

**Marietta Borough Council
Minutes of Meeting held November 11, 2015
113 East Market Street, Marietta, PA**

President Renninger opened the meeting with Council member Foreman, Roberts, Davis, Hannold, 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 and Overlander. The meeting opened with a moment of silence followed by the pledge of allegiance.

The minutes of the October 13, 2015 Council meeting were unanimously approved as presented.

PUBLIC SESSION

Rich Waters – 130 Fairview Avenue – Asked if there is an ordinance in place in this town to have people clean up their leaves. He was walking on the s-curve and fell on the sidewalk.

President Renninger stated that there is an ordinance and it will be followed up on.

Justin Chimich – 440 East Market Street – He saw on the last minutes that Council approved to have the no unauthorized vehicles allowed over the tracks along Front Street and he was concerned about access to the river because he kayaks and was wondering where he could put his kayak in. He was wondering if we are looking at closing the crossings permanently. He was not aware of any incidents that had taken place. He asked if they are public right-of-ways.

President Renninger stated that there is no concrete plan in place and actually there has been discussion about allowing permitted travelers across but that is very preliminary and what we are trying to do is to cut down on the vehicles that cross over the railroad tracks for their safety as well as the trail will be running along there. It does not eliminate pedestrians or bicyclists from going to the river. If you have a kayak or canoe you can do some portage or use one of the boat launches. It was a safety matter and the trail is being developed this coming year Council will be looking at all the ordinances and will be doing a recodification. This will be one of the items that had been recommended and approved. There is access at Robert Mowrer and Decatur Street. The streets that are paved are public right-of-ways.

Mayor Vegso stated that when this discussion had come up that everyone was concerned about the oil trains and the potential for accidents and this came out of that broad concern and at the time there may be a way to give authorization for certain people and that may be for a regular kayak person that we might get to a certain point that we have a simple procedure for authorizing people with that need to get their equipment over the railroad and he says this for the benefit of Council. He assures him that down the road there is no intention to do anything but to promote people in having access to the river.

Council member Roberts stated that most of the problems with allowing motor vehicles down on the river shore are not for taking canoes and kayaks down. Most of the problem down there is people taking their four-wheel drive vehicles down and mudding all over the place and we are going to have a trail down there and we don't need the mudding going on.

Council member Davis stated that he opposed the signs and the attention that the discussion has been taking is that Council is going for safety versus rights of this small town. Fisherman, kayakers and it's a real pain to carry them because of the weight. It's the direction the town is going and he agrees with the gentlemen a lot of people disagree with you. It's safety versus rights.

President Renninger stated that it's not that we are denying access; there are several access points that are better suited and accommodating to vehicle traffic. It's not that we are denying access, we are just

limiting it. Again it's to be aware where the traffic is happening being able to monitor the people that is using the trail. Is it an inconvenience, it depends what vehicle you are using and what your intent is and can you access the river, yes you can. As the future development and potential there is the possibility of what we are going to do with the river shore to make it a recreational area for people to enjoy and that is coming down the road.

Justin Chimich asked if it is enforceable.

President Renninger stated that it is.

Council member Hannold stated that when this all came up they questioned about the kayakers, and it was decided at that time that they could carry their kayaks over. What she will throw out there is that if there is any future development which Steve has looked at a couple of areas; and we decide to put in a kayak launch; we could always open one of these areas up. It is not our intention to block people out. You still have access. Anything could be changed if needed. If we see a lot of potential for kayakers in one area we could. It is recommended to us to not close the railroad crossing because if we close them then you are never getting them back. The railroad crossing is not closed we just want to limit vehicle traffic.

Mayor Vegso stated that this is not fixed for all times. There is an openness to reconsider how we can provide authorization easily.

Ernest Lehman – 304 East Front Street – There was an Ordinance passed and if you violate that Ordinance there will be a fine and you can be cited. Also he had discussed before with Council is that you need to give handicap access to drive across the tracks for handicapped people.

President Renninger stated that this was not a process that just came about this has been a plan and a process for several years. It is not something that developed over night. The responsibility of Council to take an overall view of things and recognize the benefits and possible problems and issues that are coming with that and do our best to litigate those issues and make it safe for everyone in town. There will be other things coming as this project develops and the community gets going and there will always be room for change and improvements.

Jennifer VonStein – 328 West Market Street – She came to a police meeting a few months ago and brought up about if the police could hold a police commissioner meeting in the evening so that people in the community that work would be able to participate.

Mayor Vegso stated that they have been overwhelmed with a number of other issues and it is good that she reminded him. He will bring this up to the others.

Lillian Hill – 462 East Front Street – She would like to know what the status of the new zoning stands.

President Renninger stated that our zoning officer Mark Harman had comments and forwarded to EPD and our borough solicitor, Mike Davis had comments and Josele Cleary who is the zoning hearing officer had comments that were forwarded and Frank Beleuh from Lancaster County Planning Commission all had comments and weighed in and sent comments to EPD. She has been very concerned that the Flood Ordinance for the Borough was not forgotten, ignored, dropped. Currently the Flood Ordinance is incorporated in our Zoning Ordinance. If we revise the Zoning Ordinance we have two options, one is to add an updated, revised Flood Ordinance and incorporate it into the Zoning Ordinance or to do a stand-alone Flood Ordinance. She will discuss this later in the meeting. Things have been forwarded to EPD and we are waiting for an updated version before it gets forwarded. This document should be very

complete. I know that people think it should be thinner and easier to read but she has learned the opposite. It is much easier if you have a sub-division question or a zoning question to be able to go to a book and open it up have it say in black and white that this use is an acceptable and permitted use in the area that you are in given the conditions of what you want to do, then to say that we don't know and that you will have to take it before the zoning officer and possibly the hearing board and possibly the County for approval. Actually having a more in depth and more comprehensive plan will reduce the length of time it will take if what you want to do can be approved. We are working towards that. They will do the revision and the planning commission will have time to review it again and then we will have a chance to review it publically and then it will be passed onto the County. It's not forgotten and it's not blocked. If we are going to spend this money we need to get our money's worth out of that.

Public comment session was closed.

ADMINISTRATIVE/PERSONNEL/FINANCE – President Renninger

President Renninger stated before us is the General Fund Monthly Breakdown dated 11/10/2015 the total general fund accounts are \$788,376.85. A motion by Council member Roberts with a second from Council member Davis, the General Fund Breakdown dated 11/10/2015 was approved as presented.

President Renninger stated the tax collector monthly report for the month of October, turned in by Lillian Hill, Tax Collector collected \$8,650.82. There was a motion from Council member Hannold to accept this report with a second by Council member Roberts. Tax report was unanimously approved.

President Renninger stated that we have a special events form. We are trying to institute a record keeping system of events that are being held in the Borough. The reason behind this is to make sure safety measures, adequate deliberation and consideration is taken when someone wants to utilize the resources of the borough to hold a public event and there are certain criteria that needs to be looked at and reviewed and the easiest way to do that is to have the person complete the form so that we have a paper trail. We have one request that would like to erect a tent on East Front Street on December 12, 2015 to have a public auction of household goods, because that is going to have an impact on Front Street, we asked that this event form be filled out. Fire Police will be there on site to direct traffic and it will be in front of 218 to 220 East Front Street. She asked for a motion to close that portion of Front Street for this special event.

Council member Hannold made the motion and it was seconded by Council member Davis. Motion carries.

President Renninger stated that the second event will be the Candlelight Tour the date will be Sunday, December 6th, and the group hosting the event is the Marietta Restoration Association. There will be no closing of streets and very little of the borough's resources are being utilized for this but we are looking that the proper insurance certificates are in place for this. This is an annual tradition and this form is for public record and a paper trail. She asked for a motion to approve the Candlelight Tour.

Council member Hannold made the motion and it was seconded by Council member Roberts. Motion carries.

President Renninger stated that Council is in the process of preparing the budget for the 2016 year and we will be having a meeting next Tuesday, November 17th at 7:00 PM to work on the budget. After that date the budget will be on display for public review and it will be advertised in the paper that the budget will be approved and passed at our December meeting.

President Renninger stated that she has a resolution that was sent to us by PennDot and it is the application for the traffic signal light and enhancements that we already approved that we are participating with East Donegal Township. This is a project that East Donegal Township put together and they received a grant from PennDot and we approved to go in together on the study and it does affect the Borough at Route 441 and East Market Street. The goal is to have an automatic traffic signal that reduces the wait time and for the timing with the other traffic signal on Route 441 to keep the traffic flowing.

Council member Davis made the motion to sign the Resolution for the automatic light on Route 441 with a second by Council member Hannold. Motion Carries.

President Renninger stated that the next item was in regards to the Flood Ordinance that she was discussing earlier. In 2013 Pennsylvania Department of Community and Economic Development (PDCED) in keeping with the National Flood Insurance Program has asked that all of the municipalities update their Flood Ordinances. Originally they said we could submit our existing Flood Ordinance and they would review it and see if it complies with the updated version. Josele Cleary our zoning officer represents a number of municipalities. She sent out an email that by April 5, 2016 that each municipality is required to have an updated and revised Flood Ordinance and it is to be in line with the 2013 model that was put out by PDCED. One of her concerns is that we have a Flood Ordinance that complies with the Federal and State guidelines in order to keep and maintain our eligibility as a community for flood insurance. If we don't have something official on the books then NFIP could pull our eligibility for flood insurance and that could be very detrimental for this community. We don't have a lot of time to do this and we are working on other things in conjunction regarding zoning, subdivision, flood ordinance, etc. Josele Cleary she questioned her on the practicality of having this work completed to meet the April 5, 2016 deadline. She is working on this for several municipalities, it has been recommended by the solicitor and the zoning officer that we do carry a stand-a-lone flood ordinance. This way if the flood ordinance needs to be modified or updated it can be done separate from our Zoning Ordinance. So these would be two separate documents. She spoke with Josele to have her do this for us and it is in her time frame and she inquired about the cost of having this done and she could not give us a quote or estimate, but the way she handles this is that she takes how many ordinances that she is doing she divides the cost up between the municipalities. If people own their homes outright then those people can take the risk if they are going to purchase flood insurance.

Council member Davis stated that we really have to do this. Homeowners would need this if they want to sell their homes to be able to have people purchase those properties.

Mayor Vegso states that he strongly recommends that we have Josele proceed with this.

Council member Hannold made the motion to have Josele Cleary proceed with drafting the Flood Ordinance for the Borough with a second by Council member Davis. Motion carries.

President Renninger state that coming in 2016 there will be 2 four year seats open for the Planning Commission, one seat for 3 years on the Zoning Hearing Board and one seat for 3 years for the Marietta-Donegal Joint Sewer Authority. Karen Sullivan filled in and we will be looking at a reappointment for that and then also one of the Council members will be appointed to a one year term. If you are interested in serving on any of these positions, please deliver a letter of interest along with a resume to the Borough office by November 30th for appointment in 2016. She would like to ask that the people that have the skills and ability to do this to please consider in one of these positions and it is a great service to the community and it is very important.

STREETS & HIGHWAYS – Council member Hannold

Council member Hannold stated that she would like to introduce the Amended Ordinance for Chapter 86 which is in reference to the metered parking. This would be to remove the parking meters on East Market Street. She had one concern from the one business owner that the area was busy on Saturday and she drove by there four times and there were always parking spaces open and she would like to move ahead with this Ordinance. She emailed this to everyone over a week ago.

Mayor Vegso stated that he did not receive it.

Council member Hannold stated that there are two things that this amended Ordinance would do. This is to remove the parking meters on East Market Street. The second thing is to allow by Resolution to establish parking permits and related permitting processes. There is no set plan it is just allowing us to develop a parking permit plan later on. Also, while looking at this parking situation and paging through old Council minutes she noticed back in October 2014 that it was approved by Council to remove the fire zone in front of the old theater and turn it into a ten (10) minute parking. This is similar to what is in front of the Deli. She would like to follow through and include this in the Ordinance to change the no parking fire zone to a limited parking.

Council member Davis stated that we make a motion to move forward with the Ordinance with a second by Council member Roberts.

Council member Foreman asked if there was any potential for any other limited parking spaces if we are going to make more than one area we should incorporate them all.

Council member Hannold stated that we would take it on a case by case basis. The motion in October 2014 was missed and she would like to incorporate that into this Ordinance and advertise it at once. When we did the no unauthorized vehicles on Front Street we missed it at that time.

President Renninger stated that we are also going to be reviewing the codification and the ordinances in general and don't think that this needs to wait for this. We will have time to review this that this is just an introduction at this point.

Council member Hannold stated that she is introducing it and it will need to be advertised.

Mayor Vegso stated that she is seeking authorization to proceed with a plan.

Council member Hannold stated that she is seeking authorization to advertise an amended ordinance. The amended ordinance is what she sent out to everyone over a week ago.

Mayor Vegso stated that he did not receive it and President Renninger stated that she does not recall reading through this.

Council member Hannold stated to let the record show that she sent out this email to all council members over a week ago so that everyone had time to review it. She is sorry if council member's choice was not to review it. This amended ordinance has two parts, to remove the meters on East Market Street and to allow council in the future to develop a permit parking plan.

Mayor Vegso stated that he has no objection but he has no vote anyway.

President Renninger stated that this is basically saying to amend it to allow parking permits?

Council member Hannold stated that it establishes the right for borough council to develop a parking permit plan by Resolution.

Mayor Vegso stated that the parking space in front of the theater is not a “No parking space”, it is a no metered opened space currently. It is not a space that the police enforce because it has no sign that says no one can park there.

Council member Hannold stated that technically our Ordinance does classify it has a fire zone. The sign is just worn out and not readable. So we need to amend the Ordinance to change this to limited parking.

President Renninger stated that by making this a limited parking in that spot does not resolve the issue with the pizza shop and that they may park there a half hour and then leave for a few minutes and then come back.

Council member Hannold stated that it is still classified as a fire zone and that is what we need to follow. Our ordinance states that it is a fire zone and a no parking zone. This will change on the amended Ordinance. There is her amended ordinance for the metered parking section and she also discovered that Council had also previously approved changing that fire zone to a ten minute limited parking. They never amended that Ordinance so we want to do that and advertise them together.

President Renninger stated so what Bridey is asking for then is for Council to approve granting parking permits or to establish parking permits and permitting processes, but there is no specific side to that at this point it gives us the ability and right to do that.

Council member Hannold stated yes in relation to parking permits. You cannot create a parking permit plan until you have authorization to do so. This will give us the authorization to do that and to give us time to develop a plan. She restated her motion.

Mayor Vegso stated that we can remove the meters in the way that is ugly or we can remove the meters in a way that is not ugly. There are some different of opinions on this. He wants to make sure that these meters are not going to be removed without us having a discussion about how they are going to be removed. His concern is that you can't remove a pipe by just cutting it off which is not ugly and not a tripping hazard. Also just putting in concrete at these places will not be great. If it's going to be done it should be a saw cut. The other thing is if you are going to do something then try and make it beautiful, so how would you make it beautiful. You can plant a tree or grow a shrub. The other point is that down the road there is a comprehensive plan that will be developed and we talk a lot about green and storm water and so forth. Putting pervious material there would score some points with the storm water concern. What he is thinking is let's just keep them bagged and not remove them until we are all in agreement on how they will be removed and what will replace them.

Council member Hannold stated that we have discussed this and she had other suggestions such as taking the meter heads off and putting horse heads on. They are creative ideas. At the end of the day she comes back to the point that the residents are the people that are responsible for the sidewalk. The resident would be responsible for any tree trimming, damage done by the tree later on. Ray made a point that we put the parking meters there. We did by Ordinance. She does not want to go onto anyone's sidewalk and do something to it. They have rules that they have to comply with. She will always advocate for trees. This is something that will need to be discussed at a later time. Nothing will be done until spring.

President Renninger stated that what she would like to make sure that if and when they are removed that it is done properly. That it won't be something that will create a hazard. She knows that it was mentioned to cut them off level and she can't quite wrap her mind around this.

President Renninger stated that she would like to get to the point to where we vote on this, but part of the meeting is to discuss it amongst ourselves. We have a motion and a second to advertise the ordinance. Motion carries.

Council member Davis stated that we brought up the subject of trees and he remembered back when Ben Thompson when we had the option of putting trees in front of our house on Market Street and a lot of people did and the trees look lovely but they play havoc with your sidewalk.

Council member Hannold stated that she would like input from the public and council on the parking permit plan. You can also come to her if anyone would like a copy of the speed study that has been done so far. There were two (2) citations total and they list the date and time and there is not a huge speeding problem here in the Borough. The citizens were very grateful to see the added presence of the police in town. The street committee which is made up of Steve Foreman and herself and also Sharon Renninger who oversees all the committees had their first meeting to toss around some ideas. She is going to contact Darrel Becker our engineer on Lumber Avenue and have him come out and look at it and put together a bid package for the beginning of the year. Everyone knows what a mess Furnace Road is and she hopes that we can get creative and find some funds to fix this Road. The trail runs along this road and it is used by a lot of trail users. She is going to look at some Multimodal Grants.

Council member Davis stated that Hazel Avenue and Furnace Road people would like to have a stop sign placed on Hazel.

Council member Hannold stated that we are not allowed to use a stop sign for speed control. If our whole purpose for putting up a stop sign there is to control speed then we are not allowed to do that.

Council member Roberts stated that the stop sign should be on Furnace Road. Because that road was just repaved, then people are moving faster down that road. There is a stop sign on Furnace Road already. We may be able to install a speed table. We would need to do a traffic study.

BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer

Council member Kramer was not with us this evening, President Renninger stated that the lighting project that he had in the works came into fruition and a lot of the lights in the building have been upgraded.

PARKS & RECREATION – Council member Steve Foreman

Council member Foreman stated he has nothing at this time.

PLANNING/ZONING/HOUSING – Council member Oliver Overlander

Council member Overlander was not with us this evening.

PUBLIC HEALTH & SAFETY – Council member Mark Davis

Mark Davis stated the Pioneer Fire Company responded to twenty-three (23) Fire Calls for the month of October and ten (10) QRS calls. Also the Fire Company had the color run this year but they did not have

a very big turn out because they didn't have much time to advertise it. He did not get the reports from the fire police. They did receive one new member. This Saturday the Fire Police directed traffic so the Lion's Club could put up the Christmas Lights. Susquehanna Valley EMS and Northwest EMS we have been tossing around when we should meet with them and he is looking into this. He would like to bring up that Hiltz Propane is playing their radios during third shift loudly. He will go speak with them.

President Renninger stated that if the residents should call the police because this in violation to our noise ordinance.

SEWER & TRASH – Council member Bill Roberts

Council member Roberts stated the Marietta Sewer Department Savings Account at the end of October has a balance of \$78,664.35 and the Checking account has a balance of \$100,896.00. On a motion by Council member Hannold with a second by Council member Foreman, the October Sewer Department Monthly Breakdown was unanimously approved as presented.

The Borough recycled 32,220 pounds of recyclables for October. On a motion by Council member Davis with a second by Council member Hannold, the October Recycling Report was unanimously approved as presented.

Council member Hannold stated that it was brought to her attention that she is to bring up to the public that the recyclables have dropped off. If anyone sees anyone taking recyclables from the bins please contact the police. We are guessing that this is why our recyclables are dropping so if you see anyone please contact the police.

MAYOR'S REPORT - Mayor Ray Vegso

Mayor Vegso stated that tomorrow is Veteran's Day and you all know that it is referred to as the 11th hour, of the 11th day of the 11th month. Now it is called Veteran's Day and we honor all those past and present. When you are growing up you think that this is ancient history but it is not that long ago. His father was actually in his twenties during the 1st World War. That is one generation.

Mayor Vegso stated that he has a nice thing for the Borough concerning Karen Sullivan. She is receiving an award tonight for the C. Emlen Urban Leadership Award from the Historic Preservation Trust of Lancaster County. Mr. Urban was a very famous architect during the nineteenth century. There are many beautiful buildings in Lancaster County including the Marietta Community House designed by him. Karen as we all know has been involved in many far ranging projects in Marietta. Her leadership allows her to gather people and resources to preserve Marietta's buildings including the Community House. She is willing to work on any project in order to improve the structure/surroundings of the Marietta community. Thank you Karen for your good work.

Mayor Vegso stated that the police budget is now finished and is essentially up three (3) percent. The Susquehanna Regional Police and the Donegal School District is going to cooperate in having an officer which will be working in the school district and will visit all the schools in our district and his pay will be covered sixty (60) percent by the Board of Education and forty (40) percent by Susquehanna Regional Police and there may be a possibility of getting a grant to cover part of this. The Police Budget is larger than Marietta's which is a little over \$2 million. Eighty (80) percent of that is personal cost and there is not a whole lot of discretion in effecting the cost. They had a nice discussion that the officers get adequate training so that we don't have situations like we have been seeing in the news. Officer Ney is getting the special training and he will be doing a lot of things and will be trying to influence the children on the evils of drugs.

Mayor Vegso wants to make an announcement that he has been making an effort to go to the County for various training sessions, education sessions that they have open. They are very informative and it increases the image of Marietta. He knows who to contact and others know that they can contact him. He will be going to training this Friday and there is a session on "Green Infrastructure in the Urban Environment, What Can Municipalities Do." He will be going if anyone would like a ride he would be happy to give them a ride.

Mayor Vegso stated that he has shared with some people this idea and Bill saw this at the PSAB Conference. There is a woman there that would make a map of Marietta and provide a directory of all the businesses and also provide information about Marietta. This is free. How is it free? It is free to the Borough, but the way she supports it is that she contacts all businesses and professionals in the Borough who would like to participate. Those businesses provide their business cards and those business card ads cover the perimeter of this. This is a big fold out map. She needs the approval of Council because she will contact Council to get all the names and addresses of all the businesses in the Borough. She will be contacting business firms and the business firms may participate or not participate. The fee to them is about \$270.00. The same map can last three to five years. The Business Association thought this was a good idea. It will be six to seven months until it will be finished. He would like to get this passed this evening.

Council member Roberts stated that he doesn't know why the Borough would need to be involved in this it deals with private enterprises. It sounds like we are doing the work for her and she can go out on the internet and get the information.

President Renninger stated that if that is all that she needs from us that maybe MRA can be a tie in and she recently received information from Susquehanna Chamber of Commerce they have developed a theme and a recognizable logo for the Rivertown Communities. She hasn't looked at this in depth but this is something that will be brought up because they would like the Borough to participate in this.

Mayor Vegso stated that they take a map and add to it. The map will have number dots and will tie into different businesses and varies tourist sites. This seems to be straight forward. We are giving our blessing and willing to share the information and we may have the opportunity to give input on how this is going to look.

Council member Hannold made a motion to proceed with the map and directory for local businesses with a second by Council member Foreman. Motion passes but there was a nay from Council member Roberts.

There being no further business to come before Council, the meeting adjourned at 8:33 PM on a motion by Council member Davis with a second by Council member Foreman.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer