

**Marietta Borough Council  
Minutes of Meeting held March 10, 2015  
113 East Market Street, Marietta, PA**

President Sargen with Council member Foreman, Davis, Overlander, Kramer, Renninger, Roberts 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 February 10, 2015 Council meeting were unanimously approved as presented.

**PUBLIC SESSION**

Rich Kushner – 573 Essex Street – Would like to promote the bicycle race for this year to be held on Saturday, July 11, 2015. He would ask Council if any road repair needs to be done on Gay Street be postponed till after the race. They are looking at possibly looking at making the race bigger and better. Last year we had three (3) races. This year they may be looking at having a drag race possibly the night before.

President Sargen stated that in regards to the street repairs, we are going to a Grant presentation to present our proposal on Thursday. There is nothing at this time etched in stone as far as a date for starting the project on Gay Street and we will keep in mind that if we can't get the work finished before the race that we would start the project after the race. He also stated that the race last year was awesome and they did an outstanding job on the race.

Council member Renninger stated that the event was put together well last year and a number of the people in the community did a very good job. The Borough did benefit from the race last year with a donation that was made to the Parks Committee.

President Sargen asked for a motion to make this race happen this year.

Council member Roberts made the motion to allow the bicycle race to be held this year on July 11<sup>th</sup> with a second by Council member Overlander. The motion was unanimously approved.

Bride Hannold – 552 East Market Street – She has inquired at previous meetings about the ROBO call system that has been passed. Once something passes by Council she understood that this would be implemented.

President Sargen stated that the primary purpose of the ROBO call system is a reverse 911 system. That is when the 911 agencies are reaching out to the public. There has been a rumor in this town that we have no reverse 911 procedure in this town. This is not true. We have a 911 procedure and he has spoken with the police and the fire company and they are going to continue to do what they have done in the past, regardless if there is a ROBO call system in place or not. The one thing that he is most disappointed in is that the Mayor brought it to the table, and thought it was important enough to get Council's attention with it and he passed the deciding vote because it was a split decision. It was not important enough for him to work the details out and implement it and the Mayor stated last month that it is a Council thing to do not a Ray Vegso thing to do. So he is here to assure you after speaking with the office staff that we have had daily discussions that the ROBO call system will be implemented and the targeted date is the end of April. The more we talk about it the more details we uncover it's not as simply as paying the contract.

Bride Hannold stated that expanding the system and implementing the system are two different things and out of the system she is just asking when it will be implemented. As a citizen all she is asking is that once something is voted on then she would like to know what our time frame is going to be and if we are

saying the end of April then good for us.

Mayor Vegso stated notwithstanding whatever the reverse 911 is, the Council pass the ROBO contract, once Council approved the contract the President of Council and the office staff must perform their administrative duties to execute the contract and have no right to ignore the legitimate directive which comes from the Council governing body. The Council President and Secretary/Treasurer do not have veto authority nor the right for further delay, they must perform. As far as details there are always details. When we spoke about this way back in February and it was passed in August and the normal practice must follow through and in good faith and in a reasonable time. There was some additional delay due to investigating various questions, which mainly he investigated about the implementation of the system that was raised by the former president David deVitry and Sharon Bradnick. These questions were answered no later than November 2014. So four months have passed with no execution or implementation, which this delay someone called the ROBO system was dormant to have been dormant this long no Councilmen or office staff has a right to do.

Rich Waters asked why does this always happen. The Mayor passes the buck to Council and Council passes the buck. Why every meeting he comes to the Mayor is passing the buck. He feels the Mayor needs to be a Mayor and quit passing the buck.

Mayor Vegso stated first of all the Mayor has no vote unless there is a tie. The only thing he can do is raise issues on behalf of the community. He has been asking since August. Why is the ROBO system not in place and why is there a delay.

President Sargen stated that Bride had a good point on implementation. But he has no comfort level on implementing a system that is only operating to two-thirds of the town, which is why he would like to send out letters and then have the data base set up and then move forward.

Bride Hannold stated that she had brought to Council that the ROBO call system could be expanded, because there are many people in this town that don't have home phones and several people don't have emails. So when Council voted on the ROBO call system it was only to implement it. She would hope that we as a community could expand it so when the Council voted on the ROBO call system it was only to implement it and she hopes that more and more members of the community but what Council voted on was only to implement the ROBO call system.

President Sargen stated that he will stand by what he said if he is the one driving this he will not implement a system that only has half the citizens. There has been a lot of conversation about railroad incidents. With about 33% of our residents being rentals that are not on our tax rolls or on our sewer data base we need to reach out to them. The ROBO system will cookie cut Marietta boundaries and pulls all the 426 borough boundaries. We are only getting listed numbers and now if you do the math you are only implementing a system that only half the population is included in it. When he thinks about a public health and safety issue that might involve the water, now granted the water company has their own ROBO system, but the Borough may need to work with them on getting the word out and he wants to make sure that he is able to reach out to as many people that he can and not only half of them.

Council member Renninger stated that one of her concerns and one of her urgent reasons on why she would like to do this is because of the bomb trains that is becoming a national issue. There have been two (2) derailments this year. As she put in her email to President Sargen is that we may not be able to save everyone but it would be good to give notice and to evacuate the people that we can. One of the major dilemmas is that we do not have everyone's phone numbers and there has been discussion on how we do that and at one point that it was determined that it would be an expense to send a letter out to

everyone with a return envelope and it would be roughly \$1,000.00 to send out 200 pieces of mail so let's just double that. This could possibly end up costing the Borough \$3,000.00 or possibly \$4,000.00 to contact everyone. She does know that there is a grant available through FEMA to help assist communities to do this. If you go to FEMA and go to their website there is a grant that is part of the Emergency Management System, so if it is a question of the financial cost then we should look into this grant.

President Sargen stated that it was never about the financial thing, he was the one that brought up about the money to let people know that it was not only the cost of 950.00 a year but there were other costs involve to get this implemented. He has never in his career or as a volunteer ever seen anyone bring something to the table and then just turn around and try to pass it off. Usually when someone brings it to the table, then they usually carry through with it, but we did not have that happen in this case so we wound up having a six (6) month delay. But he is here to assure you again that we are working on it and we are sending out letters and hopefully we can get a website set up so people can sign up. We are looking at the end of April.

Ernest Lehman – 304 East Front Street – every year you have an inspection, ask the landlords to supply you with the tenants information. Also you should not take the entire burden on yourself; you have other committees that can help with the project.

Mayor Vegso stated that he has had about fifteen (15) to twenty (20) emails between Council, the office, the vendor and by November 2 there was no questions remaining. We also had a sample letter to send out if people want to volunteer information. He also provided a protocol on who should have access to the system, the Mayor, Emergency person and varies other scenarios, because we just can't have anyone accessing the system.

Rae Ann Schatz – 24 Fairview Avenue – She is here again to ask for reimbursement for her repairs to her driveway from the Fairview Avenue Project.

President Sargen stated that nothing has changed and that we don't have a date. We have filed for a decision.

Rich Waters – 130 Fairview Avenue - Is there any system that can be put in place to let the public know that the train cars are going through the Borough. We need to get a system that can let the public know when these train cars are going through town. All the other towns along the river are doing it.

Council member Renninger stated that the Railroad does not publish a schedule because it is a matter of national safety to a degree, but Harrisburg City Council is talking about it and it has been brought to the attention of the National Level. There are a lot of things that could be done to insure safety. Examples would be to limit the number of cars that are traveling at any one given time, speed, etc.

President Sargen stated that several people have contacted him in regards to these crude oil cars. He actually contacted Norfolk Southern and what he learned was this line going through town is the Port branch or the Port line. The rail cars are called key trains. These key trains are tightly regulated on their operation. More so than your typical freight train. The Port line we are lucky because we have access on Bank Street for the maintenance vehicles to get on the tracks and we are also fortunate this is Norfolk Southern biggest money maker. So it makes sense that a company is not going to ignore its biggest money maker. So after he learned that he contacted Congressman Joe Pitt's office to ask him to keep us in the loop because these trains are federally regulated. There are a lot of people that are concerned. Then he contacted Dave Hickernell's office and after Tom Wolf was elected into office he sent a letter to

President Obama. Dave sent some letters to him on information on a state level that they are looking to do is to slow them down, better track maintenance, better braking systems, more puncture proof/leak proof cars, pipelines are safer than rail cars, and also state funding to help our first responders. So these are the things that we are getting from Harrisburg. This has taken a new prospective for him and he started to do a survey with people that live on Front Street. He was surprise on how many people can sense the tanker rail cars opposed to the typical freight cars. All the communities that these rail cars are affecting they are forming groups.

Mayor Vegso stated that the rail cars went from 1/2" to 9/16" but the last five (5) accidents that have happened was in the 9/16" tank cars, so there is no comfort in that. Crude oil burns more quickly and explodes more quickly. It was reported to him by a resident on Front Street that there was a unusual noise on the track and he went to look at it and saw that one track had widened or splade and he phoned the railroad company about that and what he would like to point out is that if you see or hear something unusual you should call the railroad or call the Borough office and we will follow up on it. The County Emergency People and the State Emergency People clearly have done some work on how to deal with an accident once it has occurred. Steve Bailey, Jim Sargen and his self-had attended.

President Sargen stated that they do want to provide first responders with the railroads schedules.

Council member Davis stated that he has been down by the trains riding his bike and they are doing less than 30 mph. We are lucky because we are a straight stretch, usually when they have an accident they are on curves or where the track has gone bad.

Tom Goldsboro - 544 East Front Street – on March 17<sup>th</sup> he read in the newspaper about a property that is being converted into an apartment and he went to the Borough office to ask. The office advised him to speak with Mr. Harman and Oliver told him to go to the Zoning Hearing. He went home and called Mr. Harman that this property across from his home that it failed some home inspections and was told to come to the Zoning Hearing. Then on Saturday Mr. Foreman showed up on his front porch asking him what his pet pee was about his property. He feels that as a citizen he went through the proper channels and did not appreciate that Council member Foreman showed up at his property. He feels that this is unethical for a Council member that represents him and this town to show up at his home to try and persuade him on how he feels on a Zoning issue.

President Sargen stated that what he is hearing is that he is going to stand in the way of someone selling their home because you don't like what they are going to use it for. No one is using any influence here. It is in the hands of the Zoning Hearing Board. Knowing Steve, he was coming to you to find out what the problem was.

Lillian Hill – 462 East Front Street – she was hoping that the Borough would close the crossings going across the tracks, especially the one down by Bank Street and that she had seen people go over there and her concern is that there is no place to turn around once they go over there and that they could possibly get stuck on the tracks. If some of the crossing could be closed. Also if maybe we could put up a sign.

President Sargen stated that he did not look at the signage that was at the crossings and maybe that is something that we can check into. The dumb part is that we have signage on the other side of the tracks. We don't want to close the crossings because then you are going to see the trains speed up.

Tracy Beam – 280 West Front Street – on a positive note that whoever did plowing this year did a very nice job. Also are there any plans in getting the website updated so that we can pay our sewer and trash

bills on the website. Also in regards to the ROBO system there is a system in place in New Jersey that they get notified in regards to their property there.

President Sargen stated that we are not planning to accept sewer and trash bills on our website. We are looking into getting the registration put on our website for the ROBO system.

Harold Kulman – 114 East Market Street – the oil trains that is going through the Borough, the Governor and the Senator has been involved and the people from the County level have been involved. The government is trying to do things like insisting on newer cars all to make things safer because there is a risk. Yes the newer cars have been in the recent accidents. It is a government problem, but it is more our problem. It is absolutely our problem and we are the ones that are going to get burn. They are predicting 15 derailments in United States to happen this year. We need to do something to reduce risk. One of our biggest risks is the crossing. You say if we close them that they will go faster, they can't do that. Now is the time that we need to say that we want automated crossing guards. The trains now are longer. There are plenty of people drinking and want to go down and see the river. If we had crossing guards this would help. We need to have them at our busiest crossings in the Borough.

Lillian Hill – 462 East Front Street – also the noise pollution at all the crossings effects home sales on Front Street. If we got automated crossings this would cut down the noise pollution from the trains.

Glenn Orr – 45 Fairview Avenue – there will be no fireworks in the Borough this year. They lost money last year and the Fire Company cannot afford to lose money each year. They are getting ready to expand the building this year and once they get the building expanded they will have a place to evacuate. He's hoping that once the plans come in for the building he hopes to break ground in April. But he is not ruling out having fireworks in the future.

Bride Hannold asked how the fireworks were funded in previous years.

Glenn Orr stated that the carnival paid for the dumpsters, entertainment, jiffy Johns, and what was left over went into the fireworks. Most of the fireworks were paid for by donations, but also the clean up the next day is a lot of work. Last year the cost of the fireworks was \$10,000, the year before that was \$15,000. So you're basically looking at \$10,000.

Bride Hannold asked if they would take donations for the fireworks, would they hold the fireworks.

Glenn Orr stated that if they received enough donations for the fireworks they would consider having them this year, but he did not want to take away from their fund drive that is going on right now. He also wanted to let people know that once things dry out a little they will get to the pot holes.

Buz Altland – 26 South Locust Street – he has a problem that before people go and take pictures across property lines to come to him if they have a problem.

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

### **ADMINISTRATIVE/PERSONNEL/FINANCE –President Sargen**

Before us is the General Fund Monthly Breakdown dated 3/10/2015 the total general fund accounts are \$717,249.51. A motion by Council member Roberts with a second from Council member Davis, the General Fund Breakdown dated 3/10/2015 was approved as presented.

President Sargen stated the Northwest River Trail Signage Agreement is a complex package to set up the

signage for the trail in town and also the signage along the trail itself they have made it easier for us by having us adopt a Resolution between the Lancaster County Solid Waste Management Authority, the Pennsylvania Tourist Signage Trust and the municipalities that are involved in the trail. Tonight President Sargen would like to adopt a Resolution to enter into the agreement.

Council member Overlander made the motion to move forward with the Resolution with a second by Council member Roberts.

Council member Renninger asked what is exactly the agreement, is there a dollar amount.

President Sargen stated that we are not responsible for the purchase or the installation of the signs. If you go through the agreement you will see an invoice in their but if you got back in the document you will see an agreement between the Solid Waste Authority and the Signage Trust that actually takes the financial responsibility away from the municipalities because the Solid Waste Authority is paying for the signs. Our financial responsibility comes in after they are installed then the Borough has to maintain them and replace them like any other street sign. Also the signs along the trail itself our men will be installing them. This would be the tourist signs that will be in town.

Motion carries.

President Sargen stated that he would like to talk about the stand-a-lone flood litigation project that Council had approved one year ago. The motion was to pursue the stand-a-lone project which would include the flapper valves down on the river shore and it unanimously pass. The motion was to pursue the cost of that project. What he would like to do is just inform you that he is going to be pursuing that stand-a-lone project. He would like to put us into the position to apply for the Flood Mitigation Program grant next year. The numbers that he has so far is around \$137,000. Also we will need to have some end walls installed on the outlets and this will take the cost up significantly. We are looking at around \$350,000 for the project cost. With the grant then our cost would be around \$52,500, which we are in position to do. So he wants to be able to kick that project off next year. If you go down and look at them you will understand why we need the end walls placed on them.

Council member Renninger asked for a short recess. It was seconded by Council member Roberts.

Council adjourned at 8:12 PM

Council re-adjourned at 8:22 PM

President Sargen brought the meeting back to order.

### **STREETS & HIGHWAYS – Council member Sharon Renninger**

Council member Renninger stated that we put out an advertisement for bid for Hazel Avenue. She would like to make a motion to accept Longs Asphalt bid in the amount of \$79,480. It was seconded by Council member Overlander.

Council member Overlander stated that we were looking at spending \$110,000 and if you bid at this time of year the Borough was able to save \$30,000.

The motion carries.

Council member Renninger stated that the Borough is going to be purchasing a new truck. Good old blue has given its last miles and we put in an order for a 2015 Ford F-250 4X4 with a v-plow which will enable

us to get into the allies. The road crew has done an excellent job this year plowing snow and we had enough materials on hand to salt and cinder the streets. They managed it very well.

Council member Renninger gave an update on Gay Street Storm Sewer Grant. The meeting was cancelled due to weather and we are supposed to be meeting with them on April 12<sup>th</sup>. Darrell Becker our engineer will be there to give the presentation.

### **BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer**

Council member Kramer stated that the gentleman from Atlantic Concepts in regards to the lighting was out to look at the additional lighting and he is waiting on the new estimate.

### **PARKS & RECREATION – Council member Steve Foreman**

Council member Foreman stated that the Amateur Softball Association would like to use the War Memorial Park baseball fields for their 16U travel team for practice from May to the end of July. They have provided the necessary insurance and coordinated their schedule with DBSA and have gotten permission from them. He would like to make a motion to allow them to use the fields at War Memorial Park. Council member Overlander seconded the motion.

Mayor Vegso stated that we previously spoken about if we should be charging some fees for the use of our parks. So many people come from out of town so the wear and tear on the parks and the use of the restrooms. Are we still giving that some consideration?

Council member Foreman stated that we are no longer considering that. We have community service men to help maintain them. Baseball makes a donation and they maintain the fields.

Council member Overlander stated that the children that use the fields from school that half the children on the teams are from Marietta.

The motion carries.

Council member Foreman stated that New Hope Church would like to use Flanagan Park on April 5<sup>th</sup> for the Easter Service from 8:15 AM to 9:00 AM and he would like to make a motion to allow the Church to use Flanagan Park. Council member Overlander seconded the motion. Motion carries.

### **PLANNING/ZONING/HOUSING – Council member Oliver Overlander**

Council member Overlander stated that we asked for letters of interest for the opening on the Planning Commission and we had one letter of interest. He would like to make a motion to accept Delbert Ellsworth to the Planning Commission to fill the empty seat created by Eric Keiser. Council member Roberts seconded the motion. Motion carries.

Council member Overlander stated that he has an update on the Planning Commission. The February meeting was focused on the Marietta Zoning Update. They are continuing to work with EPD as they work on this project. The first working draft will be ready within the week after our regular schedule March Planning Commission meeting. The presentation that EPD did last month will be placed on Marietta Borough's website under the Zoning Ordinances tab. When the Zoning Ordinance draft is ready it will be up loaded to the website google drive. Anyone can leave comments or suggestions at [mariettazoning@gmail.com](mailto:mariettazoning@gmail.com). There will be no Planning Commission meeting in March and the next Planning Commission meeting will be April 21<sup>st</sup>.

Council member Renninger stated that since we installed a new Planning Commission member and since the Planning Commission has not completely restructured or reorganized for this year, should they not hold the March meeting?

Council member Overlander stated that they can restructure during the April meeting.

Mayor Vegso stated he assumes there will be a pretty large turnout for the April 21<sup>st</sup> meeting because Zoning affects everyone and he was wondering if the room will be able to hold everyone or should we go ahead and consider another place to hold the meeting. It would be unfortunate if everyone that is interested would not be able to enter.

President Sargen stated that we will do the same as we do for Council meetings if we feel there may be a large crowd we will reach out to the fire company to see if we will be able to hold the meeting at their facilities.

### **PUBLIC HEALTH & SAFETY – Council member Mark Davis**

Mark Davis stated that The Pioneer Fire Company responded to eighteen (18) QRS calls and thirty-two (32) Fire Calls for the month of February. Also on March 28<sup>th</sup> the fire company will be holding an all you can eat breakfast from 7:00 AM to 10:00 AM. Fire Police for February had fourteen (14) calls that they attended and put in seventy (70 1/2) man hours.

### **SEWER & TRASH – Council member Bill Roberts**

The Marietta Sewer Department Savings Account at the end of February has a balance of \$118,553.02 and the Checking account has a balance of \$2,553.83. On a motion by Council member Roberts with a second by Council member Davis, the February Sewer Department Monthly Breakdown was unanimously approved as presented.

Council member Renninger asked if the Sewer Authority has any plan on working on the sanitary sewers.

Council member Roberts stated that there was some discussion on the main down Front Street but nothing has been finalized on that.

President Sargen stated that Ronda is going for a CDBG grant to have one of the Basins worked on next year.

The Borough recycled 22,040 pounds of recyclables for February. On a motion by Council member Roberts with a second by Council member Davis, the February Recycling Report was unanimously approved as presented.

Council member Roberts stated that the Lancaster County Solid Waste Authority along with Penn State Master Gardeners of Lancaster County is conducting home compost workshops on how to compost organic waste from their home. The one closest to us will be in West Donegal Township on June 6<sup>th</sup>. You would need to pre-register or for more information contact West Donegal Township Recycling Coordinator at (717) 367-7178 or email [wendy@wdtwp.com](mailto:wendy@wdtwp.com).

### **MAYOR'S REPORT - Mayor Ray Vegso**

Mayor Vegso thanked everyone for coming and this will be short since the ROBO call system has been

discussed. The fire police swore in a new member, Pauline Torbert from Columbia, thanks to her and our continuing members. The police report is available in the box and if you didn't receive a copy contact the office.

Mayor Vegso stated that on February 2 at the main library in Lancaster one of our citizens, Catherine Tucker, gave a talk on the history of Marietta from her prospective and it was amazing. It was very well attended. There were many questions and lots of interest.

Mayor Vegso stated that this is for all the Council people that there is the annual PA Association of Boroughs Annual Conference that will be held in Lancaster at the Marriott Convention Center on April 26 - 29. He encourages Council to go.

There being no further business to come before Council, the meeting adjourned at 8:50 PM on a motion by Council member Roberts with a second by Council member Foreman.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick  
Secretary/Treasurer