

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:32 p.m., on Tuesday, July 11, 2017. 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, Councilmembers Eric L. Powell, Ronald Ream, Jeffrey L. Thomas, Dana Reich, Mayor Gloria R. Ebling, Solicitor Frederick S. Wolf, Treasurer Lee C. Smith, Manager Michael McKenna, Assistant Manager Barry A. Ludwig, and Deputy Secretary Lisa A. Brubaker.

President Rittle introduced to the audience the new Borough Manager Michael McKenna and welcomed him to his first meeting.

The Meeting Minutes for June 12, 2017, June 13, 2017 and June 22, 2017 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, June 12, 2017, the Regular Monthly Meeting, June 13, 2017, and the Special Meeting, June 22, 2017. All those in favor: 6 Aye, 1 abstention (Councilmember Powell abstained from the June 22, 2017 meeting minutes due to his absence. A written statement was provided.) Motion carried.

The President opened the floor for Citizens and Visitors Comments:

Brian Ziegler – was present representing the Goodwill Fire Company. He wanted to inform the Council the Goodwill will be celebrating their 150th Anniversary next year and knows the Borough has an anniversary as well. They will be planning some type of festivities and wanted to know if the Borough would like to participate and join the anniversaries together. They will be holding a meeting on Monday, July 17, 2017 at 6:00 p.m. if anyone would like to attend.

Mike Davis – 511 S. Cherry Street – read a written statement regarding the Borough doing a newsletter. President Rittle stated the Borough is currently in the process of revising the Borough website. In order to provide a newsletter, the Borough would need someone to do the newsletter and then the cost for the mass mailing.

Brian Boltz – 16 W. Washington Avenue – asked if anything was done regarding the rain spouting he reported. The Code Enforcement Officer was not present to discuss the matter.

Brian Boltz questioned the Speedway Property on Washington Avenue. The Borough records would have to be checked if a complaint was filed regarding this property.

Brian Boltz provided information regarding the dates flags are to be at half mass.

Diane Krammes – 123 Molleystown Road, Pine Grove – wanted to know the status of the sale of the Borough owned property at 301 S. Railroad Street. President Rittle stated the Borough is working to complete the items needed to set a sale date.

Dane Bicher – 425 S. Broad Street - asked why is PennDot redoing the ADA Ramps on College Street. President Rittle stated the Federal ADA (American Disabilities Act) requirements are always changing and anytime you do upgrades to the road you are required to bring the ramps up to the current code.

President Rittle turned the discussion over to Gary Poffenberger and Jennifer Gordon from Tanner Furniture for a presentation on furniture for the new facility. Tanner Furniture is located in Harrisburg. They provided a packet outlining the Hon brand furniture. Hon furniture has a lifetime warranty and is 100% American made.

Gary Poffenberger stated they are able to provide pricing based on COSTARS State Contract. Tanner holds its own COSTARS Contract which enables them to give additional discounts over and above

the published discount. If Tanner was granted the contract there would be a dedicated service representative, a project manager and designer assigned to our project. Gary Poffenberger stated Hon is the best in warranties and customer service. The product is built to last.

Nathan Merkel from ARRO Engineering was present to review the Borough's MS-4 Plan. They are here to hold a public comment period which is a part of the Boroughs PRP (Pollution Reduction Plan).

The Borough has been identified as a municipal separate storm water system for MS-4. The Boroughs current MS-4 Permit will expire at the end of 2017. Renewal Applications are due by September 16, 2017. A new requirement for the renewal is to develop a PRP (Pollution Reduction Plan).

Upon completion of the PRP, it was advertised and open for review and comments from June 5 to July 7, 2017. To date, no public comments have been received.

Nathan Merkel reviewed the details of the PRP. The Borough will be required to reduce its pounds of sediment by 10%. The BMP (Best Management Practice) identified in the PRP is a bio-swale at the Borough park. The estimated construction cost for the bio-swale is \$73,456.00 over the five-year permit cycle.

