

**Marietta Borough Council
Minutes of Meeting held April 8, 2014
113 East Market Street, Marietta, PA**

President deVitry with Council member Sargen, Foreman, Kramer, Clements, Roberts and Renninger and Mayor Vegso present called the regularly scheduled monthly meeting of the Marietta Borough Council to order at 7:00 PM. The meeting opened with a moment of silence followed by the pledge of allegiance.

On a motion by Council member Roberts with a second by Council member Kramer, the minutes of the March 11, 2014 Council meeting were approved as presented.

President deVitry opened the public comment session of Borough Council.

PUBLIC SESSION

Rich Kushner – 573 Essex Street – In regards to the bicycle race that he brought up at last month's meeting. The tentative proposed date is July 12, 2014. Bill Laudien who is organizing the race commented that they are preparing a race for Turkey Hill on May 3 and we may come and check out this race. They changed the time to 10:00 AM to 4:00 PM. for our race. They can move the race a block either way if there is a problem.

President deVitry commented that the previous races were ran by someone else, but that is not this company. Restaurant owners on Front Street were not consulted and so he felt this event was dead on arrival. Another concern would be any cost to the Borough for the items that they are requesting from the Borough. These events should not cost the Borough money.

Mayor Vegso commented that we can't stand back and do nothing he feels that this is a great idea and we should make a motion to get this moving.

Council member Roberts stated that he did not see any problem with closing roads that people would be able to still get to any business. Another concern would be bathrooms.

Council member Renninger stated that she was at the meeting last evening. The bicycle race is willing to get a \$3 million dollar certificate of insurance. They are also being sponsored by another beverage company. They are hoping to get the Market involved and have Saturday activities. The three businesses on Front Street would be open for bathrooms and also look at getting port-a-potties. They are going to ask if the police and fire police would help with traffic control.

Council member Sargen stated that they asked for straw bales and the partitions that need set up. First of all he believes that this is a great idea. Would the Borough be responsible for getting the straw bales, setting them up and dismantling them?

Bill Laudien, organizer of the race stated yes. He also wanted to let President deVitry know that he is not in bike racing. He had organized races fifteen (15) years ago and thought he would get back into it and thought the Borough of Marietta would be a great place to showcase a race. He would like to have a kid's event and have a big community event.

Michele Bote', organizer of the race stated that she put on a race in Lancaster City; you would need a police officer or fire police for traffic control. Also a gentleman in the community handled the hay bales for free and he made sure that they were returned to the farm.

Council member Sargen asked if the Borough is responsible for sponsorship from businesses in the Borough to help offset the costs.

Bill Laudien stated that supplying police and fire police if the Borough finds that an expense. The Borough would secure people then it may not be a cost where as if they secure them there may be a cost. They are holding a Turkey Hill Country Classic race on Saturday, May 3, if the Borough would like to explore this event or not, it is up to the Borough.

Council member Renninger stated that she is for this and the more commitments that we have it would make it more feasible for the Borough. We need to minimize the cost to the Borough.

Mayor Vegso asked who the key person is, Kushner or Bill and who is going to be doing the follow up and clarify any remaining doubts. We are in favor of it and we just need a few details worked out.

Lillian Hill – 462 East Front Street – crosswalks painted on corners and if Council would consider doing that. The lot beside Flanagan Park what is the Councils plans for making this area into something and getting it cleaned up. She used to plant clover in this lot. She would like to ask the Council to reconsider paying her expenses to take a tax course in Reading and reimburse her for her mileage. She also would like for the Borough Office to supply her with stamps so that she does not have to come into the Borough office to have them run through the postage meter. Looking over 2012 Budget there was \$12,549.28 was reported to be allocated as tax collector salary and \$50,802.96 which was the salary of the tax collector at the time. I was told that I would be paid \$100.00 a year for tax collecting through the Borough. She would like the Borough to recognize that she is saving the Borough money. She would like Borough employees, and volunteers to be in touch with her if there are any tax collector problems. She would like to be reimbursed for the mail slot that she placed in her door to receive payments.

