for parking within the yellow lined area along the curb at her home. She stated the yellow lining is very faded and hard to see and she has pictures of the area to show. The Public Works Supervisor stated the curb line is marked and painted 30 feet from a stop sign. The Mayor stated you may not park in a yellow lined area. After discussion, the Council President asked her to provide the pictures to the Manager for review and determination if the fine must be paid. Ms. Rogers also reported a pot hole at the intersection of Railroad Street and Richland Avenue. The Public Works Department will check the area.

#### REPORTS TO COUNCIL:

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

The Mayor Gloria R. Ebling presented the report. The Mayor reported it was a quiet month and the State Police provided information regarding on-line scam's. There were no additional comments.

The State Police Report. No written report was received. There were no additional comments.

The Recreation Board Report. Councilmember Jeffrey L. Thomas reported the Recreation Board is working on future ideas for recreation. The tennis courts were discussed. Jackson Township contacted the Recreation Board regarding a possible combined Holiday Lights Contest, more information will follow. Councilmember Dana Reich asked if there was any discussion on doing a car show again. The show stopped because they need someone to volunteer to organize it. There were no additional comments.

Wastewater Supervisor Barry A. Ludwig presented the report. Councilmember Park W. Haverstick, II asked where is Musser Enterprises. The Wastewater Supervisor stated it is in the Richland area. The Council President asked when they will be starting the Broad Street work. The Wastewater Supervisor stated he is just about ready to proceed. The Wastewater Supervisor reminded Council the Sewer Advisory Meeting is scheduled for May 18, 2015 at 6:00 p.m. at the Wastewater Treatment Plant. There were no additional comments.

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The ARRO Engineering Report was presented. There were no additional comments.

Public Works Supervisor David C. Fake presented the report. Councilmember Dana Reich asked if there is a schedule of repairs for alleys. The Public Works Supervisor stated he is going to try to place millings in some of the alleys to see if it helps. The Manager stated he is looking at a Dirty and Gravel Road Program for alleys with the Lebanon County Conservation District to try and get funding for the alleys. The Public Works Director informed Council the dugouts at the Legion ball field have been finished and resident Ronald Ream and crew donated their time for the project. Mr. Ream was present and the Council thanked him for his generous donation. There were no additional comments.

The Solicitor's report was presented. The Solicitor reviewed an additional property maintenance issue for 214 W. Main Avenue. The Code Enforcement Officer has inspected the property and an enforcement letter will be sent outlining the violations. The Solicitor will keep the Council informed. There were no additional comments.

The Manager gave a review of the Borough status. Two sealed bid packets for the 2015 Road Project were received and opened by the Manager and Deputy Secretary on Tuesday, May 5, 2015 and a bid tabulation form as been completed for review by Council. The bid consists of road work for Cherry Street, Broad Street and a portion of Madison Alley. The packet was prepared with options for Broad and Cherry Street. The options are as follows:

Cherry Street was bid with two options. Option one is from Main Avenue to Richland Avenue. Option two is from Main Avenue to the Bridge.

Broad Street was bid with two options. Option one is from Main Avenue to Richland Avenue. Option two is from Main Avenue to the Bridge.

Madison Alley is from Broad Street to Cherry Street.

EJB Paving & Materials Company and Pennsy Supply, Inc. were the two bidders for the project. The bids were as follows:

Cherry Street:

EJB Paving & Materials Company – Option #1. – total \$247,780.23  
Option #2. – total \$166,665.86

Pennsy Supply, Inc. – Option #1. – total \$253,708.37  
Option #2. – total \$171,476.42

Broad Street:

EJB Paving & Materials Company – Option #1. – total \$ 82,446.30  
Option #2. – total \$ 66,541.50

Pennsy Supply, Inc. – Option #1. – total \$ 91,172.70  
Option #2. – total \$ 75,055.95

Madison Alley:

EJB Paving & Materials Company – total \$ 15,345.60

Pennsy Supply, Inc. – total \$ 18,825.60

Total project for Option #1, which is what the Borough staff is recommending be awarded is, EJB Paving & Materials - \$345,572.13 – Pennsy Supply - \$363,706.67.

A financial breakdown and funding sources for the project was reviewed. The Manager is recommending the Council approve Option #1 from the bid from EJB Paving & Materials Company for the total of \$345,572.13 and funds be used from the Liquid Fuels Account, Wastewater Reserve Account, and the Borough Line of Credit funds to pay for the project. The Manager reported this item is on the Agenda

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for action later in the meeting. The ADA Ramps, sidewalks and curbs were discussed.

The audits for the Wastewater Funds and the Borough Funds have been received. The Council will take time to review the audits and they will be placed on the June 9, 2015 Council Meeting agenda for action.

