

A meeting of the Myerstown Borough Council Committees was held on Wednesday, April 28, 2021, at 6:30 p.m. in the Council Room of the Myerstown Community Center, President Bryan L. Rittle being in the Chair and the Secretary being present.

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

Last month, President Rittle discussed with the group about restructuring the committee meetings to have one full meeting. There are many items that need to be discussed as a group. The meeting agenda has been revised and will cover each committee but in one full meeting.

The President opened the meeting at 6:32 p.m. and the Pledge of Allegiance was recited by all.

Council President Pro Tem Dana Reich entered the meeting at 6:33 p.m.

Park W. Haverstick, II motioned, and Stacey A. Hackman seconded, to approve the minutes of the meetings held on March 24, 2021. Motion unanimously carried.

Borough Engineer Michael Knouse was present to discuss the 2021 Road Project Contract #1 – Race Street Paving Project. In 2019, a Capital Improvement Program was done with the focus on capital assets and also created a 5-year roadway program. In 2020, the first phase was successfully implemented. Going into budgeting for 2021, the 5-year plan was followed. As the Capital Improvements Plan was developed, the Annual CDBG (Community Development Block Grant) funding also comes out. In 2019, we filed with the County for Race Street, as well as Locust Street for the ADA. The County determined that Race Street did not qualify for CDBG Funding and had us revise the application for just the ADA on Locust Street. Bids should be back on that project shortly. Now in 2021, two projects were put out, Contract #1 for Race Street and Contract #2 for the Parking Lot – Street Scape Project. Contract #2 will be using remaining grant funds from DCED (Department of Community and Economic Development) which was reallocated towards the Borough parking lot. It is his understanding these were presented to Council and direction from staff, bids specs were presented, and he understood it was authorized for advertisement. Bids were received and opened on April 7, 2021 and the bid tab was presented to Council at their April 13, 2021 meeting. The lowest Bidder was Pennsy Supply at \$75,497.35. It was relayed to him that Council approved both contract #1 and #2 at that meeting. The Notice of Award has been sent to Pennsy Supply. Contract #2 that contract is fully executed for the parking lot. The pre-construction meeting for this project is scheduled for tomorrow. He wanted to explain to Council because Council made a motion to award Contract #1 the Notice of Award has been sent to Pennsy Supply. The next Step in the process is for the company to post their Performance and Payment Bond and their Certificate of Insurance. He has not received those documents from Pennsy Supply yet. As with any contract, the Borough has the right to cancel a contract at any time, and or limit the amount of work. Now if Pennsy has gone through the process they could in theory ask for compensation for administration cost if we were to decide to cancel the contract. He was informed there were some questions and concerns in regard to the 2021 Road Project, so he is here to try to help answer the questions and based upon questions it is still open. Manager McKenna stated there were some concerns brought up when we approved the bids. The copy of the Race Street specs did not make it to Council. So, Council did not see the specs for the Race Street

Project until the prices were brought to Council at the last meeting where Council approved the contracts.

After the meeting, some concerns regarding the Race Street Project were brought to the Manager. Originally, the Borough did apply for CDBG funds to help pay for the project in 2019, but that was denied. There were some concerns that now that this project was going to be entirely funded by the Liquid Fuels Account, is this the appropriate project for the funds.

Engineer Knouse stated that 2019 the census tract map that was in place included Locust Street and Race Street. Going into 2020, the County has redone the map which has brought about a change in the areas that are eligible for the Borough. That side of the Borough is no longer eligible, it has now moved to the other side of the Borough which has opened up potential funding especially for the lower portion of Railroad Street that previously was outside of the census tract map. So, the Capital Projects Plan should be reviewed and updated each year to meet that funding stream.

Councilmember Ronald L. Ream stated he raised the concerns. This Race Street Project was not talked about since 2019 when we were shown the 5-year plan. He felt this should have been discussed and should have come up in Committee meeting prior to this project happening, and it didn't, and the fact that are no longer CDBG funds there should have been discussion to see if we wanted to proceed with the project. He has high respect for Mike Knouse and agrees if we can afford it, it is the right thing to do. If we think about it, what if we do not get grant funds for Railroad Street, these funds could have come in handy for that project. His concern was, is it the right thing to do since all of the funds are coming from Liquid Fuels funds rather than having the 70% covered from County Grant funds.

Manager McKenna stated we budgeted \$31,000.00, so we will pay about \$45,500.00 more from the Liquid Fuels fund for this project.

Councilmember Ream asked what did the bid include for Race Street. Assistant Manager Barry L. Ludwig stated it is for all of Race, minus the intersection at Main Avenue. Engineer Knouse stated the contract was written Borough line to Borough line. He advised, looking forward to the 2022 project was projected for Center Avenue from Cherry Street to College Street. The 5-year plan showed that project being paid fully out of Liquid Fuels funds because the census map did not include that area, now we are attempting to get that CDBG funding which would offset costs there. Council President Rittle asked if the body wants to move forward with the Race Street Project, the Borough will move forward with the project. Councilmember Ream stated he would just like to see the projects for that year discuss before they go out.

Engineer Knouse stated the payment request Application #2 for the Public Works Building is on the Agenda for action. There is an issue with the insulation they are looking into the options for that to get the project completed.

A request has been received from the property owners at 100 S. Race Street, Carl and Margaret Wenger, for the removal and replacement of dying and declining trees at the Myerstown Legion Baseball Field. Family member Stacy Dieffenbach was present to explain the request on their behalf and will be coordinating the project with the Borough if approved. The Wengers are offering to pay any costs associated with the removal and the replacement. The Council asked if the stumps of the trees will be removed. Stacy Dieffenbach stated they will be contracting a tree removal company for removal and the stump grinding. Althouse Nursery will be providing and planting the new trees in the fall. They will be a type of shady tree placed. The contractor will need to provide a Certificate of Insurance with the Borough as additional insured before the removal. Park W. Haverstick, II motioned, and Dana Reich seconded, to grant the request to remove and replace the trees at the Legion Field. Motion unanimously carried.

Colin Yoder was present to discuss his Eagle Scout Project. He is proposing a First Responders Memorial at the Goodwill Fire Company Station. He explained the project. He is looking to have the project complete by July 27, 2021. He is here to request Council waive the Zoning Permit fee and funding. The project will cost \$13,000.00. He has collected \$3,200.00. Manager McKenna stated Council can allocate funds to community groups and memorial projects are part of that. Maintenance was discussed Colin Yoder stated he will be doing the maintenance with the help of the fire company. President Rittle directed the Borough Manager to look for alternative funding sources and bring it to the May Council Meeting. The Zoning Permit Application has been submitted and the fee is \$111.00. Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to waive the Zoning Permit fee for the First Responders Memorial Project. Motion unanimously carried.

Jazzie Battle- 127 S. Broad Street – was present to follow up from the Council Meeting regarding setting up his food truck in the pond area. He would like to set up two to three days a week from May to September Council may grant special approval since being on Borough property. Park W. Haverstick, II motioned, and Stacey A. Hackman seconded, to allow Jazzie Battle to operate his food truck at the pond parking lot under a special exemption from May 1 to September 30, 2021 until the Ordinance is amended. Motion unanimously carried.

Public Safety

The proposal from the Northern Lancaster County Regional Police Department for the provision of police services in the Borough was discussed. The group discussed what they are looking for in police, what the needs are, what do we want to achieve, what are the main problem areas, and funding. Other funding sources were discussed. Manager McKenna stated Jackson Township is in the process of looking at a regional study. Russ Diamond maybe willing to host a round table for Eastern Lebanon County. The question is, where do we go from here. One option is to put out a formal Request for Proposal (RFP). That is the public way to ask if anyone wants to provide services. The Manager will create a draft RFP and bring it back to Council.

The proposed job description for a Code Official was reviewed. Park W. Haverstick, II motioned, and Dana Reich seconded, to approve the job description for a Code Official. Motion unanimously carried.

The draft Rental Licensing and Inspection Ordinance was reviewed. After discussion, Manager McKenna stated Council may set a date for a public meeting to inform landlords of the Rental Licensing and Inspection Ordinance. He recommends that Council hold the public meeting during the May Committee Meeting. Ronald L. Ream motioned, and Stacey A. Hackman seconded, to set a public meeting during the monthly Committee Meeting on Wednesday, May 26, 2021 to present the Rental Licensing and Inspection Ordinance. Motion unanimously carried.

Finance & Administration

Council discussed the restatement of the Non-Uniformed Employee's Pension Plan. The current plan document is outdated. There have been changes in vesting and other items. The document was not updated with those changes. There is a request from an employee who is planning on retiring. Currently, the Non-uniform plan has a vesting schedule. The Manager reviewed that schedule. The request from the employee is for Council to consider that if an employee retires and not yet fully vested for them to be 100% vested upon retirement. President Rittle stated then why do we have a schedule if

they are not going to abide by it. Councilmember Ream stated if you do not have the time in then you are not 100% invested. To do this, there would need to be a change to the ordinance. No change will be made to the vesting schedule.

The Access Agreement with the owner of 515 South Railroad Street was reviewed. Stacey A. Hackman motioned, and Dane W. Bicher seconded, to approve the Access Agreement with the owner of 515 South Railroad Street for the use of the driveway to access the chlorine building at the community pool. Motion unanimously carried.

The County of Lebanon Election Services has requested to use the Myerstown Community Center as a polling location for the primary election for Jackson Township Residents. Ronald L. Ream motioned, and Dana Reich seconded, to approve the agreement with the County of Lebanon to use the Myerstown Community Center Gymnasium as a polling location for the primary election on May 18, 2021. Motion unanimously carried.

The Manager reviewed Chapter 7 of the proposed employee handbook. Any proposed changes have been proposed by consultant Nancy Hess. Chapter 7 covers "Time Away from Work and Employee Leave". Specifically: Paid Time Off, Leave of Absence, Bereavement Leave, Pregnancy and Parental Leave, Military Service Leave, Jury Duty Leave, and Witness and Victims of Crime Leave. There will be no changes to Chapter 7.

Public Works & Utilities

Assistant Manager Ludwig discussed the invoice from Weiler Plumbing & Heating, Inc. for the repair of split HVAC units at the Community Center Building. The repairs to this system are ongoing. He is very frustrated. President Rittle stated for the constant repairs costs, we could put in a different system.

We received Payment Application #2 for the Public Works Pole Building Project. There are some outstanding items, but the retainage would be enough to cover if not completed. Ronald L. Ream motioned, and Dana Reich seconded, to approve Payment Application #2 for the Public Works Pole Building Project from Dutchman Contracting, LLC in the amount of \$15,098.35. Motion unanimously carried.

Community & Economic Development

There were no items for discussion.

Other Business

Assistant Manager Ludwig provided an update on work that has been completed by the Public Works Department.

Assistant Manager Ludwig stated the Goodwill Fire Company has discharge from a sump pump coming out onto the street. He feels this is a safety concern. He would like to place a small catch basin in there to have the water run into the storm drain system. He received a quote for SLH Excavating. This could be paid for from the MS-4 funds. Dana Reich motioned, and Stacey A. Hackman, to approve the quote from SLH Excavating \$8,240.00. Motion unanimously carried.

Assistant Manager Ludwig provided an update on work that has been completed by the Wastewater Treatment Facility.

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Manager McKenna informed the group there maybe two new leases for upstairs rooms. The Lease Agreements will be presented for approval at the May 11, 2021 Council Meeting.

The Chair asked if there were any additional comments for the good of the Borough. Seeing none, he asked for a motion to adjourn.

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

The meeting was adjourned at 9:40 p.m.

Respectfully Submitted,

Lisa A. Brubaker,
Deputy Secretary