Nathan Merkel opened the floor for any public comments.

Councilmember Behm asked where is the removed sediment going? Nathan Merkel stated it is being captured and treated in that BMP, in the bio-swale. It retains and filters out the sediment, so you have cleaner water that is being discharged into the Tulpehocken Creek.

The bio-swale is a swale that is planted with specific vegetation that is meant to treat storm water runoff. It is a natural eco system that will help manage and regenerate itself. It will treat the storm water runoff to remove the sediment and any other contaminates that may be transported through the storm water being discharged.

Dane Bicher asked who regulates this program. Nathan Merkel stated MS-4 is mandated by EPA (Environmental Protection Agency) and DEP (Department of Environmental Protection) sets the guidelines that must be followed to develop their PRP.

Dane Bicher stated the swale will only catch sediment coming through the pond. Nathan Merkel stated when developing the PRP they look at MS-3's (municipal separate storm sewer sheds). The outfalls are looked at, they then calculate the amount of sediment being transported to that outfall point. Once the calculations are complete, they can see the areas that are best suited to implement a BMP that would reduce the sediment outfall by the required 10%. The pond area makes the most sense for this application.

Assistant Manager Ludwig stated to implement the plan, we will remove part of the underground overflow pipe and then construct the open swale. This was the most cost-effective method for the Borough. Nathan Merkel stated they will be applying for any grant funds that are available for this type of project.

The main goal is to treat the storm water before it reaches the creek, do our best management practices, and provide public education. The MS-4 Program is not going away.

There were no additional comments, Nathan Merkel closed the public comment period.

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 reported she spoke to the State Police regarding the residents riding their lawn mowers on the roadway. She also asked the State Police to patrol around the pool area during their nightly rounds.

The Code Enforcement Officer report was presented. Councilmember Reich asked if the owner at 702 S. Railroad Street got a permit for a fence. The Code Enforcement Officer was not present so the Manager will check with him or Lebanon County Planning Department regarding a permit.

Assistant Manager Barry A. Ludwig presented his report. He reported DEP is scheduling an MS-4 Inspection in August.

There will be a pre-construction meeting on Friday, July 14, 2017 for the Water Authority Replacement Project on Railroad Street.

Solicitor Frederick S. Wolf presented his report. Solicitor Wolf stated at the last meeting, the Council approved the signing of the Final Settlement Agreement from the Lebanon County Historic Preservation Trust for the funds owed to the Isaac Meier Homestead Group. The plaque has been received which was a requirement for the release of funds. He sent the signed agreement back to the trust and has requested a date in which the funds be released, but has not received that information.

Manager Michael McKenna presented his report. There were no comments.

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

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 07/10/2017

Activity for: June 2017

	<u>Activity</u>	<u>Date:</u> <u>06/30/2017</u>
<u>GENERAL FUNDS:</u>	<u>FINANCIAL INSTITUTION:</u>	<u>BALANCES:</u>
OPERATING FUND:	FULTON:	Cash: <u>\$ 440,335.00</u>
	<u>\$ 858,875.00</u>	<u>\$ 536,687.00</u>
	INCOME	EXPENSES
	Transfer out: <u>\$ 397,133.00</u>	P-Card: <u>\$ 9,923.00</u>
	Transfer in: _____	Ed Jones: \$ _____ BV
		<u>\$ 210,202.00 MV</u>
		A/P: <u>\$ 16,351.00</u>
		Payroll: <u>\$ 9,948.00</u>
RESERVE ACCOUNT:	FULTON:	<u>BALANCES:</u>
	<u>\$ 2,117.00</u>	<u>\$ 48,417.00</u>
	INCOME	EXPENSES
	Transfer out: <u>\$ 50,000.00</u>	Cash: <u>\$ 26,861.00</u>
	Transfer in: <u>\$ 125,000.00</u>	Ed Jones: \$ _____ BV
		<u>\$ 144,837.00 MV</u>
		A/P: <u>\$ _____</u>
<u>WASTEWATER FUNDS:</u>		
OPERATING FUND:	FULTON:	<u>BALANCES:</u>
	<u>\$ 524,128.00</u>	<u>\$ 371,786.00</u>
	INCOME	EXPENSES
	Transfer out: <u>\$25,000.00</u>	Cash: <u>\$ 192,742.00</u>
	Transfer in: _____	P-Card: <u>\$ 15,693.00</u>
		Ed Jones: \$ _____ BV
		<u>\$ 369,088.00 MV</u>
		A/P: <u>\$ 27,345.00</u>
		Payroll: <u>\$ 52,814.00</u>
		A/R: <u>\$ 107,562.00</u>

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 07/10/2017

Activity

Activity for: June 2017

Date: 06/30/2017

RESERVE ACCOUNT:

FULTON:
\$ 31,328.00 \$ 19,729.00
 INCOME EXPENSES

Transfer out: \$ 379,383.00
 Transfer in: _____

BALANCES:
 Cash: \$ 152,904.00
 Ed Jones: \$ _____ BV
\$ 1,510,148.00 MV
 A/R: \$ _____

DEBT SERVICE RESERVE:

FULTON:
\$ 339,559.00 \$ 96,608.00
 INCOME EXPENSES

Transfer out: _____
 Transfer in: _____

BALANCES:
 Cash: \$ 707,133.00
 Ed Jones: \$ _____ BV
\$ 1,353,639.00 MV
 A/R: \$ 117,466.00

REVENUE BOND, SERIES OF 2007:

\$1,331.00
 INCOME

PLGIT:
\$ _____
 EXPENSES

Transfer out: _____
 Transfer in: _____

BALANCES:
 Cash: \$ 537,959.00
 Ed Jones: _____ - _____

OTHER FUNDS:

UNEMPLOYMENT COMPENSATION:

\$ 138.00
 INCOME

PLGIT:
\$ 5,000.00
 EXPENSES

Transfer out: _____
 Transfer in: _____

BALANCES:
 Cash: \$ 87,469.00

LIQUID FUELS:

\$ 89,572.00
 INCOME

PLGIT:
\$ 11,329.00
 EXPENSES

Transfer out: _____
 Transfer in: _____

BALANCES:
 Cash: \$ 217,226.00
 AP \$ _____

BEAUTIFICATION TRUST:

\$ 89.00
 INCOME

PLGIT:
\$ _____
 EXPENSES

Transfer out: _____
 Transfer in: _____

BALANCES:
 Cash: \$ 43,619.00

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 07/10/2017

Activity

Activity for: June 2017

Date: 06/30/2017

RECREATION:

	<u>\$ 1,176.00</u>	FULTON:	<u>\$ 684.00</u>
	INCOME	EXPENSES	
Transfer out: _____			
Transfer in: _____			

BALANCES:
 Cash: \$ 25,079.00
 Ed Jones: \$ _____ BV
\$ 20,042.00 MV
 A/P: \$ _____

WM DERR SWIMMING POOL:

	<u>\$ 69,119.00</u>	FULTON:	<u>\$ 28,983.00</u>
	INCOME	EXPENSES	
Transfer out: _____			
Transfer in: _____			

BALANCES:
 Cash: \$ 52,510.00
 Ed Jones: \$ _____ BV
\$ 33,689.00 MV
 A/P: \$ 7,067.00

POOL CAPITAL CONSTRUCTION FUND:

	<u>\$ 533.00</u>	FULTON:	<u>\$ 752,130.00</u>
	INCOME	EXPENSES –Renovations 2017	
Transfer out: _____			
Transfer in: <u>\$ 826,515.00</u>			

BALANCES:
 Cash: \$ 78,789.00
 A/P: \$ _____

\$ 1,090,010.00
 EXPENSES – Total Renovations 2016/2017

MUNICIPAL CENTER FUND:

	<u>\$ 24,090.00</u>	FULTON:	<u>\$ 136,617.00</u>
	INCOME	EXPENSES	
Transfer out: <u>\$100,000.00</u>			
Transfer in: _____			
Grants: _____			

BALANCES:
 Cash: \$ 415,279.00
 A/P: \$ _____

SESTERCENTENNIAL ACCOUNT:

	<u>\$ 72.00</u>	FULTON:	<u>\$ _____</u>
	INCOME	EXPENSES	

BALANCES:
 Cash: \$ 20,084.00

MEMO

A/R – Accounts Receivable
 A/P – Accounts Payable

BV – Book Value
 MV – Market Value

The monthly listing of invoices was presented. President Rittle stated there is one addition to the bill list. We received a bill from Lebanon Untied Jobbers, Inc. Wholesalers totaling \$703.10. A motion was made by Park W. Haverstick, II, seconded by Eric L. Powell, to approve payment of all invoices as listed with the addition of the pool expense bill presented tonight. All those in favor: Motion unanimously carried.

The communications were reviewed.

Rotary Club pool donation and thank you letter; Library donation thank you letter; Lebanon County Firemen's Convention Program; and an Invitation to Greater Lebanon Refuse Authority's Annual Night Out.

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

Planning Commission – one (1) vacancy
Recreation Board – two (2) vacancies
International Property Maintenance Code Board of Appeals – two (2) vacancies
Vacancy Board Chairman – one (1) vacancy
Zoning Hearing Board – one (1) vacancy

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

Consent Agenda: *The following is a list of routine items which do not appear to be controversial in nature and which probably do not require additional discussion. They can be acted on by one motion in their current form. If discussion is desired on any particular item, any member of Council, or the public, may request the item be removed from the Consent Agenda and that item will be considered separately.*

Council may approve the request from the Isaac Meier Homestead to hold their Annual Country Fair Event on Saturday, September 30, 2017.

A motion was made by Dana Reich, seconded by Park W. Haverstick, II, to approve the consent agenda. All those in favor: Motion unanimously carried.

The President proceeded to the agendas order of the business:

A Zoning Hearing Application has been received from Charles and Heidi Kline for their property at 16 -18 S. Railroad Street. A hearing has been scheduled for Monday, July 17, 2017 at 7:30 p.m. here in the Council Chambers.

The Petition is being sought for a variance of the Off-Street Parking Spaces and a variance is being sought for Signs in the Central Business District. The Council has concerns regarding both variances, but mainly for the parking spaces. The Council may instruct Manager McKenna to attend the Zoning Hearing to address the Councils concerns on the variance requests.

The decision was received from the Lebanon County Board of Assessment regarding the exemption application for the 101 S. Railroad Street property. The Board has granted a partial exemption. The part of the building leased to the Harvest Bible Church will remain taxable. As the use changes in the building, the status may be adjusted as well. A motion was made by Michael D. Behm, seconded by Dana Reich, to approve the tax bill payment for the 101 S. Railroad Street property contingent upon receipt of a new bill reflecting the total taxes based on the new assessed value. All those in favor: Motion unanimously carried.

Assistant Manager Ludwig asked Council to approve the quote from SLH Excavating for \$9,050.00 to remove the tree, stumps, and replace the curb and sidewalk at the 301 S. Railroad Street property. A motion was made by Park W. Haverstick, II, seconded by Michael D. Behm, to approve the quote from SLH Excavating. All those in favor: Motion unanimously carried.

The 301 S. Railroad Street property was discussed. We have received letters of interest in the property. Kleinfelter's Auction was contacted for information for a sale. The Auctioneer stated the deed restrictions must be in place prior to the sale and any other terms would be part of the Agreement of Sale. A sale date can then be set once the deed restrictions are filed.

Last month, the Solicitor stated he would have everything together and finished within 10 days. He informed the Council he has not completed the deed restrictions or the terms of sale. He would like to contact the auctioneer first and then report back for approval.

We received pay applications from the contractors for the Myerstown Municipal Center Renovation Project. Assistant Manager Ludwig stated the applications have been reviewed and approved by the consultant TKS and himself. The Assistant Manager is recommending the Council approve the payment applications. A motion was made by Park W. Haverstick, II, seconded by Ronald Ream, to approve the pay application #2 for Spotts Brothers, Inc. \$13,025.72, and Woodland Contractors, Inc. \$49,320.00. All those in favor: Motion unanimously carried.

We received a change order from Garden Spots Mechanical, Inc. for \$173.37 - thermal mixing, and \$1,119.00 - plumbing. Assistant Manager Ludwig is recommending approval of the change order. A motion was made by Park W. Haverstick, II, seconded by Ronald Ream, to approve the change order from Garden Spots Mechanical, Inc. totaling \$1,292.37. All those in favor: Motion unanimously carried.

We received a proposal from Eagle Secure Solutions for the computer hardware and software for the office. Manager McKenna reviewed the proposal. The Borough is in need of a new server to handle the upgrades to the software.

Councilmember Powell stated he is not comfortable with only one quote. The Manager stated he stayed with the company that knows our system since the move to the new facility will be taking place on July 26, 2017.

After discussion, the general consensus was it is important to use the company we know and knows our system. A motion was made by Michael D. Behm, seconded by Jeffrey L. Thomas, to approve the quote for computer hardware and software proposal from Eagle Secure Solutions. All those in favor: On a roll call vote. M. Behm – yes; P. Haverstick – yes; E. Powell – no; R. Ream – yes; J. Thomas – yes; D. Reich – yes; B. Rittle – yes. Motion carried.

The move to the new facility was discussed. The Manager would like the borough office to be closed on Tuesday, July 25, Wednesday, July 26, and Thursday July 27, 2017. If all goes well, we would open on Friday, July 28, 2017. A motion was made by Eric L. Powell, seconded by Dana Reich to approve to close the Borough office for the move to the new facility. All those in favor: Motion unanimously carried.

We received moving company quotes. The lowest company was My Labor and Moving, LLC. This company will also do the removal of the unwanted items. A motion was made by Park W. Haverstick, II, seconded by Dana Reich, to approve the quote from My Labor and Moving Company, LLC. All those in favor: Motion unanimously carried.

Manager McKenna recapped the furniture company's presentations and quotes. Two of the companies are using the same Hon Brand. His recommendation is Tanner Furniture because they are a COSTARS vender. A motion was made by Park W. Haverstick, II, seconded by Michael D. Behm, to approve Tanner Furniture to supply the furniture for the Borough. All those in favor: Motion unanimously carried.

We received a quote from W.J. Strickler Signs for signage for the new facility. The price was too high. The Manager will be getting additional quotes to bring to Council.

The new facility has a large flag pole. Typically, the flag is up all the time and it should be lit. Electrical service will need to be run to the flag pole area for the light. The Borough will wait until it decides on the signage because electric will be needed in that area as well and can run both at that time.

Myerstown, PA
Tuesday, July 11, 2017

The Borough Council recessed the regular meeting and entered into Executive Session at 8:21 p.m. to discuss personnel matters.

The Borough Council returned from Executive Session at 9:06 p.m. reconvening the regular session and resumed consideration of and action on the regular meeting agenda.

Councilmember Reich readdressed her concerns concerning the Zoning Hearing Application from Charles and Heidi Kline. A motion was made by Ronald Ream, seconded by Dana Reich, to authorize the Borough Manager, as their representative, to attend the Zoning Hearing on July 17, 2017 to address the Council's concerns regarding the variance requests. 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 Park W. Haverstick, II, seconded by Michael D. Behm, to adjourn the meeting at 9:25 p.m. All those in favor: Motion unanimously carried.

Lisa A. Brubaker
Deputy Secretary

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