The Borough has been approved for an EIP III Grant (Early Intervention) for \$93,600.00.

Councilmember Park W. Haverstick, II asked who purchased the old Verizon building on Main Avenue. The Manager reported it was purchased by the owners of Enck Gun Shop. The Manager met with them and reviewed some of their ideas for the property which may include an indoor shooting range. Scott Yeagley asked if there are enough parking spaces for the property. The Manager stated they do have enough parking spaces available. Other options for parking were also discussed. Mr. Yeagley asked if residents will be able to give public comment if an indoor shooting range is proposed. The Manager stated under the current regulations and indoor range would require a variance. For a variance, a Zoning Hearing would be held and public comments would be part of the hearing. There were no additional comments.

Committee Reports: The Isaac Meier House is still looking at quotes for the roof.

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 Park W. Haverstick, II, to approve the Treasurer's Report and have it on file for audit. All those in favor: Motion unanimously carried.

The monthly listing of invoices was presented. The Wastewater Supervisor reviewed a correction that was found for the wastewater account. A motion was made by Dana Reich, seconded by Keith Fox, to approve payment of all invoices as listed. All those in favor: Motion unanimously carried.

#### COMMUNICATIONS:

The communications were reviewed. The Manager gave Council information from the PSAB (Pennsylvania State Association of Boroughs) Conference he attended. There were no additional comments.

Sergeant Tice entered the meeting at 7:27 p.m. He gave a copy of his State Police Monthly and Year to Date report to the Mayor. Sergeant Tice gave a verbal summary of his report. After discussion, residents and Councilmembers provided him with concerns they are seeing in the Borough.

#### OLD BUSINESS:

The Council President read the list of current Committee and Board vacancies. If anyone is interested in volunteering to serve on any of these boards contact the Borough office.

#### NEW BUSINESS:

The Goodwill Fire Police brought their new truck to show the Council. The Council President thanked Captain Terry Miller for bring the truck to the meeting.

The Council President stated a resignation letter submitted by Jessica Kohl. A motion was made by Keith Fox, seconded by Park W. Haverstick, II, to accept with regret the resignation letter from Jessica Kohl from her appointment to the Recreation Board. All those in favor: Motion unanimously carried.

The 2004 Chevrolet Impala vehicle was placed on Municibid, an online government auction, for sale. The highest bid received was \$2,600.00. A motion was made by Park W. Haverstick, II, seconded by Michael D. Behm, to approve the sale of the 2004 Chevrolet Impala vehicle for the highest bid of \$2,600.00 from Daniel Reich. All those in favor; Motion unanimously carried.

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The Council President asked for action or comments regarding the 2015 Road Project. A motion was made by Keith Fox, seconded by Michael D. Behm, to approve and award the 2015 Road Project Bid to EJB Paving & Materials Company for Option #1 for Cherry Street, Broad Street and Madison Alley for a total of \$345,572.13 and authorize the use of funds from the Liquid Fuels Account, Wastewater Reserve Account, and the Borough Line of Credit funds to pay for the project. All those in favor: Motion unanimously carried.

We received a service warranty contract for the CCTV Surveillance System from Choice Communication. The current warranty expires on June 9, 2105. The agreement is for an additional 12 month term for a \$800.00 fee. The Council did not approve the service contract.

The Manager asked for Council to table the review for the Zoning Text Amendment for the C-1 – Central Business District until he can provide a draft amendment for their review. The matter was tabled.

With the resignation of Teresa Allwein there is a vacancy on the Borough Council. The Council President asked if there are any recommendations or anyone present interested in the seat on Borough Council. Seeing none, a motion was made by Keith Fox, seconded by Dana Reich, to activate the Vacancy Board Chairman starting May 15, 2015. All those in favor: Motion unanimously carried.

Last month, Council approved the hiring of the seasonal workers for the swimming pool and playground program. An additional worker, Ethan Hentz will need to be hired for the summer season. A motion was made by Michael D. Behm, seconded by Jeffrey L. Thomas, to approve the hiring of Ethan Hentz as a pool employee for the summer season. All those in favor: Motion unanimously carried.

#### EXECUTIVE SESSION:

The Borough Council recessed the regular meeting and entered into Executive Session at 8:01 p.m. to discuss acquisition of real estate and personnel matters.

The Borough Council returned from Executive Session at 8:38 p.m. reconvening the regular session and resumed consideration of and action on the regular meeting agenda.

#### ADJOURNMENT:

There were no additional comments for the good of the borough. A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to adjourn the meeting at 8:41 p.m.

Lisa A. Brubaker  
Deputy Secretary

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