

**Marietta Borough Council
Minutes of Meeting held October 14, 2014
113 East Market Street, Marietta, PA**

President deVitry with Council member Sargen, Foreman, Roberts, Kramer, Overlander, 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.

The minutes of the September 9, 2014 Council meeting were unanimously approved as presented.

President deVitry opened the public comment session of Borough Council.

PUBLIC SESSION

Lillian Hill – 462 East Front Street – Lillian handed out a Tax Collector Report and went over and that 991 tax bills were sent out and she collected 906 bills. She collected \$625,990.95 in revenue for the Borough and a total of \$52,751.47 is still outstanding to the Borough. She does a lot of work for all the more she gets paid and would like to see the Tax Collectors pay be raised from the \$100.00. She has taken computer training, a tax collector workshop in York, a workshop on Bonding. She is asking that Council put in the budget money for her to take six (6) hours of yearly training and to allow her to go to the PSTCA Convention. She would also like Council to do a new resolution allowing her to keep the tax certification fees that she collects for the Borough.

Mayor Vegso stated that when we put in the minutes, “see attachment” and you go out on line there are never any attachments attached to the minutes. When the minutes are being read on line he would like to see the attachments to the minutes put out on line so no one has to come into the office to read them.

Mrs. Stauffer with Donegal Baseball Softball Association would like permission to hold the 2nd Annual 5K on April 12, 2015 at 2 PM. She would like to have Market Street closed for approximately one (1) hour.

Council member Renninger stated that if we are having people run in the street that we should close down the street.

President deVitry commented that he ran in the race this year and the traffic didn’t seem to be a problem.

Council member Overlander asked if the fire police and the police are going to be their?

President deVitry stated that we can take this up at next meeting after running things by the fire police and the police. We just need to work through the details. Before we close down Market Street we need some more details, but the race can be held.

Laura Maryott representing the 5K Color Run and Festival benefiting the Fire Company is all set up and you can sign up until the start of the race. The start time is 11:00 AM.

Debra Rosser-Hogben – Milanof-Schock Library – Are looking for consideration from the Borough of Marietta’s budget to continue to support the library and hopefully raise our contribution from last year. She was made aware that the library’s state funding will be reduced by \$7,000. While usage increases, funding goes down. She is looking for Marietta Borough’s continue support. It is also the Library’s 50th Anniversary.

Rae Ann Schatz – 24 Fairview Avenue – Now that her sidewalk is in and the money that she has put out

she would like to ask the Council to reconsider discussing the issues that they are having on Fairview Avenue and the money that they have to put out. At previous meetings some Council members stated that we need to discuss this and she was hoping that we can discuss this and see what they can do to get reimbursed for some of their expenses that were not in their control. She has spent \$5,400 dollars so far and she needs reimbursed for her driveway to offset the cost to finish the work that needs done. Her situation has nothing to do with the litigation and she is going to come every month and ask for reimbursement. She does not care if it is good or bad but someone from Council needs to speak out. Her cost of her driveway was \$1,905.00.

President deVitory stated that we were asked by our solicitor because of current litigation that Council cannot comment.

Council member Renninger asked if she had submitted a bill to the Borough and that she would follow-up on this.

Miriam Fletcher – 286 West Market Street – She is speaking in support of Rae Ann since the Borough is working through their budget they should look into what kind of assistance the Borough can do for these people in terms of their driveways. The contract should have been looked at prior to the actual construction and they should get some sort of relief and this is just her personal opinion. She realizes that this has not been budgeted for this year but should maybe include this in the streets next year budget.

Harry Signor – he has come in front of Council to ask for an extension for the work that has to be done on Fairview Avenue. Time is running out and he would like an extension to get the work done. He does not have contracts sign currently. He has come in front of Council first.

Council member Roberts stated that he does not have a problem with giving an extension if there is a contract signed along with a \$500.00 deposit. That way we would know that the work will be done.

President deVitory stated that the Borough would probably not be able to come in until the spring to do the work.

Council member Renninger stated that if we are willing to extend the time she also has received a petition with nineteen (19) signatures on and they are looking for extensions and asking for a delay until July, 2015. The reasoning being that with transitions from the property to the street was not included in the plan and is creating the residents to hire additional services. If we are going to extend the deadline then maybe we can have a general extension from that date.

President deVitory stated that the residents have had a year and if they are not able to pay then the Borough would put in the sidewalks and place a lien on the property.

Council member Overlander asked if all the names on the list are under contract. Mr. Signor stated that they are not and he wanted to bring this to Council first.

President deVitory stated that those that have a contract signed by the deadline with the understanding that it will be done by May. The contract needs to be signed and brought to Council in November to receive the extension.

Council member Renninger stated that the problem with the discussion is that you're forcing everyone to sign a contract and is like contract coercing.

Council member Overlander stated that there would be several contractors that would need to show a contract.

President deVitory stated that Council is willing to work with all the homeowners with placement of the sidewalk and especially to go around a tree, as long as it is ADA accessible.

Nancy Barton – 19 South Locust Street - Every month she comes to Council meetings and every month she hopes things would be different and every month there is disrespect. She felt the meeting started out well and then she felt that David jumped down the Mayors throat. She would like to see the President of Council be a more responsible leader.

President deVitory commented that he understands her concerns but it is difficult to maintain order when people are interrupting and calling out without raising their hands. It is not a town hall argument. It is time for public comment and a time to register comments. He would ask everyone to help him maintain order.

Nancy Barton stated that she understands and that it could have been handled differently and she feels that there were snide comments and nasty comments that should not have been used.

Lillian Hill – 462 East Front Street – Was questioning the sidewalks that need to be put in and feels that who can afford to get them done should get them done and the Borough should give them an extension until June of next year. Why have the residents be put into a contract just make an extension.

President deVitory stated that they have already had a year to put their sidewalks in.

Harold Kulman – 114 East Market Street - His church is having their annual spaghetti dinner for the Fire Company and the tickets are on sale and he is available after the meeting if anyone would like to purchase a ticket. It will be Saturday, October 18th from 1:00 – 6:00 PM. Tickets are \$8.00 before the dinner and \$10.00 at the door.

Glenn Orr – 45 Fairview Avenue – Sidewalk issue, he has had to put his sidewalk in and any extension should have a contract signed. The residents need to quit dragging their feet and get the sidewalks in. The street was to go in, go in, go in; now the sidewalks are to go in. Now people need to get them in.

Karen Sullivan – 120 Waterford Avenue - She heard that the end of May is the extension and that contracts need to be signed by November 19th.

President deVitory stated that yes the time will be extended if there is a contract signed by the deadline.

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

ADMINISTRATIVE/PERSONNEL/FINANCE –President David deVitory

Before us is the General Fund Monthly Breakdown dated 10/14/2014 the total general fund accounts are \$774,542.94. A motion by Council member Roberts with a second from Council member Kramer, the General Fund Breakdown dated 10/14/2014 was approved as presented. Council member Renninger did not approve.

President deVitory stated that we have an opening on the Zoning Hearing Board and we have two (2) letters of interest, Lucy Shumaker and Phyllis Stellfox. The personal committee has made a

recommendation to appoint Phyllis Stellfox. There was a motion from Council member Roberts with a second by Council member Kramer to name Phyllis Stellfox to the Zoning Hearing Board for the remainder of Robert Carroll's term was unanimously approved.

President deVitry stated that we have had questions on accepting credit card payments for our sewer and trash bills. We received a proposal from Security Card Services to accept credit card payments in the Borough Office. This would be through Susquehanna Bank. This would be no cost to the Borough. There will be a convenience fee added to the bill for using the credit card. The convenience fee would be \$4.50 and this would be cheaper than paying the late fees. Council member Roberts made a motion to accept credit card payments at the Borough Office with a second by Council member Kramer. The motion was unanimously approved.

President deVitry stated that we had a safety meeting around the issues with Route 441 and the new River Trail Bridge. One of the recommendations from the meeting was to write to Penndot and ask for a safety study to be done from Rt. 23 up to Klinesville Road. We have a draft letter to Penndot from East Donegal Township, Marietta Borough, and West Hempfield Township. A motion was made by Council member Overlander with a second by Council member Roberts to accept the letter and send it to Penndot. The motion was unanimously approved.

President deVitry stated that they have had significant process on the Northwest River Trail at the Shocks Mill Bridge underpass and the building in Columbia for completion. They are working with the signage committee on getting numerous signs put up. They have to go through Penndot on a number of the signs. There are nine (9) signs ready to be installed, one at Decatur Street and several up and down the trail. They have gotten the signed agreement for the phase I of the trail, agreement grant from the state in the amount of \$240,000.00 and matching fund from the Eater Foundation and LCSWA. He is working on the engineering and design agreement to get an official design plan and bid documents for actual construction.

Mayor Vegso asked if there were any issues with the Boat Club or are we negotiating with them.

President deVitry stated that we have a track of land about twenty-five (25) feet between the railroad tracks and the Boat Club property and had it officially surveyed. When we hire the engineer to design the plan they will make sure there is no issues with the Boat Club property.

STREETS & HIGHWAYS – Council member Sharon Renninger

Council member Renninger stated that she would like to make everyone aware of the Stormwater display in the Borough Office. It is for public education and promotes public awareness. In the next couple of months the Borough will be painting and stenciling the storm drains so that we are in compliance with the Stormwater Management Ordinance. We ask that the public not dump anything into these drains because this water flows directly into the river.

Council member Renninger stated that in the Borough Office is a display on the new bridge construction over Rt. 441. There is a map and questioner if anyone has any questions.

Council member Renninger stated that the automated red light at Rt. 441 in East Donegal Township. Penndot is still looking into the funding sources and they do not have a final cost for the engineering and permitting cost yet. The cost may increase, pending on where the funding comes from. The Borough has made a commitment of \$17,000.00 to assist in the design and engineering.

Council member Renninger stated that to make people aware there is going to be a walkability study on

October 31st at 2:00 PM. starting at the Borough Office. Lancaster General Health will do the walkability study for the Borough at no cost. It is open to anyone and the public, if you would like to participate please register at the Marietta Borough Office.

Council member Renninger stated that at an earlier meeting Catherine Tucker asked that we look into converting West Fairview Avenue back to two (2) ways. She and Council member Sargen walked together and went door to door and checked to see how residents felt about it. There was an overwhelming response to have it changed. She would like to make a motion to draft a new Ordinance to convert the one way from Bridge Street to Gay Street to make this portion from one-way to two-way, second by Council member Foreman.

Council member Renninger stated that we have a file on storm sewers and they are also on video and Mr. Sargen has taken on looking at these to see which ones are in need of repair. We were made aware from our engineer and Justin Eby that we possibly could be eligible for a grant to have the funding available for some of the storm sewer repairs. Sharon would like to make a motion to have the engineer start working on the Grant process for the sewer repair on Gay Street from Market Street to Front Street with a road overlay second by Council member Roberts.

Council member Sargen stated that the grant is an 80/20 we contacted Darrell Becker our engineer to give us a price from Market Street to West Hazel and it is broken. It is a brick pipe and was going to replace it with steel pipe. With the 20% the borough may be looking at \$20,000.00.

Mayor Vegso stated that he sat on the Steering Committee for block grants about a year ago and also walked around town with Justin Eby this year and talked about grants. One of the things they say is they don't mess around with \$50,000.00 grants it is better if we submit a grant for \$100,000. for \$200,000. our chances are better in getting the Grant. If there is any additional work that we need to do around town on storm sewers or sanitary sewers these are high priorities for Block Grants. We are not doing ourselves any favors by asking for the least amount.

Council member Sargen stated that he also has spoken to Justin Eby, and we as a municipal government need to recognize is our lack of experience when it comes to Grants. We have not participated in this program for several years. Justin felt that with this inexperience as a group this would be a good way to bring that experience as a group. The cost of this project should be around \$80,000.

President deVitry stated that we have the motion to kick off the design work for the South Gay Street stormwater project and to work on getting the Grant. The motion was unanimously approved.

Council member Renninger stated she wants to make a motion for the repairs for Hazel Avenue from Bank Street to Furnace Road with a second by Kramer.

Council member Overlander stated that pending the outcome of the study council could still do what needs to be done from Furnace Road to Route 441. Council could go ahead and do the first part from Bank Street to Furnace Road.

President deVitry stated that it would be best if Sharon meets with the Street Committee and come back next month with a firm proposal next Council meeting.

Mayor Vegso stated that it is easier to cut a project back then to start a second one and the engineering work is not going to be that much lower. So he would say to have them work from Bank Street all the way out and then when it comes to the work just reduce what you put in the bid. You can have a

contractor bid on the whole portion or the portion that you want done.

Council member Renninger stated that she would like to make a motion to have Darrell to proceed with Bank to Furnace with a second by Council member Sargen. The motion was unanimously approved.

BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer

Council member Kramer stated that we have received a proposal from Atlantic Energy Concepts and he will put a copy of that contract in each Council members box and he would like to proceed with this in January. He is going to touch base with them and get back to Council.

PARKS & RECREATION – Council member Steve Foreman

Council member Foreman stated that movie night was a success and he would like to thank Jag Trux, Swedish Motors, Justin Nagy Excavating, New Jersey Shell, Burma Road Associates, Mayor Vegso, Oliver Overlander, and Ernest Lehman for financial support and Turkey Hill and Holsum Bakery for their donations. Bridey Hannold, Sylvia Shank and James Sargen for their help in the concession stand. Hopefully we can do this next year.

PLANNING/ZONING/HOUSING – Council member Oliver Overlander

Council member Overlander stated that last month the contract for EPD was signed off from our solicitor. He is asking Council to move forward on this. Speaking with Eric Keiser on the Planning Commission he would like to see us appoint a Steering Committee consisting of one (1) person from the Zoning Hearing Board, two (2) persons from Planning and two (2) persons from Council. Eric would like to get with these people and at next meeting appoint the Steering Committee. Each meeting they meet will be a public meeting. He would like to take a separate night to meet each month to strictly deal with the Zoning issues. Normal planning business would not interfere with this. He is asking Council to sign off on the Contract so that we can move forward, seconded by Council member Renninger. The motion was unanimously approved.

PUBLIC HEALTH & SAFETY – Council member James Sargen

Council member Sargen stated that The Pioneer Fire Company responded to nine (9) QRS calls and nine (9) Fire Calls for the month of September.

Council member Sargen stated that the Fire Zone on West Market Street in front of the old movie theater we were approached to take the Fire Zone sign down and replace it with a ten (10) minute Parking Sign for the Pizza shop to go in and pick up your pizza.

President deVity stated that if we are in agreement with doing that then we would need a motion.

Council member Sargen stated that he would like to make a motion in support of removing the Fire Zone and turn it into a ten (10) minute parking sign for the pizza shop with a second by Council member Foreman.

Council member Renninger asked if ten (10) minutes is enough time, should it be fifteen (15) minutes.

Council member Sargen stated that we have signs made up for the parking in front of the Deli and hopefully have other signs available.

President deVity stated the motion carries.

SEWER & TRASH – Council member Bill Roberts

Council member Roberts stated that this was the year to bid our sewer and trash contract. Two weeks ago we received bids from various companies. Cauler Container was the successful company that took the bid at \$99.00. He asked for a motion to accept the bid by Cauler Container for the next three (3) years with the opportunity to extend that for another two (2) years for a total of five (5) years, second by Council member Foreman. The motion was unanimously approved.

The Borough recycled 20,720 pounds of recyclables for September, and 2,860 pounds of yard waste. On a motion by Council member Roberts with a second by Council member Sargen, the September Recycling Report was unanimously approved as presented.

MAYOR'S REPORT - Mayor Ray Vegso

Mayor Vegso stated that we have two (2) volunteers for the Fire Police, Larry Piersol and Timothy Flowers that he sworn in this week.

Halloween is Friday, October 31st from 6:00-8:00 PM and our Fire Police paid for 500 glow sticks to hand out that evening.

The Mayor made a courtesy call to Glaxo Smith Kline because we are neighbors and to inquire on how we can be of help. He had a nice visit and took a tour through the plant. During his meeting he brought to their attention that we have several residents in the Borough that has water problems and they are contributing it to water runoff from Glaxo-Smith-Kline. No one had brought that to their attention and each resident is to write a letter to them and they will address it. Hopefully we make progress.

At last meeting we discussed flood money and he felt very sure of the facts and after numerous people new better and thought they did not have to get bids then he thought maybe, just maybe his understanding was in error. If he was wrong then he would acknowledge that fact. But he is not wrong and what various Council members stated is not true. He read the laws from Pema/Fema and the state laws carefully and spoke with the Pema/Fema people, Joe Rupe and spoke with Randy Gockley. Here are the facts, when it is emergency money there are three types, category A, B, and C thru G. Category A is quick debris removal, category B is protective, non-permanent work. Those are the only time that you do not have to get bids and it is only for the first 72 hours. Category C thru G is for permanent work and this must follow normal bidding. He stated that there are no exceptions because of time pressure, no exceptions for any reason. Mr. Rupe was interviewed by the detectives that investigated things, and stated that the detectives said that the Borough people believed they had time pressure from an emergency and they could proceed, this was not an excuse. Competitive bidding process is mandatory. There were a lot of personal attacks on him and people need to know the facts and things were not handled properly to code. We need to learn from this. Things have come up a lot of times on how we work together. He does not attack anyone and he can work with anyone and is willing to work with anyone here. He wants us all to be professional, civil, courtesy, etc.

In regards to the police report the minutes are in the box and it will be put on the police website. The police budget is our biggest budget for this Borough and the expectation is that it will go up for this coming year.

There being no further business to come before Council, the meeting adjourned at 8:48 P.M. on a motion by Council member Overlander with a second by Council member Roberts.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer