

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 6:30 p.m., on Tuesday, September 12, 2017. The meeting was held in Borough Council Chambers in the Myerstown Municipal Center, 101 S. Railroad Street, 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, Dana Reich, Jeffrey L. Thomas, Mayor Gloria R. Ebling, Solicitor Frederick S. Wolf, Treasurer Lee C. Smith, Assistant Manager Barry A. Ludwig, and Manager Michael R. McKenna. Absent was Vice President Michael D. Behm.

A motion was made by Eric Powell, seconded by Jeffrey Thomas, to dispense with the reading of and approve the minutes of the Council Planning Meeting, August 7, 2017 and the Regular Monthly Council Meeting, August 8, 2017. All those in favor: 5 Aye's – 1 Abstention (President Pro Tem Park W. Haverstick, II abstained and provided a written statement for the abstention.) Motion carried.

The President opened the floor for Citizens and Visitors Comments:

Russell Miller – 18 N Railroad St – Mr. Miller expressed concern regarding the sidewalk repairs being done in the borough, and why only certain properties are required to have them repaired. Mr. Miller also expressed concern regarding the purchase of the Myerstown Elementary School, and how the Borough would pay for future costs. Mr. Miller also expressed concern about a tree at the corner of Washington St and Railroad St, explaining that it is blocking sight lines from auto traffic. Mr. Miller also asked how the code enforcement process works, concerned that certain issues were not being addressed.

Dennis Kilhefner – 7 W Washington Ave – Mr. Kilhefner expressed concern about the property at 11 W Washington Ave, where Speedway Entertainment is located, and stated that he made a complaint 4 months ago that had not been addressed regarding trash on their property and the disposing of hazardous materials.

Brian L. Boltz – 16 W Washington Ave – Mr. Boltz gave a letter to the Solicitor regarding his petition to be on the primary ballot for election for Mayor of Myerstown. He expressed concern that a legal issue from his past would be blown out of proportion. Council let him know that the situation was not under their authority, and there was nothing they could do to influence the situation. Mr. Boltz also expressed concern about the 11 W Washington Ave property. Mr. Boltz also expressed concern about a neighbor whose stormwater was running off into the road via an overhead downspout.

James Rittle – 210 S Railroad St – Mr. Rittle asked council who is responsible if someone injures themselves because of a dangerous sidewalk. President Bryan Rittle responded that it is the homeowner who is responsible.

Councilmember Dana Reich commented that there is a property on the north side of East Main Street near Cherry Street with high grass.

Councilmember Eric Powell commented that the property at 15 W Carpenter Ave, the Odyssey Tops Building, was in poor condition.

A motion was made by Ronald Ream, seconded by Dana Reich, to allocate \$10,000 to the Sestercentennial Fund. All those in favor: Motion unanimously carried.

A motion was made by Eric Powell, seconded by Ronald Ream, to approve the Treasurer's Report and have it on file for audit. All those in favor: Motion unanimously carried. All those in favor: Motion unanimously carried.

The President proceeded to the agenda's order of the business:

A motion was made by Park Haverstick, II, seconded by Ronald Ream, to accept the payment of bills as written. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Dana Reich, to approve Trick or Treat Night for October 31, 2017 from 6:00 p.m. – 8:00 p.m. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Eric Powell to approve the insurance policy renewals as presented by Zinn Insurance. All those in favor: Motion unanimously carried.

A motion was made by Eric Powell, seconded by Dana Reich, to approve "Myerstown Community Center" as the official name for the new municipal building. All those in favor: On a roll call vote, Park W. Haverstick, II – no; Eric L. Powell – yes; Ronald Ream – yes; Jeffrey L. Thomas – yes; Dana Reich – yes; and Bryan L. Rittle – yes. Motion carried.

A motion was made by Ronald Ream, seconded by Jeff Thomas, to approve the Public Meeting for the Sestercentennial on September 26, 2017 at 6:30 p.m. in the Myerstown Community Center auditorium. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Jeff Thomas, to approve the 2018 MMO calculations for the pension plan. All those in favor: Motion unanimously carried.

A motion was made by Eric Powell, seconded by Ronald Ream, to appoint Sam Moyer to the International Property Maintenance Board of Appeals. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Jeff Thomas, to approve a request for a handicap parking space at 18 E Carpenter Ave. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Eric Powell, to approve Resolution 2017-08 – Local Limits. All those in favor: Motion unanimously carried.

A motion was made by Jeff Thomas, seconded by Ronald Ream, to deny a request for sewer relief for 100 ½ N College Street. All those in favor: Motion unanimously carried.

A motion was made by Jeff Thomas, seconded by Dana Reich, to refund the ELCO Football Boosters \$200 from their pool party. All those in favor: Motion unanimously carried.

A motion was made by Ronald Ream, seconded by Eric Powell, to approve the purchase of a winter cover for both pools. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Jeff Thomas, to approve the draft and authorize the Solicitor to advertise an amendment for the LERTA District. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Dana Reich, to approve pay application #4 from Woodland Contractors, pay application #3 from Garden Spot, pay application #2 from Thermal Logistics, pay application #11 for Stoneridge, and pay application #2 for Empire for the ADA ramps. All those in favor: Motion unanimously carried.

A motion was made by Ronald Ream, seconded by Jeff Thomas, to approve the use of a credit card processing machine for the Borough. All those in favor: On a roll call vote, Park W. Haverstick, II – no; Eric L.

Powell – yes; Ronald Ream – yes; Jeffrey L. Thomas – yes; Dana Reich – yes; and Bryan L. Rittle – yes. Motion carried. Park Haverstick, II expressed concern about the need for a credit card processing machine.

A motion was made by Park Haverstick, II, seconded by Ronald Ream, to approve a change order for the replacing of the four frosted windows in the Community Center. All those in favor: Motion unanimously carried.

A motion was made by Ronald Ream, seconded by Jeff Thomas, to authorize the Solicitor to draft an Ordinance to adopt the 2015 International Property Maintenance Code. All those in favor: Motion unanimously carried.

The Borough Council recessed the regular meeting and entered Executive Session at 8:42 p.m. to discuss legal and personnel matters.

The Borough Council returned from Executive Session at 9:52 p.m. reconvening the regular session and resumed consideration of and action on the regular meeting agenda.

A motion was made by Ronald Ream, seconded by Jeff Thomas, to authorize the Assistant Manager and President Bryan Rittle to set the low bid at the auction of 301 S Railroad St. All those in favor: Motion unanimously carried.

A motion was made by Dana Reich, seconded by Ronald Ream, to authorize the Assistant Manager to negotiate the final change order for the closeout of the pool renovation project. All those in favor: Motion unanimously carried.

A motion was made by Park Haverstick, II, seconded by Ronald Ream, to authorize President Bryan Rittle to sign a legal complaint against the Isaac Meier Trust for noncompliance with the agreement. All those in favor: Motion unanimously carried.

A motion was made by Dana Reich, seconded by Jeff Thomas, to promote Dave Fake to Public Works Department Supervisor, and to increase his wage by \$1.00, effective next pay period, and to increase his wage by another \$1.00, effective January 1, 2018. All those in favor: Motion unanimously carried.

Council briefly discussed the importance of requiring criminal background checks of volunteers and employees of all organizations to whom liability insurance is being provided by the Borough.

The President asked if there were any additional comments for the good of the borough. Seeing none, a motion was made by Eric Powell, seconded by Jeff Thomas, to adjourn the meeting at 10:00 p.m. All those in favor: Motion unanimously carried.

Michael R. McKenna, MPA
Borough Manager