

**Marietta Borough Council
Minutes of Meeting held August 12, 2014
113 East Market Street, Marietta, PA**

President deVitry with Council member Sargen, Foreman, Roberts, Overlander, Renninger and Mayor Vegso 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 Kramer. The meeting opened with a moment of silence followed by the pledge of allegiance.

The minutes of the July 8, 2014 Council meeting were unanimously approved as presented.

President deVitry opened the public comment session of Borough Council.

PUBLIC SESSION

Brandon Smith, Assistant Chief of Marietta Fire Company along with Officer Maryott from Susquehanna Regional Police came in front of Council to ask permission to hold a 5K Color Run and Festival on Saturday, October 25, 2014 between 11:00 AM and 4:00 PM. The Fire Organization is holding the event. They help Fire Companies host events to raise money to offset training costs. Race would start at the Fire House. After the Color Run there will be a Festival, hopefully across the street from the Fire Company. There will be a DJ, merchandise to purchase, food trucks and vendors. If you do not want to participate in the run there will be a small fee to get in the event part.

President deVitry asked for a motion to approve the race. So moved by Council member Overlander and seconded by Council member Roberts.

Council member Renninger asked for a certificate of insurance and a written proposal.

Motion was unanimously approved.

Rich Kushner – 573 Essex Street – Would like to thank Council and everyone involved for holding the bicycle race and look forward to next year holding the event again. He also handed out donations to the Fire Company, Fire Police and Marietta Borough for War Memorial Park from money that was donated during the race.

Lillian Hill – 462 East Front Street – Thanked Steve, Jeff and Glenn for mowing down the lot on East Front Street. The kids have been playing in the lot and they also have been cleaning up the woods and have put some paths through the woods.

Pam Wolf – 601 East Market Street – Would like to have a load/unload zone placed in front of the Senior Apartments for ambulance and patient drop off.

President deVitry stated that we would check into it.

Harold Kulman – 114 East Market Street - He is always concerned about the number of people that we have in the council chambers. What if there is an emergency and we need to get out. He would like to know where our occupancy permit is for the council chamber and how many people are allowed in the space. If we don't apply for an occupancy permit or get one he is going to file a complaint.

Jack Rice – 624 West Market Street- He was a member of Borough Council from 2010 to 2013. While on Council he was in charge of Streets and Highways. On his last year on Council during that time the Evans Run Project had already been started and he was assigned to complete the project. He recently received a call from the Lancaster County District Attorney's Office investigating the work that was done

on the Evans Run Project. He was doing the job that was given to him and followed all the legal requirements. He would like to know where Council stands in supporting him legally with this if he needs to retain a lawyer. He has a right to face his accusers.

President deVitry stated that there has not been any criminal activity to investigate and that it is a frivolous complaint and he is sure that it will be dropped.

Bridey Hannold – 552 East Market Street – Would like to bring up from a previous meeting in regards to the ROBO Call System. The mayor brought up a good point and with today's technology with things available at such a small cost she feels that we should definitely consider. She would suggest by taking it a step further and it would not cost the Borough much money would be to send the letters out with the sewer and trash bills.

President deVitry stated that he hears that we would like something beyond the ROBO Call System and we should look into something more modern.

Paul Myers – 30 Lumber Avenue – There has been some daylight break-ins in his neighborhood. Is the police department aware of this and what is being done about it? What can we do to deter this? One neighbor stated that they phoned the police and the police did not show up.

Officer Chief Haugh stated the police were contacted and a police officer was dispatched and they received a lead and they are following up on that lead.

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

ADMINISTRATIVE/PERSONNEL/FINANCE –President David deVitry

Before us is the General Fund Monthly Breakdown dated 7/8/2014 the total general fund accounts are \$877,840.44. A motion by Council member Roberts with a second from Council member Overlander, the General Fund Breakdown dated 8/12/2014 was unanimously approved as presented.

Council member Renninger stated that at last month's meeting she had brought up closing out the Borough's Budget at month end. This is so that we can get the report a week earlier so that we can stay on top of where our budget is.

President deVitry stated that there was a number of valid reasons not to consider that. We need to have the most up to date invoices approved. This is approving of bills to be paid.

Mayor Vegso stated that the most important thing is to have time to review this material. It is each Council members fiduciary responsibility they cannot delegate that responsibility to the finance committee.

Council member Sargen stated that what he stated last month was to do this properly is to make a recommendation to the Finance Committee and then the Finance Committee come back with a recommendation. This way we do not have to keep bringing this up at Council meetings.

Council member Roberts stated that he does not see the problem. There is not a bill on there that needs extra scrutiny.

Mayor Vegso stated that it is up to Council to know what they are paying and review it before you vote. It does not imply that something is wrong.

Council member Renninger stated that one of her concerns is not change the bill paying practice but to change the reporting practice so that they have enough time to look over the report. This report does not tell us what account numbers in the budget that these bills come out of. She would like to know where the bills when paid are allocated to. Would like the Finance Committee to address this and be prepared next month.

Council member Sargen stated that he has had this paperwork in front of him for thirty-seven (37) minutes and he is questioning that on the bills to be paid is a check to the Mayor paying for an Annual Conference.

President deVitry stated that we are legally obligated to pay the Mayors expenses to the Mayors Annual Conference including hotel, and mileage.

Mayor Vegso stated that he stayed in the hotel the first night because the meeting went late but the next two days he drove back and forth.

President deVitry gave an update on the Northwest River Trail. The bridge down on Chiques Creek was dedicated last month and lots of people are using it. There have been issues on parking that have been brought up to him. Furnace Road was never to be the trail head and so it is important to have our trail head established. They have started to work on Shucks Mill under pass. Up river are the White Cliffs of Conoy that are public property and will be open to the public on the trail. In Marietta we have had a setback that the National Park Service Grant was denied this year for Decatur Street trail head. They do like the project and we should submit again next year. Phase I from Decatur Street to Chestnut Street requires us to find an engineer to do the design work for that project.

Mayor Vegso asked how much money do we have on hand for the trail.

President deVitry stated that we are getting a grant to do the trail. We have very little on hand. As the project proceeds the money will come in from the grant.

Phyllis Stellfox stated that all Council members need to take a look at the 2014 audit. It tells you grants that were applied for, profits and losses and this would answer a lot of the questions. Once the new council members go through the budget process they will learn the ins and outs of the process.

President deVitry commented that the flood control project has been discussed a long time. He would like to let DEP know what direction we are going. If Council does not support the 2010 Sponsorship Agreement then we should ask for a motion that we no longer wish to pursue the Flood Control Project as conceived in the 2010 Sponsorship Agreement, with a motion from Council member Roberts with a second by Council member Sargen.

Mayor Vegso stated that he has sent out emails to all of Council that there are many questions, rumors about flood control. He knows that we go through periodic cycles here. We must operate from the bases of facts. He has arranged a meeting with the DEP Representative to speak at the engineer office to answer questions. The purpose of the meeting is to answer factual questions so that we all have the same information and the same facts. He has checked with the solicitor that this is a meeting called by the Mayor and that there will be no debate or discussion or deliberation and that we can have this meeting. He will run the meeting and go through the questions that we have and then will invite others from the Council and two people from the public that have expressed interest and a fact and information session. This will help us avoid false statements about the Flood Project.

President deVitry stated that Council is not interested in spending more money on this project or pursuing the DEP plan that is ill conceived.

Council member Sargen stated that during the March Council meeting that we spoke about a smaller project that the Mayor agreed to. During that meeting Council unanimously agreed to pursue the smaller stand-a-lone project, if we went through with this project that we were going to shelve the DEP project. We got the bid from the engineer on the flapper values. In June at the meeting we briefly discussed the bid from the engineer which was \$290,000 for flapper values. At that meeting the Mayor again wanted to bring DEP on board and at that meeting we were not ready for DEP. Again we stated that we don't need DEP involved until we get into the permitting stage. We want to discuss facts, he has figures on research that he has done on sewer capacity and how long it would take. We have not even come close to doing anything successful in regards to the Flood Litigation Project.

