

Myerstown, PA
Tuesday, May 9, 2017

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:31 p.m., on Tuesday, May 9, 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, President Pro Tem Park W. Haverstick, II, Councilmembers Eric L. Powell, Ronald Ream, 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, and Deputy Secretary Lisa A. Brubaker. Absent were: Vice President Michael D. Behm, Councilmember Dana Reich, and Economic Development Manager Michael McKenna.

President Rittle welcomed Ronald Ream as a member of Council. He was appointed at the Monday, May 8, 2017 meeting to fill the vacant seat on the Borough Council.

The Meeting Minutes for April 10, 2017, April 11, 2017 and April 27, 2017 were presented. A motion was made by Park W. Haverstick, II, seconded by Eric L. Powell, to dispense with the reading of and approve the minutes of the Planning Meeting, April 10, 2017, the Regular Monthly Meeting, April 11, 2017 and the Special Meeting, April 27, 2017. All those in favor: Motion unanimously carried.

The President opened the floor for Citizens and Visitors Comments:

Tom Houtz from the MAN (Myerstown Activities Network) Group was present to discuss the yearly events, National Night Out, Holiday Parade, and New Year's Eve Drop. This year is also the Boroughs turn to have the Memorial Day Parade on Monday, May 29, 2017 at 9:30 a.m. with a ceremony following the parade at the VFW. Any donations towards the Memorial Day Parade would be greatly appreciated. President Rittle stated the events will be approved as part of the consent agenda.

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 would like to purchase some additional flower pots for the streets. Deputy Secretary Brubaker stated the style of flower pots previously purchased has been discontinued.

Some of the street pole banners are in need of repair. The Mayor has been in contact with two women who may be able to help with mending them. She will report back.

Code Enforcement Officer John Neely presented his report. Property maintenance and safety issues were discussed.

Assistant Manager Barry A. Ludwig presented his report. The Assistant Manager stated he is still working on the Agility Agreement for the mowing the Borough does along State Route 422. He cannot get anyone to respond to him.

Councilmember Thomas asked when the state is going to start paving on College Street. Assistant Manager Ludwig stated he has not been informed of a date and the state has to complete the ADA Ramps before they will pave the roadway.

Solicitor Frederick S. Wolf presented his report. Solicitor Wolf stated he received a Final Settlement Agreement from the Lebanon County Historic Preservation Trust for the funds owed from the trust to the Isaac Meier Homestead Group.

The Solicitor stated he will review to make sure the terms are the same as in the draft agreement received earlier, but he would like the Council to approve the signing of the agreement and release, provided that the same verbiage is used in the draft agreement that was previously provided to each party. A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to approve to sign the agreement

contingent upon the Solicitors approval of the document. All those in favor: Motion unanimously carried.

The Borough was named as the trustee of the Bahney Trust. The purpose of the trust is no longer able to be accomplished because there are not sufficient funds to do what was proposed in the trust. An application was made to the Attorney General's Office for permission to terminate the trust. The Bahney Heirs indicated the remaining funds go to the Borough.

The Borough indicated they would use a portion of the funds to establish a memorial in the new facility in honor of Lillian I. Bahney and her contributions to the community. The Solicitor will be finalizing the trust and trust funds and will report back once it is completed.

The President proceeded to the Committee Reports:

Park & Recreation Committee: (Jeffrey L. Thomas, Dana Reich and Park W. Haverstick, II)
 The Harvest Bible Church will be doing a clean up here in town. The creek area is in need of some clean up as well and maybe this can be done with this event.

