

**Marietta Borough Council
Minutes of Meeting held June 11, 2013
113 East Market Street, Marietta, PA**

President Fletcher with Council member deVitry, Nagel, Rice, Roberts and Stellfox and Mayor Overlander present called the regularly scheduled monthly meeting of the Marietta Borough Council to order at 7:00 PM. Absent from the meeting was Council member Yohe. The meeting opened with a moment of silence followed by the pledge of allegiance.

On a motion by Council member Stellfox with a second by Council member Nagel, the minutes of the May 14, 2013 Council meeting were approved as presented.

President Fletcher opened the public comment session of Borough Council.

PUBLIC SESSION

Jim Sargen, 644 East Market Street, stated sadly the Borough will be losing a long-term employee and through his working career, he has had experience in the hiring process and hopes that the Borough employee is included in the hiring process. Mr. Sargen also stated it is no great secret, because it is on the agenda, that some people are contemplating the hiring of a Borough Manager. Personally, Mr. Sargen would encourage Council not to do this for several reasons: 1) in Mr. Sargen's opinion, Council is going to diminish the roles, responsibilities and the spirit of a small town Council. Council is the Borough Manager by committee and it is without a doubt one of the most purest and traditional forms of government in this Country. Mr. Sargen stated Council was elected to make decisions for this Borough based on that democratic principal. With a Borough Manager, there would be arbitrary decisions being made that you would only be giving recommendations on and you would not have as much hands on approach to issues. 2) Mr. Sargen thinks it would be unreasonable for anybody to think Council would hire a Borough Manager that would want to blend the responsibilities of Borough Secretary and Borough Manager. Mr. Sargen stated he has a good idea of how much a Borough Manager makes, which means Council, would probably want to keep on a Secretary and add on the expense of a Borough Manager.

Mark Davis, 336 East Market Street, again explained his dissatisfaction with the condition of 388 East Market Street, which is really devaluing his property and surround neighbors. Mr. Davis stated he really wishes something would be done; it is currently being used as a dump site. Council member Stellfox requested Mr. Davis come in the office and follow the process for complaints and she will make the complaint on his behalf tomorrow.

President Fletcher announced the public comment session of Borough Council is closed.

ADMINISTRATIVE/PERSONNEL/FINANCE –President Miriam Fletcher

On a motion by Council member Rice with a second from Council member Nagel, the General Fund Breakdown dated 06/11/13 was unanimously approved as presented.

President Fletcher stated on May 17th, Jody had submitted a letter of resignation effective August 2nd; however on June 7th she submitted a second letter revising her effective date to June 28th. Council member Rice stated on behalf of Council he would like to thank Jody for her years of service and asked if there was anything Council could do to persuade Jody to stay with the Borough. Mayor Overlander stated he was shocked and understands her reasoning; however he was hoping Council would at least afford her the opportunity and make a counter offer. Mayor Overlander stated through the seventeen (17) years Jody has been employed with the Borough, she has been nothing but professional, loyal and a great person to work with and trust. Mayor Overlander also stated he really regrets her leaving and is going to miss her. Council member Roberts also stated Jody has been around this government for a long time and has a grasp on everything that went on around the Borough. She knew exactly what was

happening and really had a good opinion of what should happen. Council member Roberts saw a sign on someone's desk once that said "Nobody appreciates what I do until I don't do it" and he feels we are going to find that out when Jody leaves. President Fletcher added she feels sad because she hired Jody, which was a good hire and has always appreciated what she has done. On a motion by Council member Rice with a second from Council member Nagel, Council unanimously accepted Jody Shaffners' 2nd resignation with deep regret.

President Fletcher requested an executive session to discuss a specific personnel issue.

Council adjourned for an executive session at 7:16 PM

Council reconvened from executive session at 7:45 PM

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

President Fletcher stated the next agenda item is to discuss the proposal of looking into the possibility of having an ordinance to change our structure in the Borough from Borough Secretary/Treasurer to Borough Manager. President Fletcher indicated this is something that Council should look into because of the change of time. Council member Rice stated he is not in favor of going the route of Borough Manager and loves Marietta. Council member Roberts questioned where are we coming up with the money to hire a Borough Manager? President Fletcher stated the same place that we pay the Borough Secretary/Treasurer. Council member Roberts stated we only pay a Borough Secretary/Treasurer half of what we would be paying a Borough Manager and then someone else to do her job. President Fletcher stated Council would have to indicate what that salary would be. Council member deVitry stated obviously we could select candidates that would be appropriate for our size of town. Council member Roberts stated yes, but what type of candidate would we be getting? Council member deVitry also stated Council did not advertise for a Borough Manager position, so we don't know what we are going to get yet. Council member Rice stated we did advertise for a Borough Secretary/Treasurer. Council member Roberts stated Council is going to have to spend money just to create the position first, it requires an ordinance and how many thousands of dollars does that take? Council member Stellfox stated she feels if Council wants to talk about how much we are going to pay a Borough Manager, we don't know yet. A Borough Manager would be able to do things that maybe we are paying consultants or other people we are doing now. Council member Stellfox stated we need to acknowledge that may exist. Council member Stellfox stated Marietta can't isolate or insulate itself from the forces of changes that are occurring around us. Council member Stellfox also stated it is her forthright opinion that Marietta would be better served in the future if we would position ourselves competitively now with the Manager. Council member Rice stated his concern is we are landlocked and we cannot grow or produce any more money. Council member Stellfox stated that is all the more reason why we really have to aggressively go after all the grant funding that we may be eligible for; that's all the more reason a Borough Manager would be able to apply for those grants, administer those grants and insure that the work program got executed. Council member Roberts questioned how many grants are available at this time? Council member Rice stated there's no grant we are going to get to help us pay for a Borough Manager. President Fletcher stated yes there are; however there are time limits for them. President Fletcher also stated in 2013-2014 there is a state grant for Borough Manager. Council member Rice again stressed he is very concerned with the Borough's financial status and our obligations in the future with Fairview Avenue. Mayor Overlander suggested that Council should hold a special meeting when all Council is present to discuss this matter further. President Fletcher stated due to our time limits, we really cannot keep postponing, we have to come to a decision as to what direction Council wants to go. Council member Roberts questioned if it would be quicker to review the applications which we received through the advertisement for Secretary/Treasurer to see if we can find someone to replace Jody? President Fletcher stated if Council is in agreement that they do not want a Borough Manager that would be the

next step. Council member Roberts stated if we go for the Borough Manager we would be months before there would be a replacement. President Fletcher stated exactly, Council would need an interim strategy to work on this and it could be costly. This has to be a Council decision as to which direction you want to go, this is the appropriate time to bring it up. President Fletcher stated what Council is now considering is the direction Marietta Borough is going to go, not for this year, not just for next year, but for the next ten (10) – fifteen (15) years. Council member Stellfox stated this was not a change that we precipitated. Council member Rice made a motion to continue with a Borough Secretary/Treasurer and not investigate a Borough Manager, seconded by Council member Roberts. Council member Rice presented President Fletcher with a letter from Council member Yohe stating she was opposed to hiring a Borough Manager; therefore President Fletcher recused herself and the motion carried with three (3) ayes and two (2) nays.

STREETS & HIGHWAYS – Council member Jack Rice

Council member Rice stated PPL is currently moving poles on Fairview Avenue and the project is proceeding as scheduled.

BUILDINGS & SPECIAL PROJECTS – Council member David deVitry

Nothing to report at this time.

PARKS & RECREATION – Council member Corinna Yohe

Nothing to report due to Council member Yohe’s absence.

PLANNING/ZONING/HOUSING – Council member Phyllis Stellfox

Nothing to report at this time

PUBLIC HEALTH & SAFETY – Council member Gene Nagel

The Pioneer Fire Company responded to twenty (20) calls during the month of May and eighteen (18) calls for the Quick Response Service. Council member Nagel commended the Fire Company for all the hard work they are doing.

SEWER & TRASH – Council member Bill Roberts

On a motion by Council member Nagel with a second by Council member Rice, the May Sewer Department Monthly Breakdown was unanimously approved as presented.

On a motion by Council member Rice with a second by Council member Nagel, the May Recycling Report was unanimously approved as presented.

MAYOR’S REPORT - Mayor Oliver Overlander

Mayor Overlander stated the Fire Police met last evening and they are working on the up and coming event which is the 4th of July Carnival. The Fire Police are in the process of advertising for new members.

Mayor Overlander stated there is a meeting tomorrow at 1:00 PM with the manpower to go over negotiations concerning the contract. Mayor Overlander feels this could be settled tomorrow. Mayor Overlander read the following statement, “Since January, 2013, the Susquehanna Regional Police conducted an undercover drug investigation in the Marietta area.” Mayor Overlander stated that is not just in Marietta Borough, the area includes Conoy and East Donegal Townships. “During the course of their investigation, undercover purchases of heroin, marijuana and prescription drugs were made. On

June 5th during the early morning hours the police arrested twenty (20) local dealers stemming from twenty-eight (28) charges of possession with the intent to deliver drugs, delivery of drugs and conspiracy to deliver drugs. They had twenty (20) warrants and they were twenty (20) for twenty (20).” Mayor Overlander stated that was impressive to him. “Sixteen (16) adults and four (4) juveniles were taken into custody. The adults were arraigned before District Justice Scott Albert and the juveniles were placed at the Lancaster County Youth Innovation Center. During the arrest phase of this operation the department requested and received assistances from members of the Lancaster County Drug Task Force and PA State Constables.” Mayor Overlander personally thanked Chief Haugh and his officers on behalf of Marietta Borough this has been a long process.

Council member Rice stated we can’t wait on hiring a replacement for Jody; currently there are many resumes which have been received. President Fletcher stated it is up to the Personnel Committee to meet and review those applicants and make recommendations for Council to conduct interviews. Council member Rice stated he wants the process to start immediately. Council member Roberts stated he does not feel the entire Council has to be involved, the personnel committee should go through the resumes;, go through the interview process and bring back your recommendations to Council and we will make a decision. President Fletcher stated she would think that Council would want the new hire to be here by June 24th before Jody leaves the 28th.

Council member Rice also stated President Fletcher mentioned grant money being involved for a Vaccine Farm Museum, what is the status? President Fletcher stated there is no grant money and the Vaccine Farm project is a private non-profit corporation of Marietta Borough. Council member Rice questioned how it is funded? President Fletcher stated the Eater Family Foundation has given \$35,000.00 for the initial phase; it is not Borough money. Council member Rice questioned if the museum would be in Marietta Borough and would it be another taxed exempt property? President Fletcher stated of course it would be located in the Borough. Council member Stellfox stated she feels it would be mixed use. Council member Roberts questioned where is the proposed building? Council member Stellfox stated the process is not that far along yet. Council member Rice stated therefore Council has not approved the project? President Fletcher stated this project does not have anything to do with Marietta Borough Council. Council member Stellfox stated Matthew has been here several times and yes, they do have our blessing. Council member Rice stated he is not against the project.

There being no further business to come before Council, the meeting adjourned at 8:16 PM on a motion by Council member Nagel with a second by Council member Roberts.

BOROUGH SEAL

Respectfully submitted,

Jody L. Shaffner
Secretary/Treasurer