Mayor Vegso stated that if you go back and read all the original correspondence from DEP they will provide advice and consultation to the Borough's portion. The one thing they will not do is be an advisor on small projects. DEP will talk about the flood questions and will help us understand and deal with the stand-a-lone project. We are going to listen carefully, take notes and get facts. He wants people here that are going to be making decisions to operate from the same sets of facts and information.

President deVitry stated that this is the mayor asserting the Council on this project. DEP is here to talk about the big project. He does not want Council spending more money on this project. Paying for the engineer, paying for the solicitor, we have been researching this so long and we need to quit spending money on this project. If Council decides not to pursue the 2010 Sponsorship Agreement will DEP still talk to us?

Mayor Vegso stated that as far as he knows that DEP will still speak with us. There is \$20 million penciled in for Marietta. He agreed to go with the smaller project. We better move on it quickly. If it does not work we will be prepared with the knowledge to go with the larger project.

President deVitry stated that the motion on the table is that Marietta Borough is no longer interested in pursuing the Flood Control Project as envisioned?

Council member Renninger stated that we should wait to make the decision until after the meeting with DEP. When we have the meeting people can ask DEP what makes them qualified. For years we were told that the Sponsorship Agreement was signed and everything is up in Harrisburg. Now we are told from DEP that this is not the case. So instead of having half answers and half information we need to have the meeting to get the facts.

Council member Roberts stated that he don't care if DEP gives us \$100 million dollars to do the project. It is the maintenance on the project that the Borough cannot afford.

Mayor Vegso asked how much do we have in the budget now for the Flood Control Project? We still need to have factual information. After the factual information people still have their opinion, but you need to start with the facts.

Council member Sargen stated that we have around \$45 thousand dollars in the Flood Control Project.

President deVitry asked who was in favor of notifying DEP that Marietta Borough is no longer interested in pursuing the larger Flood Control Project. A roll call vote was taken.

Steve Foreman – nay
Oliver Overlander – aye

James Sargen – aye
Sharon Renninger – nay

Bill Roberts – aye
David deVitry – aye

Motion carries.

Mayor Vegso stated that he was still holding his meeting and if Council members cannot be there he will invite more of the public to be there.

Council member Overlander stated that he would not be at the Mayors meeting because it is not a meeting that Council set up with DEP and the engineer. It is not a meeting that is sanctioned by Council.

Mayor Vegso stated that he does not need Councils approval to have a meeting. He copied the solicitor on the letter but did not think that he would be at the meeting. He knows the law and he spoke with the solicitor on how to conduct the meeting. Since Council members are not coming he will have room for 5-6 more people to attend his meeting.

President deVitry stated that he was not authorizing our engineer to be at a DEP meeting.

President deVitry asked for a motion for a short break with a second from Council member Sargen.

Adjourned at 8:15 PM
Re-adjourned at 8:23 PM

STREETS & HIGHWAYS – Council member Sharon Renninger

Council member Renninger stated that she sent an email out to Council members in regards to a meeting with Jeff Lighty on Wednesday, July 30th on projects that need to be done in the Borough. We ordered 15 tons of asphalt mix at approximately \$60.00 a ton and 6 tons of cold patch at approximately \$4.39 a ton. Cold patch is for the colder times to temporarily fix pot holes. The best way to repair a road is to mill it and fix with the hot asphalt. One issue that is facing Council is that there are a lot of street and highway work that needs to be done. There are storm sewers that are in bad shape. There is a video in the office that shows which ones are good and which ones are not. She is looking into updating our road equipment. We ordered 25 ton of salt to have on hand when winter starts. We rented a skid loader and planner to do road work. Since it rained Tuesday Sharon asked for a motion to have Jeff and Glenn work overtime on Friday, weather permitting since we have the equipment for the week.

Council member Roberts seconded the motion. Motion carries.

Council member Overlander asked if the core samples were taken and given to the engineer for Hazel Avenue and do we have any time frame to have Hazel Avenue done.

Council member Renninger stated that the core samples were given to the engineer and it is currently in the making.

Council member Renninger stated that Jeff Butler is looking at having repairs and improvements to the traffic signal on Route 441 and Route 23.