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 Eric L. Powell, 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 05/09/2017

Activity for: April 2017

<u>Activity</u>	<u>Date: 04/30/2017</u>
<u>GENERAL FUNDS:</u>	<u>FINANCIAL INSTITUTION:</u>
OPERATING FUND:	FULTON:
<u>\$ 379,943.00</u>	<u>\$ 332,789.00</u>
INCOME	EXPENSES
	Transfer out: <u>\$ 397,133.00</u>
	Transfer in: _____
	Cash: <u>\$ 164,852.00</u>
	P-Card: <u>\$ 10,640.00</u>
	Ed Jones: <u>\$ 215,137.00 BV</u>
	<u>\$ 209,745.00 MV</u>
	A/P: <u>\$ 22,206.00</u>
	Payroll: <u>\$ 8,862.00</u>
	G.O.
	Note: <u>\$ 397,133.00</u>
RESERVE ACCOUNT:	FULTON:
<u>\$ 1,1229.00</u>	<u>\$ 47,277.00</u>
INCOME	EXPENSES
	Transfer out: <u>\$ 50,000.00</u>
	Transfer in: <u>\$ 125,000.00</u>
	Cash: <u>\$ 27,947.00</u>
	Ed Jones: <u>\$ 147,975.00 BV</u>
	<u>\$ 144,365.00 MV</u>
	A/P: <u>\$ _____</u>
<u>WASTEWATER FUNDS:</u>	
OPERATING FUND:	FULTON:
<u>\$ 298,655.00</u>	<u>\$ 241,191.00</u>
INCOME	EXPENSES
	Transfer out: <u>\$25,000.00</u>
	Transfer in: _____
	Cash: <u>\$ 121,027.00</u>
	P-Card: <u>\$ 2,077.00</u>
	Ed Jones: <u>\$ _____ BV</u>
	<u>\$ 367,636.00 MV</u>
	A/P: <u>\$ 29,399.00</u>
	Payroll: <u>\$ 52,012.00</u>
	A/R: <u>\$ 45,898.00</u>

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 05 /09 /2017

Activity

Activity for: April 2017

Date: 04/30/2017

RESERVE ACCOUNT:

FULTON:
\$ 12,574.00 \$ 19,729.00
 INCOME EXPENSES

BALANCES:
 Cash: \$ 31,956.00
 Ed Jones: \$ 1,782,257.00 BV
 \$ 1,723,364.00 MV
 A/R: \$ _____

Transfer out: _____
 Transfer in: _____

DEBT SERVICE RESERVE:

FULTON:
\$ 250,534.00 \$ 96,608.00
 INCOME EXPENSES

BALANCES:
 Cash: \$ 616,817.00
 Ed Jones: \$ 1,374,651.00 BV
 \$ 1,346,149.00 MV
 A/R: \$ 60,039.00
 Note
 Payable \$ 8,827,000.00

Transfer out: _____
 Transfer in: _____

REVENUE BOND, SERIES OF 2007:

\$988.00
 INCOME

PLGIT:
\$ _____
 EXPENSES

BALANCES:
 Cash: \$ 537,646.00
 Ed Jones: -

Transfer out: _____
 Transfer in: _____

OTHER FUNDS:

UNEMPLOYMENT COMPENSATION:

\$ 135.00
 INCOME

PLGIT:
\$ 5,000.00
 EXPENSES

BALANCES:
 Cash: \$ 87,466.00

Transfer out: _____
 Transfer in: _____

LIQUID FUELS:

\$ 89,471.00
 INCOME

PLGIT:
\$ 11,329.00
 EXPENSES

BALANCES:
 Cash: \$ 217,125.00
 AP \$ _____

Transfer out: _____
 Transfer in: _____

BEAUTIFICATION TRUST:

\$ 68.00
 INCOME

PLGIT:
\$ _____
 EXPENSES

BALANCES:
 Cash: \$ 43,599.00

Transfer out: _____
 Transfer in: _____

MYERSTOWN BOROUGH TREASURER'S REPORT

Prepared 05 /09 /2017

Activity

Activity for: April 2017

Date: 04/30/2017

RECREATION:

	FULTON:
<u>\$ 279.00</u>	<u>\$ 202.00</u>
INCOME	EXPENSES
Transfer out: _____	
Transfer in: <u>\$25,000.00</u>	

BALANCES:

Cash:	<u>\$ 24,775.00</u>
Ed Jones:	<u>\$ 20,874.00 BV</u>
	<u>\$ 20,035.00 MV</u>
A/P:	<u>\$ 73.00</u>

WM DERR SWIMMING POOL:

	FULTON:
<u>\$ 866.00</u>	<u>\$ 1,464.00</u>
INCOME	EXPENSES
Transfer out: _____	
Transfer in: _____	

BALANCES:

Cash:	<u>\$ 5,014.00</u>
Ed Jones:	<u>\$ 34,633.00 BV</u>
	<u>\$ 33,591.00 MV</u>
A/P:	<u>\$ 565.00</u>

POOL CAPITAL CONSTRUCTION FUND:

	FULTON:
<u>\$ 487.00</u>	<u>\$ 413,912.00</u>
INCOME	EXPENSES
Transfer out: _____	
Transfer in: <u>\$ 447,133.00</u>	

BALANCES:

Cash:	<u>\$ 40,358.00</u>
Ed Jones:	<u>\$ _____ BV</u>
	<u>\$ _____ MV</u>
A/P:	<u>\$ 2,811.00</u>

MUNICIPAL CENTER FUND:

	FULTON:
<u>\$12,754.00</u>	<u>\$ 27,078.00</u>
INCOME	EXPENSES
Transfer out: <u>\$100,000.00</u>	
Transfer in: _____	
Grants: _____	

BALANCES:

Cash:	<u>\$ 513,482.00</u>
Ed Jones:	<u>\$ _____ BV</u>
	<u>\$ _____ MV</u>
A/P:	<u>\$ _____</u>

SESTERCENTENNIAL ACCOUNT:

	FULTON:
<u>\$ 43.00</u>	<u>\$ _____</u>
INCOME	EXPENSES

BALANCES:

Cash:	<u>\$ 20,055.00</u>
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MEMO

A/R – Accounts Receivable	BV – Book Value
A/P – Accounts Payable	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 the pool manager for training costs totaling \$960.48. A motion was made by Park W. Haverstick, II, seconded by Ronald Ream, to approve payment of all invoices as listed with the addition of the pool training expenses bill presented tonight. All those in favor: 4 – Aye – 1 - Nay (Councilmember Thomas) Motion carried.

The communications were reviewed.

We received a copy of the Letter from Representative Russ Diamond to DEP regarding the MS-4 requirements.

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

Planning Commission – two (2) vacancies
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 Lebanon City for Fire Police assistance for various events in 2017.

Council may approve the dates for the National night out – August 1, 2017; Holiday Parade – November 25, 2017; and the New Year's Eve Drop – December 31, 2017.

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

The President proceeded to the agendas order of the business:

Rich and Ann Kreiser - RAACN Kreations, LLC. - previously presented their intentions for 15 W. Carpenter Avenue. This property was formerly the Odyssey Tops business building. Rich and Ann Kreiser are requesting to have their business and additional businesses in the building at the same time.

Solicitor Wolf stated the building is non-conforming so a Non-Conforming Use Certificate should be issued for the property. The Solicitor has prepared the Non-Conforming Use Certificate with the conditions that were approved by the Council.

Solicitor Wolf stated the Council could motion to authorize the Council President to sign the document so it can be issued for the property. A motion was made by Park W. Haverstick, II, seconded by Eric L. Powell, to authorize the Council President to sign the Non-Conforming Use Certificate contingent upon Rich and Ann Kreiser approving the certificate. All those in favor: Motion unanimously carried.

Council may approve the hiring of the seasonal workers for the swimming pool and playground program. A list has been provided with the positions and pay rates. A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to approve the hiring for the pool and recreation employees and pay rates for the 2017 summer season. All those in favor: Motion unanimously carried.

Information was provided on the cost to replace the computer server for the Borough Office. The Council will review the information.

We received the EIP IV (Early Intervention Program) Grant Contract from DCED (Department of Community and Economic Development). The contract requires two signatures. A motion was made by Park W. Haverstick, II, seconded Eric L. Powell, to approve the EIP IV Contract and authorize the Council President and Assistant Manager to sign the contract on behalf of the Borough. All those in favor: Motion unanimously carried.

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The proposed Zoning Ordinance and Map update has been advertised for the Public meetings. The Planning Commission members will hold their meeting on Monday, May 15, 2017, then Council could hold their meeting on Monday, May 22, 2017. Both meetings would be held in the auditorium at the Government & Business Center building, 101 S. Railroad Street, with an open house at 6:30 p.m. and the meeting starting at 7:00 p.m.

We received a request from the Zion United Methodist Church requesting to hold an outreach program and sponsor a day at the pool on Saturday, July 22, 2017. They would like to know the cost for the day to open the pool to the public during normal operating hours. The Council will need to research the costs before they will take any action.

We received a request from Harvest Bible Church to hold a town cleanup day on Saturday, May 20, 2017. A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to approve the request from Harvest Bible Church for a town cleanup day on Saturday, May 20, 2017 contingent upon receiving their Certificate of Insurance. All those in favor: Motion unanimously carried.

We received a payment request pay application #7 from Stoneridge, Inc. for the pool rehabilitation project. Assistant Manager Ludwig stated he found an error on the original payment request for \$216,742.50 and the payment request has been revised. The revised payment request is now \$201,257.50. A motion was made by Park W. Haverstick, II, seconded by Jeffrey L. Thomas, to approve the pay application #7 for \$201,257.50 to Stoneridge, Inc. All those in favor: Motion unanimously carried.

The extension for the sale of the Borough Building was discussed.

Councilmember Dana Reich enter the meeting at 7:48 p.m.

A motion was made by Eric L. Powell, seconded by Park W. Haverstick, II, to approve the settlement date for the sale of the 101 E. Washington Avenue property on or before July 31, 2017. All those in favor: motion unanimously carried.

The Memorial Day Parade was discussed. A motion was made by Park W. Haverstick, II, seconded by Ronald Ream, to approve the Memorial Day Parade on Monday, May 29, 2017 and donate \$300.00 towards the parade costs. All those in favor: Motion unanimously carried.

James Rittle – 210 S. Railroad Street - stated the Ambulance Association will be starting free CPR Training for Borough employees, and fire company/emergency services volunteers. The contact person is Steve Zimmerman from Myerstown First Aid Unit.

Michael Yiengst – 130 W. Washington Avenue – was present to discuss the Firemen's Parade on Saturday, June 17, 2017. The event schedule, parade route and road closures were discussed.

Sam Moyer – 107 E. Washington Avenue – stated he is interested in becoming a Planning Commission member. President Rittle stated we just need a written letter stating he is interested in the position.

President Rittle stated the opening of the pool may be delayed by a week or two. Assistant Manager Ludwig stated he met with the Engineer and Contractor. They are trying to work out the schedule and are pushing as hard as they can to get it done. If everything goes right, including the weather, it could be possible to open on Memorial Day. It is a really tight schedule.

Douglas Miller stated he has an interest in the 301 S. Railroad Street property which is owned by the Borough. He believes the building is capable of being a nice place again. It is a very difficult and detailed project.

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President Rittle stated the Borough cannot just sell the property, Borough Code requires the property be sold by auction. Douglas Miller stated he will provide his contact information to Assistant Manager Ludwig.

The Borough Council recessed the regular meeting and entered into Executive Session at 8:05 p.m. to discuss personnel matters.

The Borough Council returned from Executive Session at 9:30 p.m. reconvening the regular session and resumed consideration of and action on the regular meeting agenda.

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 Jeffrey L. Thomas, to adjourn the meeting at 9:31 p.m. All those in favor: Motion unanimously carried.

Lisa A. Brubaker
Deputy Secretary

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