

Myerstown, PA  
Tuesday, August 12, 2014

President Bryan L. Rittle called the regular monthly meeting of the Myerstown Borough Council to order at 7:00 p.m., on Tuesday, August 12, 2014. The meeting was held in Borough Council Chambers in the Myerstown Municipal Center, 101 East Washington Avenue, Myerstown, PA 17067.

ROLL CALL:

After the Pledge of Allegiance, a roll call was taken. Present were: President Bryan L. Rittle, Vice President Michael D. Behm, Keith Fox, Barry Lutz, Park W. Haverstick, II, Jeffrey L. Thomas, 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 Barry Lutz, seconded by Michael D. Behm, to dispense with the reading of and approve the minutes of the July 8, 2014 Regular Monthly Meeting. All those in favor: Motion unanimously carried.

CITIZENS' AND VISITORS' COMMENTS:

Dennis Dieffenbach from the Myerstown – ELCO Rotary Club discussed the possible placement of a sign in town. A design was presented. A possible location at the park area was discussed. The Rotary Club is willing to work with the Borough on maintenance. The Council will look at the proposed site before approval is granted.

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. There were no additional comments.

Wastewater Supervisor Barry A. Ludwig presented the report. Council Member Park W. Haverstick, II asked questions on a chemical used for treatment. Council Member Michael D. Behm asked if the clarifier has been repaired. The Wastewater Supervisor stated the repairs are complete. The Wastewater Supervisor informed the Council he is working with Jackson Township to resolve ownership of a manhole cover that required repairs. No drawings show that detail or ownership. There were no additional comments.

There were no additional comments on the ARRO Engineering report.

Public Works Supervisor David C. Fake presented the report. There were no additional comments.

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The Solicitor's report was presented. Property maintenance was discussed. The Public Works Supervisor submitted the borough costs for 301 S. Railroad. The Solicitor will have a lien placed against the property. Both partners with the wastewater treatment have adopted the required resolutions and are in compliance. There were no additional comments.

The Manager gave a review of the Borough status. The current web site designer will be retiring so he is looking for a new webmaster. The MS-4 Annual Report is being finished for submission. The 2013 Audit Reports have been received as well as the 2014 Audit Engagement letter. The Manager is requesting the authority to sign the engagement letter. The Borough received a maintenance concern letter from 11 W. Center Avenue.

#### Committee Reports:

Council Member Keith Fox stated the Public Works Committee met to discuss road work. Patching of some intersections and the handicap ramps were discussed. A motion was made by Keith Fox, seconded by Michael D. Behm, to approve the bidding of milling and paving work up to 1800 square yards and any necessary work to the handicap ramps at those intersections to meet the ADA regulations. All those in favor: Motion unanimously carried.

The Council President stated the Isaac Meier Homestead will be having an open house with a classic car show. A motion was made by Keith Fox, seconded by Barry Lutz, to approve the use of the grounds at the Isaac Meier Homestead for the open house and classic car show on Saturday, August 16, 2014. All those in favor: Motion unanimously carried.

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 Keith Fox, 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. A motion was made by Barry Lutz, seconded by Park W. Haverstick, II, to approve payment of all invoices as listed. All those in favor: Motion unanimously carried.

#### COMMUNICATIONS:

The communications were reviewed. There were no additional comments.

#### 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 Council Vice President and Chairman of the Finance and Administration Committee Michael D. Behm stated the committee met with the financiers Joseph Pierce from Eckert Seamens and Daryl Peck from Concord Public Finance to review the refinancing of the Series A of 2007 and financing capital projects. The committee recommends approval of the proposal.

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The Council will need to act on a Resolution (2014-21). The Resolution authorizes the parties to prepare the proposed issuance and legal documents necessary under federal and state law in issuing tax-exempt, general obligation debt. A motion was made by Michael D. Behm, seconded by Keith Fox, to approve Resolution 2014-21. All those in favor: On a roll call vote: Michael D. Behm – yes; Park W. Haverstick, II – yes; Jeffrey L. Thomas – yes; Barry Lutz – yes; Keith Fox – yes; Bryan L. Rittle – yes; Motion unanimously carried.

We received a request from Desiree Hagmayer – 105 S. Locust Street – asking the Council to allow her to switch her heating system to natural gas. Currently there is a moratorium on Locust Street, which will expire on September 26, 2014. Ms. Hagmayer informed that UGI gave her an estimate timeframe of six to eight weeks for the hook up but would not schedule the work until the Borough granted a moratorium waiver. A motion was made by Michael D. Behm, seconded by Barry Lutz, to grant the request from Desiree Hagmayer to allow the utilities company to open Locust Street prior to the September 26, 2014 moratorium deadline, with the understanding this waiver is only for this request. Any additional request received before the expiration date will be reviewed on a case by case basis. All those in favor: Motion unanimously carried.

We received the 2013 Audit Reports for the Borough and the Wastewater Treatment Facility. A motion was made by Michael D. Behm, seconded by Park W. Haverstick, II, to accept the 2013 Audit Report for the Borough Funds, Wastewater Funds and the Wastewater Treatment Report from Stanilla, Seigel and Maser, LLC. All those in favor: Motion unanimously carried.

The Manager asked for the Council to approve the Audit Engagement letter for the 2014 Audit. A motion was made by Michael D. Behm, seconded by Jeffrey L. Thomas, to authorize the Manager to sign the Audit Engagement letter with the firm of Stanilla, Spiegel & Maser to conduct the 2014 Borough and Wastewater Audit. All those in favor: Motion unanimously carried.

We received a community request from Danielle Peiffer. Peiffer Pantry, Bahney House, Krumbs Bakery and True Care Pharmacy would like to hold a free family day on Saturday, August 23, 2014. They are requesting to close the roadway from the Bahney House to Madison Alley for the event. A motion was made by Keith Fox, seconded by Jeffrey L. Thomas, to approve the request from the local businesses to hold a free family day on Saturday, August 23, 2014 and allow the road closure from the Bahney House to Madison Alley from 2:00 p.m. - 7:00 p.m. All those in favor: Motion unanimously carried.

We received a request from Womelsdorf Borough for Fire Police assistance. A motion was made by Jeffrey L. Thomas, seconded by Park W. Haverstick, II, to approve the request for Fire Police assistance from Womelsdorf Borough for the 21<sup>st</sup> Annual Ride for Freedom Event on Sunday, August 24, 2014. All those in favor: Motion unanimously carried.

We received a letter from Jacob and Joelle Geib – 216 E. Carpenter Ave. – requesting an adjustment to their quarterly billing total. They had a leak in a bathroom toilet, which has been replaced. Due to the fact the usage went through the sewer system and was treated the Council denied the billing adjustment request.

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A plan submission has been received from the proposed Advanced Auto Parts Store along Lincoln Avenue. A Zoning Hearing was held on July 21, 2014. The Planning Commission will need to review the plans. The Solicitor stated the Council can give a conditional approval contingent upon the approval from the Planning Commission. A motion was made by Keith Fox, seconded by Jeffrey L. Thomas, to approve the Preliminary/Final Land Development Plan for the Advanced Auto Parts submission contingent upon the approval of the Planning Commission. All those in favor: Motion unanimously carried.

A Resolution (2014 – 20) has been prepared to finalize the Goodwill Street project. The Borough costs for the resurfacing and attorney fees will be deducted from the Gible Brothers Escrow Account before any remaining funds are given back to the developer. A motion was made by Park W. Haverstick, II, seconded by Keith Fox, to adopt Resolution 2014 – 20 for the acceptance of Goodwill Street as part of the Borough roadways. All those in favor: Motion unanimously carried.

A proposal has been received from Fraser for new office equipment. The Borough owns the current copier equipment. The Manager recommends the borough lease the new equipment due to the ever changing technology. The proposal was reviewed. A motion was made by Michael D. Behm, seconded by Park W. Haverstick, II, to authorize the Manager to enter into the agreement with Frazier to lease new office equipment. All those in favor: Motion unanimously carried.

The Council gave the Manager the authority to hire a Code Enforcement Officer at a previous meeting. The Manager has a recommendation, John Neely. Mr. Neely will be an independent contractor hired to handle the minor violations and enforce the local ordinances that the State Police are not able to. The major violations will still be handled by Randy Maurer of Associated Building Inspections. This position will work under the direction of the Manager and Mayor. The Manager is still working on the agreement with John Neely. A motion was made by Jeffrey L. Thomas, seconded by Keith Fox, to authorize the Manager to enter into an agreement with John Neely as a Code Enforcement Officer for the Borough. All those in favor: Motion unanimously carried.

The Manager and Solicitor are ready to proceed with the 501(c)3 to create a separate non-profit organization. A name for the group is needed. A motion was made by Keith Fox, seconded by Michael D. Behm, to approve the name of Myerstown Area for Recreation and Community Heritage – MARCH. All those in favor: Motion unanimously carried.

#### EXECUTIVE SESSION:

No Executive Session was held.

#### COMMENTS FOR THE GOOD OF THE BOROUGH:

There were no additional comments.

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ADJOURNMENT:

A motion was made by Keith Fox, seconded by Barry Lutz, to adjourn the meeting at 8:40 p.m.

Lisa A. Brubaker  
Deputy Secretary

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