Council member Foreman stated that he is working on having the lot cleaned up. We are using it for limb drop-off currently and hopefully later we can use it for parking for the Bike Race.

President deVitry stated that Lillian was not processing the payments on a daily bases but was cashing the checks. He also wanted to let her know that she gets paid the \$100.00 from the Borough but she also receives \$.75 per parcel from the County.

Council member Renninger asked for a motion to reimburse Lillian for legitimate expenses.

Council member Clements stated that we can make a motion to reimburse Lillian for her tax collection duties and figure out the best way to handle other expenses. He would like to make that motion, with a second by Council member Renninger.

Mayor Vegso stated that we should pay the expenses because in the past the Borough paid employees and her service is saving the Borough money.

President deVitry stated that there is a difference between an appointed tax collector and an elected tax collector and Lillian was an elected tax collector. The appointed tax collector was managed in the Borough office and an elected tax collector is operated in the rules of the law.

Council member Roberts stated that many years ago the salary was made so nominal so that no one would want this job. The tax collector was a well-oiled machine and now it is a disaster.

Council member Renninger would like to also make a motion to reimburse Lillian for the seminar. A second by Council member Roberts, there was a roll call vote.

Steve Foreman – aye
Bill Roberts – nay
David deVitry – nay

Eric Kramer – nay
Allen Clements – aye

James Sargen – nay
Sharon Renninger – aye

Motion was denied.

Dennis Shoemaker – 402 West Market Street – wanted to explain the Cherry Trees on the Southside of Front Street. Back in the mid 80's a committee was formed and planted about 120 cherry trees on private property owned by Norfolk Railroad. The committee was to maintain the trees. Over the years several have been cut down and some have died. Last week two of the trees were cut down and there are questions if they were alive or dead. They are having an Arborist come in on April 16th to look at the trees to determine if they were alive or dead. They do not want to see people out vandalizing other people's property. If the trees need to be trimmed or cut down the public needs to let the committee know so that they can take care of them.

Mayor Vegso stated that he applauds them for the cherry trees. That if we could get the timing down on the blooming of the cherry trees, the Borough could possibly have a celebration like in other areas.

Michael Aument – 119 North Gay – North Gay up to Fairview has been repaved twice and Fairview has been done. His concern is from the utility shed on the cemetery coming down to Fairview Avenue is a constant concern that he and his wife blew out tires and was wondering when this street would be addressed?

President deVitry stated that looking at the future and when it can be done, as far as history he cannot answer why it was not done. Part of this street is part of East Donegal Township. Not sure when it will be done.

Tracy McFatridge – 30 Lumber Avenue – Just wanted to remind everyone that Neighbors helping Neighbors will be meeting tomorrow evening at the Borough Office.

Officer Kimes – Susquehanna Regional Police – Last year the Susquehanna Regional Police hosted a block party in Bainbridge and would like to do the same in the Borough of Marietta. They had kids' games, vendors. They would like to work with the fire company to put on this event in the Borough. They were possibly looking at October. The police department would like to give back to the community. He is looking at putting together a committee after he gets with the Pioneer Fire Company.

Mayor Vegso stated that we may be able to get some volunteers in the community to start working on this now.

Chief Hauck – Susquehanna Regional Police – Remember that we participate in quite a few communities, they have a stand at the carnival and they are here for Marietta Days and they also do things for East Donegal Township. We have to take into consideration their schedule and October seemed like a good time.

Charles Shireman – 345 East Market Street – Just a reminder that back in February he brought up about the Memorial Day parade and would like to check to see if the fire police were made aware of it and to also invite the Council members to have a float in the parade.

Barb Kauffman – 30 Fairview Avenue – Would like some verification on Borough Code 80.1.1 has to do with sidewalk curbing and other construction. If 80.1.1 states that it is the responsibility of every

property owner in the Borough to construct, maintain and repair curbs and others located on and adjacent to the owners' property. Does this code comply too every property owner?

Mark Harman – ARRO Engineering – stated that this does apply to all property owners but currently the engineer does not go around looking for it. They have not gotten direction from the Borough, because of cost and time involved. I don't think we have any unsafe situations but we get into a subjected area.

Barb was wondering why in multiple areas within the Borough since 2002 that have not required property owners to put sidewalks in and to maintain those sidewalks. Decatur, Longenecker, end of East Market, Gay. The second thing is about sidewalk maintenance. Is there a list on how the sidewalks are to be maintained, and Barb has the Borough Code in front of her. Who is regulated by that code? The third item Barb would like to know, what part of the Borough Code is or is not being enforced and let her know how many citations have been issued in the last 3 to 5 years. Barb would like to see equal treatment under Borough Code for every person who's under Borough Code.

Mark Harman stated that by not enforcing the ordinance you are not doing selected enforcing. You are not enforcing it for anyone. Constructing new streets and new sidewalks is completely different and has to do with land plan. You are misunderstanding the code. Requiring curb and sidewalks for a road to be reconstructed is not the same as property maintenance with the sidewalks.

Council member Roberts stated that Bridge Street was reconstructed, and there are no sidewalks on several houses there. Marietta Apartment was required and put them in but people across the street were required and they never put them in. There are many areas that were never enforced.

President deVitry stated that this has nothing to do with this Council. The Code has been updated.

Barb Kauffman stated that community concerns are water runoff. Other municipalities are trying to increase runoff. Decrease runoff or eliminate runoff and we are doing something that is contrary to the public good and that is increasing runoff.

President deVitry stated that he can address these things. Storm water ordinance makes little sense for small boroughs but we are required to institute this ordinance. For flooding in the Borough we want to get it to the river as fast as possible before the river comes up. This project was done and designed before this ordinance is adopted.

Barb Kauffman stated that former council members stated that ADA required sidewalks to be put in. Does ADA actually require sidewalks to be put in? Other municipalities say that ADA does not require sidewalks to be put in. Does someone want to comment on this?

Mark Harman stated that there are ADA compliances that come into play but the decision to put sidewalks in come from council.

Linda Ross – Fairview Avenue – Handed out pictures of sidewalks around the Borough.

Jack Rice – 624 West Market Street – upper end of Market Street was reconstructed and he and other residence were made to put sidewalks in.

President deVitry announced public comment session of Borough Council was closed.

ADMINISTRATIVE/PERSONNEL/FINANCE –President David deVitry

On a motion by Council member Roberts with a second from Council member Sargen, the General Fund Breakdown dated 4/8/2014 was unanimously approved as presented.

President deVitry stated that last month he did quite a few grants and we received our first grant back in the amount of \$20,000.00 from the Eater Foundation towards the matching money for the 1st phase of the River trail Project. The Northwest Lancaster County River Trail Intergovernmental Committee met and discussed the project. There is a number of places where there is construction going on. Starting in Columbia there is a trail services building being constructed. The 441 by-pass the equipment is there right now and that will be 18 months and with the 441 By-Pass they will be constructing a section of the river trail that will run under Route 30 and go up towards Chiques Park Chiques Creek pedestrian bridge and the connector onto Furnace Road is being constructed now estimated about 160 days till completion. The Shucks Mill Road railroad underpass which if you ride up the trail now you dead end and this section is going out for bid May 8th and is expected to be completed in the fall. Then after that is completed they will pave up to Bainbridge. There will be a lot of work this year on the trail.

Mayor Vegso stated that we should put up a sign to direct people from the trail where it is blocked, so that we can get some of those people into the Borough. This can be temporary signs.

President deVitry stated that you would be directing pedestrians across the railroad tracks.

Council member Sargen stated that you would want these signs placed on the trail at the crossings before you get to the blockade.

President deVitry stated that they have discussed this extensively at the trail meeting and everyone is welcome to come to the meetings.

Council member Clements made a motion to erect temporary signs. Council member Sargen stated that he would get with the road crew.

President deVitry stated that the Lancaster Creative Factory is putting in for a grant for artful benches and natural sculpture program to be introduced along the Northwest River Trail. They would like a letter of support towards their grant. He would like to ask council for a motion to provide a letter of support for this grant? There was a motion from Council member Foremen to do the letter of support with a second by Council member Kramer. To write the letter of support was unanimously approved.

President deVitry gave an update on the Flood Mitigation Project and at last Council meeting we were asked to engage the engineer on the plan and his first question was how are we going to pay for this and was that a legal motion. What he found was a grant program for the Flood Mitigation Project. It is a grant program from the Community and Economic Development it is to help statewide to assist with Flood Mitigation Projects. It's available range from \$50,000.00 to \$1,000,000.00 with a maximum grant reward of \$500,000.00. The use of the funds would be easements, construction, engineering costs, inspection costs, administrative cost, etc. It requires a 15% cash match from the Borough. Another requirement is in respect to conflict of interest. If any party that has a private interest in the project the government asks that the parties dismiss themselves from voting. There are two (2) council members on council and he asks that those members recuse themselves from these deliberations. The motion that we passed last month directly conflicts for the eligibility for this grant. He would like to make a new motion to proceed with this new grant.

Council member Renninger stated that she does not like to be blindsided and had phoned our solicitor and it is not a conflict of interest for her to participate in the CSR.

President deVitry stated that it has nothing to do with the CSR and he is just bringing it up and he would be happy to send the document to Sharon to look at the grant and we can table this to discuss next month.

Mayor Vegso stated that he taught ethics classes and he would bet this is not a conflict of interest.

President deVitry stated that his question to council is the Borough interested in this grant?

Mayor Vegso stated that we don't need to wait on this grant to get moving on the Flood Project and he hopes the engineer will be at the next council meeting to give a progress report with estimates on what is involved.

Mark Harman stated that this is something that Darrell would be knowledgeable about and he would just need direction from council to precede.

President deVitry stated that in relation to this grant there may be special specifications involved and the cost or ballpark figure may not be anywhere near what we need for a grant like this so he wanted to get support on looking into this grant.

Mayor Vegso is in support of any and all grants but is not in favor of any delay.

Council member Renninger asked President deVitry has he spoken to ARRO engineering on getting us a figure?

President deVitry stated that he spoke with ARRO and they have not gotten back to him yet with those figures.

Mark Harman stated that he was not aware of a timeline and that you can do as much as you want or as little as you want.

Council adjourned for an executive session at 8:46 PM
Council reconvened from executive session at 9:00 PM

President deVitry stated a personnel issue was discussed, no vote was taken.

President deVitry asked for a motion in regards to hiring Sheryl Smeal has our new crossing guard at \$11.00 per hour and she comes highly recommended.

Council member Roberts made a motion to hire Sheryl Smeal with a second by council member Kramer. Hiring Sheryl was unanimously approved.

STREETS & HIGHWAYS – Council member Allen J. Clements

Council member Clements stated that our road crew has been out cleaning up a lot of limbs in the parks to get them ready. They have also done some cold patching in potholes and as the weather gets warmer they will proceed with more. They did some street sweeping in the business district. There was a sinkhole on South Gay Street which is being capped and paved today. He received several letters from business owners that the snow impacted their businesses and would like to bring up now in regards to snow removal on Market Street for next snow season. Look at how we can get something in place before the next snow fall.

Council member Clements stated the Marietta Day Committee asked for permission to close Market Street from Chestnut Street to Perry Street on May 17 for Marietta Days.

President deVitry asked that they provide their own barricades because ours went missing in prior years.

Mayor Vegso stated that we can buy saw horses and put a piece of wood over them for barricades, he doesn't understand what the big deal is. What kind of barricades are we looking at?

Council member Clements would like to make a motion to hold Marietta Day on May 17th, on condition that they provide barricades at request of the fire police, with a second motion by Renninger, Marietta Days was unanimously approved.

BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer

Nothing at this time.

PARKS & RECREATION – Council member Steve Foremen

Council member Foremen stated that the Borough will be holding one more branch drop off on April 12th and is looking for volunteers.

Council member Foremen stated the Easter Egg Hunt is on April 19th and would like to make a motion to use War Memorial Park at 1:00 P.M., with a second by Roberts the Easter Egg Hunt was unanimously approved.

The 4th of July Celebration Pioneer Fire Carnival will be held from June 22nd to June 28th Council member Foremen would like to make a motion to use the War Memorial Park with a second from Council member Sargen the 4th of July Celebration was unanimously approved.

Council member Foremen looked into the Summer Recreation Program running it through GEARS in Elizabethtown and they would run the program here in Marietta and it would run from June 23 to July 31th. We would do registration in house, but they would need a building to store their equipment. It would be our equipment and we could use it again and we would not have that expense again. We would make recommendations on hiring staff members, they would do the hiring. The Stage Company is doing a program and will meet with them this week. Council member Foremen would like to make a motion to go with GEARS if the Stage Company does not work out.

Council member Renninger asked, "What is the registration expectation"?

Foremen stated that last time we had 65 children at \$35.00 per child and \$5.00 for siblings. We would also be looking for sponsors to help offset that cost. The Art House is not an option anymore. There is a lot of pride here in Marietta and a lot of involvement in the community and would like to still have that a part of it. He would like to have staff take them around to the Fire Company, Post Office and different businesses within the Borough.

Mayor Vegso stated that lets not do a preliminary approval let's just do an approval and commit to this, let's not make this tentative.

Motion from Council member Foremen to commit to GEARS for the Summer Program with a second from Council member Roberts the Summer Recreation program was unanimously approved.

The Chiques Park Clean Up on March 29th was a great success. Over 100 people showed up and they had over 5000 pounds of trash.

PLANNING/ZONING/HOUSING – Council member Sharon Renninger

Council member Renninger stated that they held the March Planning meeting and there was discussion on the RFP for hiring a consultant. David White assisted Sharon Bradnick, Borough Secretary/Treasurer in putting together the advertisement for the newspaper. It was reviewed by the borough solicitor. There was discussion regarding the interview/hiring process. The interview process would consist of 5 people. Two from Planning Commission, two from Borough Council and one from the Zoning Hearing Board which would consist of Eric Keiser, Ken Gall, Dave deVitry, Sharon Renninger, and Pat Shinkosky.

Council member Renninger would like to make a motion to approve that committee to do the recommendation for the Smart Growth Ordinance with a second by Council member Roberts. This is to just review the proposals and make recommendations to Council. The Recommendation Committee was unanimously approved.

PUBLIC HEALTH & SAFETY – Council member James Sargen

Council member Sargen stated that The Pioneer Fire Company responded to ten (10) QRS calls and eighteen (18) Fire Calls for the month of March. The Special Fire Police responded to six (6) calls and put twenty-one (21) men out on the street for a total of 27 man hours.

Council member Sargen stated that you may have noticed the speed machine on Market Street and he requested from the Susquehanna Regional Police to borrow the speed machine from East Donegal Township. This machine will record the time of day and the speed of every vehicle that passes by it. At the end of seven (7) to ten (10) days they will look at the data to see if there is any need for speed enforcement in the Borough. They will then move it to the other end of Market Street.

SEWER & TRASH – Council member Bill Roberts

On a motion by Council member Roberts with a second by Council member Sargen, the March Sewer Department Monthly Breakdown was unanimously approved as presented.

On a motion by Council member Sargen with a second by Council member Kramer, the March Recycling Report was unanimously approved as presented.

MAYOR’S REPORT - Mayor Ray Vegso

Mayor Vegso stated that he had a lot to report but because it was getting late he would report next month. He placed minutes in the box from the police meeting. He would like to be moved up in the agenda.

There being no further business to come before Council, the meeting adjourned at 9:30 P.M. on a motion by Council member Roberts with a second by Council member Kramer.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick

Secretary/Treasurer