Council member Sargen stated that the project is to update the signals and the controllers. The light currently is a stand-a-lone signal. The other lights on Route 441 are linked together. The improvement would then link all the lights up. East Donegal Township has filed a grant for the project and is asking

from the borough to help on the planning costs which would run the borough \$15,000 - \$17,000 for our share of the cost. Pendot has already committed on the project. We do not leave this town without going through that light and we should commit on helping with this project.

Mayor Vegso stated that he sent emails to everyone in regards to safety at Furnace Road at Hazel. The hope would be that the neighboring municipalities will act on this.

Council member Renninger stated that she does not have budget sheets in front of her and do we have the funds available?

President deVitry stated that we would have to borrow the money. We would have to take it somewhere else in the budget.

Council member Renninger stated that she would like to make a motion that we will join up with East Donegal Township to allocate funds for the Route 441 and Route 23 Red Light Project to hire a consultant, with a second by Council member Sargen. Motion carries.

BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer

Absent from meeting.

PARKS & RECREATION – Council member Steve Foreman

Council member Foreman stated that Donegal Peewee Baseball is asking to use War Memorial Park from August to October. They will work out field usage with Donegal Braves Football. He asked for a motion for the use of the Park except for September 13th that is movie night. Council member Renninger seconded the motion. Motion carries.

Council member Foreman stated that he is putting together movie night in War Memorial Park on September 13, 2014. It is not Borough Council's job to put on the event but it is our job to meet the community needs. He is trying to raise money through donations and concessions to keep the event going forward. Turkey Hill is going to sell us tea and ice cream at cost for the event. It will cost \$950 and you get movie screen, sound system and host. The movie that will be playing will be the Lego movie.

He is making a motion to put on movie night at War Memorial Park on September 13, 2014 with a second by Council member Roberts. Motion carries.

Council member Foreman stated that he has been working with Ernie Lehman and a group called Manos House to do community service. They came in and cleaned the tennis courts and are working on the bathrooms.

Council member Foreman stated that the fun fort that we received from Conoy Township last year is now fixed and ready to be placed. Originally it was discussed to place it in the tot lot but feels it will crowd that lot. He would like to make a motion to place the fun fort in the empty lot on Front Street down on the end with a second by Council member Roberts. Motion carries.

Council member Renninger stated that there is a park on Chestnut Street that was abandon. In the future a more comprehensive plan you could move this and place it somewhere else.

Council member Overlander stated that he is for where Council member Foreman would like to place the fun fort but he may want to check into lighting.

PLANNING/ZONING/HOUSING – Council member Oliver Overlander

Council member Overlander stated that Eric Keiser is here to give you an update on the RFP and the Planning Commissions Plans.

Eric Keiser with the Planning Commission stated that the Planning Commission developed a Comprehensive Plan with East Donegal Township and Mount Joy Borough in 2009. This evening we are taking that plan and making it work. Part of that plan is land use. The ordinances we have that deal with land use are our zoning ordinances. Some of our zoning ordinances do not fit well. In 2012 we participated in Pennsylvania building block sustainable communities workshops. This workshop refocused the Planning Commission working together with Council and updating our building ordinances to support the actions in the Comprehensive Plan. This discussion brought us to developing the RFP and the selection committee. We received two (2) responses from the RFP. The Selection Committee along with our solicitor reviewed both proposals very closely. The lower proposal was more appealing not only because of price but because what they were offering. The firm is Environmental Planning and Design, LLC. There was a special meeting held to address questions. This will start the foundation for the next ten (10) to fifteen (15) years for land use in Marietta.

Council member Overlander thanked everyone for being at that meeting and he has a proposal. In July the firm recommended Environmental Planning and Design, LLC. The proposal is being reviewed by the zoning officer and the solicitor. There are funds available for the project. To keep things moving he is making a motion that Council authorize the Borough solicitor to draft the contract that secures the services of Environmental Planning and Design, LLC for the zoning ordinance update. Council member Roberts seconded the motion.

Council member Renninger asked if the money was budgeted for the service and was told that this has been in place for a while.

Council member Overlander stated that the money that is in the budget for this year will not complete the project but we have other money set aside for the project. The committed funds are \$71,762 plus what is in the budget for this year.

Motion carries.

Council member Overlander addressed that Mr. Rice was upset about the allocation that the Borough spent funds that were not spent properly and would be very disturbing. He knows that nothing improper was done. The money was Emergency Money and we had a deadline to complete the project. Council was on top of this. Jack and Sharon were on top of this. The committee did what needed to be done. It is very disturbing that someone turned the Borough in without all the facts. This Borough and he stand by Jack for what he done. 2) Comment was made about an occupancy permit and does not know the answer and we will have this checked out. He finds it ludicrous that someone would stand up that had been on prior Council that is questioning an occupancy permit for this building. 3) The first time that he has ever heard about a Mayor turning in a bill for a hotel bill. He never turned in a bill for any conference and he has worked with other Mayor's that had never turned in bills for reimbursement. 4) The Flood Project Committee had everything they needed to be done to have the engineer come in and get figures from DEP to see if the Borough can afford it. Knowing what we were told that they would help with the reconfiguration but it was on the Borough to fix whatever needed to be dug up. He thought that Council was moving in that direction. Council was looking at doing the stand-a-alone project knowing that they could not afford the DEP project. DEP would never guarantee that we would not have any more flooding in the Borough. They would never guarantee their project because they could not prevent the Borough

from flooding within. The Borough needs to look into Stormwater Management and figure that out.

PUBLIC HEALTH & SAFETY – Council member James Sargen

Council member Sargen stated that The Pioneer Fire Company responded to fifteen (15) QRS calls and fourteen (14) Fire Calls for the month of July. The Special Fire Police responded to nine (9) calls and put twenty-four (24) men out on the street for a total of fifty-nine (59) man hours.

Council member Sargen stated that he would like to discuss the purchase of some EMA equipment. The new radios that the county is rolling out and our EMA Coordinator will be able to speak with the police directly and the fire company directly. Also Angie Shearer the new deputy will need some equipment. He would like to make a motion to make these expenditures in the near future seconded by Roberts. He is looking at not to exceed \$2000 and would like to make that purchase this year. Motion carries.

Council member Sargen stated that he has been working on the parking meter frustration. He would like to run a test and bag some meters. Meters that are close to businesses would not be bagged. He is looking at bagging approximately 50 meters. He would like to make a motion to bag approximately 50 meters for a two (2) month test with a second by Roberts. Motion carries.

SEWER & TRASH – Council member Bill Roberts

The Marietta Sewer Department Savings Account at the end of July has a balance of \$148,558.47 and the checking account has a balance of \$685.95. On a motion by Council member Roberts with a second by Council member Sargen, the July Sewer Department Monthly Breakdown was unanimously approved as presented.

Council member Renninger asked what the sewer authority spends money on.

Council member Roberts stated that the Borough keeps some of the money but the rest goes to the Joint Sewer Authority for maintenance of the sewer plant.

The Borough recycled 26,360 pounds of recyclables and 1,540 pounds of yard waste for July. On a motion by Council member Roberts with a second by Council member Sargen, the July Recycling Report was unanimously approved as presented.

Council member Roberts stated that we have larger recyclable containers in the Borough office and anyone that needs a larger container may come into the office and pick up a new one. The new contract next year will allow us to recycle more. Next year we will be able to recycle, paper, junk mail, cardboard.

Council member Foremen asked to find out what we get for single steam versus what we get for colored glass. If we had a central location for colored glass, would we get more?

Council member Roberts stated that the people at the trash company sort the different recyclables. All our recyclables get sorted by York Waste and they probably get paid for the colored glass, the steel. Right now our trash is picked up at everyone's home then you are asking people to take their trash to a location. It will probably not happen.

President deVity stated that by giving people larger recycling containers will challenge people to recycle more. Marietta Borough is currently under performing on the recycling program.

MAYOR'S REPORT - Mayor Ray Vegso

Mayor Vegso stated that he attended the State Mayors Association meeting, two and a half days of review. Also a few Mayors in the County have been getting together every two (2) months. He has notes that smaller Boroughs receive less money than larger Boroughs. For instance when it comes to matching grants, when a grant is asking for a match of 30% this is a lot of money to a small Borough but a larger municipality would not have a problem with this. Smaller Boroughs would not be eligible for a lot of things, such as who participates in the u-back fee from the gas company. Not everyone in Pennsylvania is benefiting from this. The Mayors group is going to work this up and put pressure on the state level. Most people spend their money outside of the Borough which is another reason why small Borough's suffer.

Mayor Vegso stated that he was the only official from Marietta Borough that represented the Borough at the bridge dedication for the river trail.

Mayor Vegso stated that there is some research that is going on in regards to materials other than concrete for sidewalks. There are some potential interesting things. There is a material that is guaranteed for 25 years which is better than concrete. There are some positive points in regards to trees and roots, this material is friendlier. We have the potential to put together a grant for the use of this material to help us in the community in some fashion. There are a number of us working on this and will report back to you in the future.

Mayor Vegso commented that he would like to talk about the ROBO call system. Everyone has received the email and the literature. There is a national system called IPAS (Integrated Public Alert & Warning System). Anywhere in the county if there is a major disaster this system will send emails around the country. The proposal from SWIFT can be connected to this system. It is not connected yet but it can be. We do not need any more discussion on this and need to move this forward. All our neighboring communities are in favor of this.

Council member Renninger made a motion that the Borough sign up with the Swiftreach 911 Mass Notification & Public Alert System at a cost of \$950 per year, with a second motion by Council member Foreman.

Council member Roberts asked if there are any additional costs other than the \$950 a year.

Council member Sargen commented that he would like to get the alert but he has a cell phone and a landline his son does not have a landline. If you do a mailing to find out what phone numbers and text numbers people want to be notified at, there is an additional cost for the mailing of approximately \$600 plus the cost of labor for the mailing. Whether this system is in place or not the way the fire company handled notifying people in the past will not change. Before we accept this offer he would like some guide lines on what this is going to be used for.

Mayor Vegso stated that the people that would have access to this would be Steve Bailey, Council President, Two other Council members, Sharon Bradnick, Police Chief, Fire Chief and we would work out the proto calls on how those messages would be inputted and two persons could concur on putting in the message and of course the Mayor would have a access code.

Council member Sargen stated that we are limited to two (2) calls a month or twenty-four (24) per year. If the Federal Call System is tied into this does that go towards our calls per year.

Mayor Vegso stated that this is not a hard limit and he is not sure how that would work.

Council member Renninger stated that if you go to the FEMA website and google Public Alerting Systems or I Calls, I Calls what is set up by the Federal Government and they are using a variety of text messages. There is a sign up for text in local jurisdiction. An opt-in system means you have to sign up to receive the alert and you choose the device that you want to receive the alert as well as text the alert. A small cost may apply when receiving text messages from your local service provider.

President deVitry stated that people can go in and sign up for the national alert and that does not have to go through our system.

Mayor Vegso stated that in the contract that he did not notice before that over the phone he stated that you could terminate it after one (1) year but in the contract it is a three (3) year contract.

Council member Overlander stated that if the Fire Company does what they do and the Police do what they do, what is the need for this?

Council member Renninger stated that last snow storm they went door to door to advise people their options when we had the power outages. Having this system in place would allow us to send out a text message with the information.

President deVitry stated we would have a roll call vote.

Steve Foreman – aye	James Sargen – nay	Bill Roberts – aye
Oliver Overlander – nay	Sharon Renninger – aye	David deVitry – nay

Since there was a tie the Mayor was asked to break the tie. Mayor Vegso’s voted aye.

Motion carries.

Mayor Vegso stated that we are spreading the word for volunteers for the Fire Police. Also he has arranged for scientific medical literature to be distributed to all commissioners and all police officers of the negative health effects from weekly shift rotations. The purpose is to inform and educate every one of the problems and ways on how to reduce the problem. He also asked the Chief of Police to develop a more comprehensive report on the overall performance of our police department. Feedbacks from the communities are useful; they are not sufficient for the full understanding of performance and effectiveness. He is seeking additional measures on how we compare with others and hopefully such comparisons will verify that we are performing at a high level. Also the East Donegal Township building is being rebuilt and police will have a holding cell and we will be paying higher rent.

There being no further business to come before Council, the meeting adjourned at 10:00 P.M. on a motion by Council member Overlander with a second by Council member Foreman.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer