

A regular meeting of the Myerstown Borough Council was held on Tuesday, September 8, 2020 at 6:30 p.m. in the Council Room at the Myerstown Community Center, the President being in the chair and the Secretary being present.

Present were: President Bryan L. Rittle, Vice President Park W. Haverstick, II, Councilmembers Jeffrey L. Thomas, Ronald L. Ream, Stacey A. Hackman, and Dane W. Bicher, Mayor Gloria R. Ebling, Treasurer Gale Edwards, Solicitor Amy B. Leonard, Assistant Manager Barry A. Ludwig, Deputy Secretary Lisa A. Brubaker, and Manager Michael R. McKenna. Absent was President Pro Tem Dana Reich.

The President opened the meeting at 6:30 p.m. and the Pledge of Allegiance was recited by all.

Park W. Haverstick, II moved, and Ronald L. Ream seconded, to dispense with the reading of and approve the minutes of the previous meetings held on August 11, 2020 and August 17, 2020. Motion unanimously carried.

President Pro Tem Dana Reich entered the meeting at 6:31 p.m.

The President opened the floor for citizens' and visitors' comments.

James Anspach – 312 E. Main Avenue – had concerns and questions regarding the starting of a police force. Vice President Haverstick, II stated the Council will be starting the 2021 budget process and will then be able to see what would be needed, funding wise, if a police department is implemented. Mr. Anspach asked where the funds went from the former force. Manager McKenna stated the funds were reallocated to other special projects.

David Zimmerman – 4 S. Railroad Street - stated he provided Manager McKenna with information on the project at the Isaac Meier Homestead.

Karen Hatt – 710 S. Railroad Street – asked if a landlord is required to provide off street parking for their tenants. The tenants from 700 S. Railroad Street are taking up all of the on-street parking spaces. Manager McKenna stated he would have to review the ordinance before he could answer. Property Maintenance issues were discussed.

Members of the MAN (Myerstown Activity Network) Group were present. Manager McKenna provided information on how the MAN Group organization is set up. The Myerstown Activity Network is a group of volunteers who put on community events. They are not an independent organization. They use the Borough's EIN number for bank accounts and Borough staff does their clerical and bookkeeping services. The Manager stated the Council would like to know what their plans are for handling the events going forward. They would like to know how the group plans to organize moving forward and what its relationship will be with the Borough. The remaining yearly events, the parade and the New Year's Eve Drop were discussed, as to whether they should be held this year. Jeff Zellers stated the MAN Group has discussed not holding the parade. Funds for the parade are by donations from businesses and residents. With the hardships people are facing this year they are not sure it was appropriate to request money for the parade. With the regulations for gatherings, it may not be prudent for them to hold the parade to bring the number of people it brings because it would be impossible to keep the attendees apart. They have not yet made a public announcement because they were holding off to see what the Council said here tonight. They have not yet discussed the New Year's Eve Drop event. They will be meeting tomorrow evening to make a final decision. Tom Houtz asked if the Council still wants or welcomes the Myerstown Activity Network Group. Vice President Haverstick, II stated yes, they do, but MAN should understand why they were upset with the group.

The Manager, Solicitor, and Council discussed the situation that occurred with Night Out. Solicitor Leonard stated the District Attorney contacted her regarding the social media post about the event. The DA stated they do not support the event, and you do not have the support of law enforcement. Law Enforcement does not plan to participate, in fact, they were not even contacted or asked to participate. The DA stated the post looked like a political statement and the State Police do not want to come and enforce the governor's orders and site people. Solicitor Leonard stated she has never ever received a call from the DA Office with concerns about a municipally held event. President Pro Tem Dana Reich stated with Covid-19, the same concerns that were stated regarding holding the parade, were the same concerns for Night Out. The Borough also depends on State funding and that could affect the Borough in a negative way. Right now, it is too risky and not worth it to even chance one person being infected. Jeff Zellers asked if the time has come for the group to form its own organization with by-laws, officers, and own insurances so events would no longer fall on the Borough. President Rittle stated that would be ideal if they were their own organization and their own 501(c)3. The Borough is beholden to the State Government for a lot of funding and for grants. Jeff Zellers asked if the Borough would still be willing to provide the assistance they do with like Public Works, posting roads, etc. for events. President Rittle stated defiantly. Vice President Haverstick, II stated we appreciate what the group does, and we never said we do not. Tom Houtz asked if they would divest from the Borough what would happen to the current funds in the account. President Rittle stated the group raised those funds and we could give them to the group. President Rittle stated he believes he speaks for Council that they definitely wish that the MAN Group would continue with what they are doing. The Council would support them in starting their own organization and would try to help them get to that point. They have the Councils support for the yearly events. For this year, the Council would rather they not hold the parade under this climate and err on the side of caution and not hold it. He thanked them for coming tonight.

Jeff Gumpert – 45 W. Main Avenue - stated he does not feel the parade should be held. The responsibility ultimately falls back on the Borough. You are the governmental entity that would be allowing the MAN Group to do the event. He does not feel the parade should be held, based on facts not opinions.

The following reports were presented to Council for review and discussion: Mayor's Report, Solicitor's Report, Assistant Manager's Report, and Manager's Report.

Park W. Haverstick, II moved, and Stacey A. Hackman seconded, to accept the Treasurer's Report for August 2020 as submitted and have it placed on file for audit. Motion unanimously carried.

Dana Reich moved, and Dane W. Bicher seconded, to approve the payment of bills as submitted. Motion unanimously carried.

The Communications were reviewed.

Ronald L. Ream moved, and Stacey A. Hackman seconded, to request our money be returned within 30 days from Ellen Kramer. 6 - yes, 1 – no – Dane W. Bicher. Motion carried.

Park W. Haverstick, II moved and Dana Reich seconded, to authorize the Manager to engage special counsel regarding re-establishing a police department. Motion unanimously carried.

Park W. Haverstick, II moved, and Stacey A. Hackman, to approve trick or treat to be held on Saturday, October 31, 2020 from 6:00 p.m. to 8:00 p.m. contingent upon the cancellation from the Lebanon County Police Chief Association. Motion unanimously carried.

Stacey A. Hackman moved, and Dana Reich seconded, to approve the 2021 MMO (Minimum Municipal Obligation) Calculations for the Police and Non-Uniform Pension Plans. Motion unanimously carried.

Ronald L. Ream moved, and Jeffrey L. Thomas seconded, to approve the proposal from Conrad Siegel to review and update the Boroughs Non-Uniform Pension Plan document for a fee of \$1,500.00. Motion unanimously carried.

Park W. Haverstick, II moved, and Ronald L. Ream seconded, to approve the request for a handicap parking space from the property owner for 119 S. Cherry Street. Motion unanimously carried.

Ronald L. Ream moved, and Dana Reich seconded, to approve the proposal from Cohen Law Group to conduct the cable franchise renewal negotiations and a franchise fee audit of Comcast for a flat fee of \$10,200.00. Motion unanimously carried.

Park W. Haverstick, II moved, and Ronald L. Ream seconded, to approve the Façade Improvement Program Guidelines and authorize the Planning Commission to determine and distribute the funds as allocated through the Pennsylvania Department of Community and Economic Development Early Intervention Program. Motion unanimously carried.

Dane W. Bicher moved, and Jeffrey L. Thomas seconded, to approve the advertisement of Ordinance No. 856. Motion unanimously carried.

Council will review Ordinance No. 857 at their Committee meeting on Wednesday, September 23, 2020 before action.

Council recessed the regular meeting and entered Executive Session at 9:15 p.m. to discuss personnel matters.

Council returned from Executive Session at 9:26 p.m., reconvening the regular session.

Sewer rates were discussed. There has not been a rate increase since 2008. Assistant Manager Ludwig stated with the starting the 2021 budget he wanted to discuss it with Council.

The President asked if there were any additional comments for the good of the borough.

Park W. Haverstick, II moved, and Dana Reich seconded, to adjourn the meeting. Motion unanimously carried.

The meeting was adjourned at 9:34 p.m.

Respectfully Submitted,

Lisa A. Brubaker  
Deputy Secretary