

**Marietta Borough Council
Minutes of Meeting held November 12, 2013
113 East Market Street, Marietta, PA**

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

On a motion by Council member Nagel with a second by Council member Roberts, the minutes of the October 8, 2013 Council meeting were approved as presented.

President deVitry opened the public comment session of Borough Council.

PUBLIC SESSION

President deVitry introduced County Commissioner Craig Lehman who is visiting all sixty (60) municipalities in the County, he gave an update on what the County is involved with at this time. Northwest River trail asked that the County put the project out for bid and they had DCR to rebid the project for the pedestrian bridge. In 2014 the County will start building the pedestrian bridge along the Northwest River trail to connect the trail. Public Safety Radio System has signed a contract to start building out the system in April using the old Channel 15 frequency. Before the end of 2014 the County should have a new Public Safety Radio System up and running. County built a new morgue. County sold the Conestoga Nursing Home and part of that sale required the County to relocate the morgue. The morgue was housed in the basement of the Conestoga Nursing Home. Lancaster General Health agreed to lease the County land adjacent to the Health Campus and Route 30, next to the old Good's Dairy Barn. Lancaster County Farm Land Preservation was the first County in the nation to preserve 100,000 acres of farmland.

Mark Harmon with ARRO Consulting wanted to bring to public forum that he received complaints about political signs in the borough. The borough has an Ordinance that covers size of signs but with political signs they have to do with freedom of speech and is protected by the Federal Government. He checked with Joselle Cleary the zoning solicitor in regards to enforcing this Ordinance. She agreed that this fell under the freedom of speech and we would not enforce this Ordinance. He had a dozen or so calls and he tried to address that this is not something that we can enforce. With trying to enforce this there may have been legal ramifications.

Raeann Schatz, 24 Fairview Avenue, important for the Borough in case of future road projects that curb appeal and accessibility to one's home is important. Her yard sets level with the street. Knowing this she questioned the engineers before the project was started to have the curb depressed. Then she wanted to widen the driveway. She called and spoke with the zoning officer and was told that the design was completed and it would affect the flow of the stormwater. She attended the December 2012 Council meeting and was told to obtain a zoning permit application. On January 10, 2013 the request was denied because the sketch plan accompanying the zoning application conflicted with the Borough's approved plan for Fairview Avenue. Only after the negative publicity did Council provide permission to her to cut the curb at her own expense of \$814.50. She is requesting that the Borough reimburse her for this expense.

President deVitry commented that when the Borough allowed her to cut down her curb she told Council member Rice and President deVitry that she would be willing to pay for this out of her own pocket.

Mark Harmon commented that other changes made prior to the construction of Fairview Avenue was the plans had an error on them in regards to the installation of the width of a driveway and we needed to give them the correct width of what they previously had, and the other change was in relation to a

handicap issue.

Barb Kauffman, 30 Fairview Avenue, following up on Fairview Avenue in front of her property there are several cracks that are still in the curb at different areas. She hopes that the Borough does not make final payment until the project is complete and the quality of work is to the Boroughs liking before we issue the last payment.

Council member Rice stated that Pennsy will not get any money until the Borough is satisfied. He addressed the cracks with Darrell. It's not abnormal that concrete gets hairline cracks. They are also being fined \$500.00 a day.

Sharon Renninger, 122 West Front Street, is the budget for 2014 being worked on?

President deVitry commented that it is being worked on and the next budget workshop is November 19th and the budget will be approved at next Council meeting on December 10th.

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

ADMINISTRATIVE/PERSONNEL/FINANCE –President David deVitry

On a motion by Council member Rice with a second from Council member Sargen, the General Fund Breakdown dated 11/12/13 was unanimously approved as presented.

President deVitry gave an update on the Northwest River trail, upstream and downstream the bridges are being worked on. The Shocks Mill Bridge will be fully constructed next year, along with the pedestrian bridge. The County has signed their part of the Intergovernmental Agreement. When the trail meetings start he will let everyone know.

President deVitry commented on the Flood Control Project that the Governor signed the Capitol Senate Bill 680 which includes \$20.7 million dollars for the Flood Control Project in Marietta. This money is contingent upon the Governor releasing this money and Marietta agreeing on this project. He met with DEP in Harrisburg along with the Mayor on what the money is going to pay for and what it is not going to be paying for. What it is not going to be paying for is moving utilities, road repair, land acquisition cost from the railroad.

President deVitry spoke in regards to updating our Fund Balance Policy by increasing the percentages from 1% to 10% and 8% to 20%. This will allow Marietta Borough to strive to maintain an unassigned general fund balance of not less than ten percent (10%) and not more than twenty percent (20%) of the budgeted expenditures for that fiscal year. On a motion by Council member Roberts and a second from Council member Kramer and was unanimously approved as presented.

President deVitry presented that Ronda K. Ney be appointed tax collector for the remainder of the year to replace Jody Shaffner as tax collector. On a motion by Council member Rice and a second from Council member Nagle and was unanimously approved by Council.

Council adjourned for an executive session at 7:23 PM
Council reconvened from executive session at 7:34 PM

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

STREETS & HIGHWAYS – Council member Jack Rice

Council member Rice stated that he has some things to clean up and he has nothing to report at this time.

Council member Roberts asked that we check out Bank Street and Clay Street that there is a truck that parks there and it is hard to see when pulling out. What can we do to correct this? They spoke in regards to extending the yellow paint on the curb.

BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer

Nothing at this time.

PARKS & RECREATION – Council member Corinna Yohe

Nothing at this time.

PLANNING/ZONING/HOUSING – Council member James Sargen

Nothing at this time.

PUBLIC HEALTH & SAFETY – Council member Gene Nagel

Council member Nagel stated that The Pioneer Fire Company responded to twenty (20) calls during the month of September and twenty-four (24) calls for the Quick Response Service. There will be a chicken and waffles dinner during the Candle Light Tour and will start breakfasts Saturday mornings in January.

SEWER & TRASH – Council member Bill Roberts

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

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

MAYOR’S REPORT - Mayor Oliver Overlander

Nothing to report at this time.

There being no further business to come before Council, the meeting adjourned at 7:45 P.M. on a motion by Council member Nagel with a second by Council member Rice.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer