

**Marietta Borough Council  
Minutes of Meeting held July 14, 2015  
113 East Market Street, Marietta, PA**

Vice-President Roberts with Council member Foreman, Kramer, Davis, 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 June 9, 2015 Council meeting were unanimously approved as presented.

**PUBLIC SESSION**

Debra – Milanof-Schock Library – Debra came and gave a report on how the library is doing. They have a new mission statement which is “The Milanof-Schock Library enriches lives through education, information and exploration.” Their vision is they will be a dynamic destination of a learned and connected community. They used to send out their newsletters by email and are looking for everyone’s email on Council so that they can send these out. The Borough Secretary stated that she receives them and puts them in each of the Council member’s mailboxes. They received an additional donation from the Milanof-Schock Foundation and this is being used for keeping the skills for school program by getting children ready for kindergarten. They have 1,765 preschoolers and teens enrolled in their reading program.

Council member Renninger asked if they were in contact with the people that put out the Marietta Traveler.

Vice President Roberts stated that it was his mother’s dream to have a library in Mount Joy and her name was Sally Roberts it started out as a Girl Scout program and it has evolved into what it is today. He has some very close family connections to the library.

Debra stated that they are very happy and proud of what they are doing.

Mayor Vegso stated that he assumes that they are here to ask for a donation.

Debra stated that the Borough has given a donation this year but she is here to just tell everyone what the library is doing and to invite everyone to use the library.

Rae Ann Schatz – 24 Fairview Avenue – She would like to know the status of the negotiations on the driveways on Fairview Avenue

Vice President Roberts stated that there is a letter that is going to be sent out to all the residents on what we will reimburse on Fairview Avenue.

Council member Renninger stated that the negotiations were done and it has been settled. The letter indicates that we will be reimbursing on a percentage bases for the repairs for the driveway.

Rae Ann Schatz stated that this was not what she thought would be happening she thought that the Borough would be negotiating with each property owner. Not necessarily getting what the lawsuit gave because the rest of the residents do not want what the lawsuit gave, so what do you do need.

Council member Renninger stated that you can challenge it and everything is done to bring this to the best close. Once everyone receives there letter we can discuss it further. We are trying to receive a more balanced solution to the Fairview Avenue.

Rae Ann Schatz stated that how can that be a fair solution when her driveway function properly before we had a street reconstruction. How can 80% be a fair amount? The precedent was set by the lawsuit and she did not filing a lawsuit so she did not cause the Borough extra money. Is it a general letter and she is to make contact with the Borough?

Council member Renninger stated that once you receive the letter and everyone submits their invoices. If you have any questions and want to come in and discuss it with her you may, but they are going to address the letter later.

Jack Rice – 624 West Market Street - where is the line on West Market Street, where does it run out.

Vice President Roberts stated that it runs till the gate on West Market Street.

Jack Rice stated that we used to have a sign on West Market Street that stated no outlet and he is not sure if that is still there or not.

Vice President Roberts stated that there is going to be discussion later on in regards to that gate being relocated and the truck traffic that you are going to be complaining about to bring them in Burma Road. They want to reestablish the gate east of where it is now.

Council member Renninger stated that she was informed about it late in the afternoon and a letter was given to us and don't have a lot of information on it. But what she is gathering is that as a resident you would not have any objection to the change in the gate or the direction of the traffic.

Jack Rice stated that if it changes it then he is in favor of it.

Vice President Roberts stated that we are trying to alleviate the truck traffic from coming down Market Street and have them come in and out using Burma Road. The gate that Hiltz Propane is proposing to put in would be east of their facility and it would be closed and you would not be able to go down through there.

Jack Rice also asked what happened to the inspection in the Borough in regards to vehicles that are illegally sitting around.

Sharon Bradnick, Secretary/Treasurer stated that Mark Harman our Zoning Officer was in and Ronda and he went around town last week and did another sweep of the town and we have quite a few letters to go out again. Also she was in a hearing today in regards to some vehicles that had not come into compliance.

Jack Rice also stated that on West Hazel Avenue before you get to the bend there are sumac trees that are growing along the road and they need removed.

Rich Kushner – 573 Essex Street – We had the 2<sup>nd</sup> Bicycle race on Saturday and it was a success and he would like to thank Council and Steve Foreman for their support and also Nancy and Chris Barton and all the volunteers. They would like to hold this next year again and look for Councils support. Every year they will build on it. Hopefully we can have the fireworks on the same day.

Vice President Roberts stated that he would like to thank Rich and his wife and everyone that was involved putting it together because it was a very nice event and there is a lot of work behind the scenes

that we don't see. You all did a great job.

Mayor Vegso stated that he would like to add to this that we would like to thank the fire police.

Rich Kushner stated that the fire police, the police, Steve Bailey, everyone was so cooperative this year we had to tow no one and at the last minutes he spoke with Glenn and he put stones down in the lot beside Flanagan's Park. So yes, everyone worked well together.

Council member Renninger stated that everything was handled so well and the notifications to the residents on Front Street to let them know about the race were very much appreciated. Public comment session was closed.

### **ADMINISTRATIVE/PERSONNEL/FINANCE – Vice-President Roberts**

Vice President Roberts stated that with great regret we received a letter of resignation from James Sargen. This letter was not submitted in haste and the reasons are varied. He would like to thank James for all his work and he was very involved and maybe that is why he is not here is that he was too involved. Jim did a great job and he would like a motion to accept his letter of resignation. Council member Overland made the motion with regrets and a second by Council member Renninger. Motion carries.

Before us is the General Fund Monthly Breakdown dated 7/14/2015 the total general fund accounts are \$950,194.11. A motion by Council member Davis with a second from Council member Kramer, the General Fund Breakdown dated 7/14/2015 was approved as presented.

Vice President Roberts stated the tax collector monthly report for the month of June, Lillian Hill, Tax Collector took in \$48,122.10. There was a motion from Council member Davis to accept this report with a second by Council member Renninger. Tax report was unanimously approved.

Vice President Roberts stated that the update on the NWRT that Penndot approved the bid package for the trail signs and LCSWMA will be advertising the bid this Thursday and Friday and the bids will need to be due August 11, 2015. LSCWMA stated that all the signs should be delivered to our municipality and the municipality will need to install the signs and Penndot will then need to do an inspection.

Vice President Roberts stated that we need to replace James Sargen on Council and we will accept letter of interests until July 31<sup>st</sup> and we will appoint someone at the next meeting.

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

Council member Renninger stated that we mentioned at the last meeting that Community Basics is asking for limited parking sign zone for loading and unloading on East Market Street that would accommodate two car lengths for twenty minutes of parking. She is making a motion that we approve a limited parking time zone for loading and unloading resident that is two parking spaces for 20 minute limits.

Vice President Roberts asked if it would be effective 24/7. Council member Renninger stated that the limit on the parking would be. Roberts stated that he does not feel that they need two spaces up there during the day. Is there anyone parked up there during the day.

Pam Wolf, a resident from the Senior Housing and a representative from Community Basics stated they need this drop off and pick up space for people that don't drive and also if the ambulance needs a space

to park they would not need to park in the road.

Vice President Roberts stated that the two 20 minute parking spaces you are asking for is not going to be abated by having two 20 minute parking spaces if the ambulance needs to pull in there and park. Who is going to give the ambulance a parking ticket if they are there more than 20 minutes? Also if someone is in the two parking spaces and the ambulance needs in the cars will not be moved and the ambulance will need to double-park.

Council member Renninger stated that she feels the reason they are not utilizing the space is because there are not spaces available to be utilized.

Vice President Roberts stated that he could see that in the evening but not in the daytime.

Council member Foreman stated that there is not any reason for not having the spaces marked.

Vice President Roberts stated that we need to have an Ordinance passed and that means we need to have the attorney draw it up and have it advertised and it can be expensive.

Council member Davis stated that they are going to have problems at Thanksgiving, Christmas and Holidays. He has seen it get backed up loading and unloading people so they could use it at times like this. It may be worth doing because it is something they need.

Vice President Roberts stated that Sharon made a motion with a second by Council member Davis to move forward with the Ordinance. Motion carries.

Council member Renninger stated that the next item on her agenda is in relation to Fairview Avenue this is a letter that will be going out that states that we are in the final stages of the sidewalk installation and there were some additional trees that needed to be removed and that these trees were in the borough right-a-way and that was at the request of one of the residents so that they may be in compliance with ADA regulations. We are in the process in obtaining bids for sidewalks that the Borough will be installing for two to three sidewalks and the cost of the installation will be the properties owners responsibility and that will follow the legal steps to be reimbursed for that and if not a lien will be placed on the property for the sidewalk installation. Anyone that has invoices to adjust the grading to feather in existing driveways will be reimbursed at 80% of the cost incurred and that is based on the settlement of one of the residents. We do require that an invoice be submitted to the Borough office and the time frame for this is August 30, 2015. This letter will go out to everyone and she is bringing this up in front of Council so that everyone can come into compliance. She would like make a motion to send this letter out to the residents.

Vice President Roberts asked that if we didn't set a deadline before for June 1<sup>st</sup>.

Council member Renninger stated we were in negotiation with the law suit and working on this.

Vice President Roberts stated that we changed the date until July 31 and now you're saying August 31, why don't you just make it Christmas?

Council member Renninger stated that we have been waiting for the trees to be removed and you have people that have entered into contracts with sidewalk installers. Lets send out a letter that is fair and reasonable and it has everyone notified at the same time. After August 30<sup>th</sup> the sidewalks will be installed by the Borough and this would be finished by September 30<sup>th</sup>.

Rae Ann Schatz stood up to ask if there was any cost incurred to the property owners for the trees that are being removed from the right-a-way. Please explain to her what the difference is the borough taken down trees and reimbursing her for her driveway that is in the borough right-a-way. You are paying 100% of their bill so why are you reimbursing her for 80% of her bill to correct her driveway.

Council member Davis stated that Council is paying 80% of the driveway cost but the trees are 100%.

Council member Foreman stated that the sidewalks are for public but the driveways are for you.

Rae Ann Schatz stated that you took away her access to her property if she won't have fixed it she would not have access to her property. You took my access away and she had a perfectly fine driveway.

Vice President Roberts stated that 90% of the people don't have driveways in this town. Her driveway was fine but the street was not perfectly fine, you can't have it all. You speak about inconsistencies in this town, there are inconsistencies everywhere and this Council cannot address them all. This town would be broke. When he went up and saw what had happen to Fairview Avenue he was appalled to leave a street like that. People that made those decisions are no longer on Council so he can't answer why this happened.

Rae Ann Schatz stated that two of the people that were on Council before and that made those decisions came to Council and said that we should be reimbursed for our driveways. Mim Fletcher and Barb Wilson both came to Council meetings and spoke up on behalf of Fairview Avenue. No one else in town has had this happen to them.

Council member Renninger asked if there was anything that needed changed on this letter at this point.

Vice President Roberts stated that he just questioned the date and he just wants to get this put behind us so that we can move forward.

Mayor Vegso asked if there was any reason that this Council could not change the 80% to 100%.

Council member Renninger stated that if we change it from 80% to 100% then there should not be any reason for anyone to take us back to court.

Mayor Vegso stated that there is no one that would disagree with the inconsistency argument and that no one would argue the inconsistency of the injustice that was done with the people on Fairview Avenue. One question that he has not gotten an answer for is what the cost would be to the Borough for the 100% verse the 80%.

Council member Renninger stated that Rae Ann does have a point. That was the cost and the legal fees. We could reimburse 100% of the driveways or we could make it 80% of the total cost. She thinks that in all honestly that it would be fairer to the citizens from this point to do 100% for the cost of feathering in the driveways. We are not looking at the total cost of the driveway. We are only looking at the square footage that is in the Borough right-a-way that was necessary to be repaved because of the fact that the design was not transitioned from the curb back to the people's property. If we reimburse 100% for that amount of property that is fair and equitable and it does make things right across the board for everyone.

Vice President Roberts asked if her driveway was in ADA compliance. Rae Ann Schatz stated that her

driveway has cobblestones on it like brick. This is what was ruined when she did her driveway. Roberts stated that if it was part of her driveway originally and it was not ADA compliance once we do the work then you need to bring it into ADA compliance. Rae Ann Schatz stated that all she needs to do is put the stone dust down and it will bring it into compliance.

Mayor Vegso stated that we have a lot of citizens here that do not live on Fairview Avenue and how many would be in agreement to pay the 100% verse the 80%. Hands were raised.

Vice President Roberts stated that he would like to get this behind us and move forward.

Council member Renninger stated that she would like to amended her motion and that the letter would be for 100% of the cost for the feathering of the driveways and the August 30<sup>th</sup> deadline stays the same and invoices for reimbursement must be submitted by that date. Sharon went over a list of properties on Fairview Avenue that has driveways and possible tree removal that would fall under the reimbursement letter. She withdrew her first motion and made a motion for Council to approve sending out the letter to residents on Fairview Avenue the cost for correcting the grading for feathering in the driveway at 100% and removal of trees reimbursement will be at 100% and sidewalks will need to be installed on or before August 30<sup>th</sup> and any invoices will need to be submitted to the Borough Office on or before August 30<sup>th</sup>.

Council member Foreman seconded the motion. Motion carries with one nay vote.

Council member Renninger stated that the last thing on her agenda is the storm drains have been painted blue and this is part of the Borough's obligation to come into compliance with our Storm Water Management also known as MS4. Anyone not aware that the Chesapeake Foundation is leaning on Pennsylvania has a whole and that we are not doing our part in cleaning up the bay. Every municipality will be inspected and has to come into compliance and do their part. We need to have educational programs and there are flyers in the Borough Office to promote Storm Water Management and awareness. Glenn will be cleaning out our storm water drains. There was also some work done on Front Street earlier in regards to a sewer leak. The sewer department did come in and fix that area of the street.

There were also two other incidents that come to her attention before the meeting and that was Hiltz Propane on West Market Street would like to install a fence across West Market Street to block the through traffic on West Market Street and the road maintenance and the gate would prevent public traffic in accessing Hiltz Propane property. There are vehicles coming on the property that are doing damage to their property. She would like more time to look into this and get more information. She would like to get the solicitor's opinion.

Vice President Roberts stated that he does not feel that the Borough should allow them to take over that road and the Borough should still maintain it. We are not abandoning that road to them.

Mayor Vegso asked if there is a gate now, why they need another gate.

Council member Renninger stated that she is going to gather the facts on this and anyone from public may contact her and give her any information or their opinion.

Council member Renninger also stated that a resident gave her information on some water run off on Biddle Street and she will get more information on it because she just received this packet also.

Vice President Roberts stated that he had one other thing for streets and that is in regards to the handicap ramps on South Bridge Street and he went down and looked at that. He knows that it is not in compliance, but he would like to see work done on South Perry Street first before South Bridge Street. We need to make advancements each year on our ADA compliance on our sidewalks. He has a new appreciation for this since his wife broke her leg and has been on a scooter.

Mayor Vegso stated that he has taken a look at South Bridge Street and he feels no one ever walks down South Bridge Street and we should put our money to work at other locations in town. We should do nothing there.

Council member Renninger stated that she would like to pick a street that is more traveled and Perry was another one of the streets on the list and she would like to also have specific locations such as Perry and Market and she would like a more definitive requirement on our part. The initial bids we received on Bridge ranged from \$6,000 to \$14,000 and she feels it's hard to make a decision on that, it needs to be more specific.

Council member Davis stated a lot of areas in town are historic districts and historic districts can have exceptions to that and this is something that we should look into and we may be able to get grants.

Mayor Vegso stated that he believes that Davis is in error but he may be right but we need to check into these things. I don't believe that historic gets any special attention there be some modification. We want the public to understand and that we will address ADA issues on a regular basis and will budget some money each year.

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

Council member Kramer stated that he is working on the lighting project on this building and they are breaking down the cost for lighting outside this building for the parks area and they gave him an estimate to put LED's outside and he does not feel we should put LED lighting outside since Wrightsville had the issue with the bugs from their lighting going across Wrightsville Bridge. LED is more expensive to put in and he is looking at LED for the inside of the building and looking at fluorescents outside the buildings. The outside lights need to be updated and by doing that it means cost effective.

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

Council member Foreman stated that he would like to make a motion to allow Donegal Braves the use of War Memorial Park for football between August and October there was a second by Council member Overlander. Motion carries.

Council member Foreman stated that he would like to make a motion to allow the fall baseball to use War Memorial Park and they will work out the schedule with Donegal Braves football to use the field between August and October there was a second by Council member Overlander. Motion carries.

Council member Foreman stated that he would like to make a motion to move \$4,000 from the Capital Reserve Fund to get the fountains and waterlines installed and get them up and running in War Memorial Park and Flanagan Park with a second by Council member Renninger. Motion carries.

Mayor Vegso asked if we take the money from the Capital Fund and move it to the General Fund and then we spend it from there. Sharon Bradnick stated that this is correct.

Council member Foreman stated that he is looking to have movie night. He would like to have volunteers

for the concession stand. He also is looking for volunteers for downtown clean up. He contacted Manos house to get some men to come in and use them to help clean up. People can contact him at his email at [sc4man@live.com](mailto:sc4man@live.com). He would also like suggestions for movie night. People can give the borough office there suggestions.

Council member Foreman stated that the Summer Recreation Program is very positive and going well. He would also like to thank the American Legion for donating \$1,500.00 towards the Summer Recreation Program.

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

Council member Overlander stated that at the last Planning Commission meeting, the Planning Commission is moving forward with the updates and the next meeting will be August 4<sup>th</sup>. At least by July 21<sup>st</sup> Council will receive a rough draft of the Ordinance changes and will have a meeting to go over the rough draft.

Mayor Vegso asked if there was a reason given on why the meeting was postponed.

Sharon Bradnick stated because of vacations.

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

Mark Davis stated the Pioneer Fire Company responded to thirteen (13) QRS calls and sixteen (16) Fire Calls for the month of June. Fire Police for June had nine (9) calls that they attended and put in eighty-nine (89) man hours which included the Bike Race that had thirteen (13) officers that put in forty (40) hours and they had two (2) officers recertified for hazmat. He would like to thank the fire company with the short notice that they put on the fireworks display. Some people complained that it was not as long, but with the amount of money that they had they did a great job. It was forty-five (45) minutes long. They really worked hard and everyone that donated to it, thank you. Sharon Renninger suggested a letter of thanks to the Fire Company and Mark made a motion to have the Borough send a letter to the Fire Company thanking them for the carnival and the fireworks and Sharon Renninger seconded that. Motion carries.

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

Council member Roberts stated that the Marietta Sewer authority is represented by himself, Steve Shireman and Wilbur Haas. He would like to regretfully announce that Wilbur Haas recently passed away in June and he will need to be replaced on the Sewer Authority. He would like to make the motion to appoint Karen Sullivan to take his seat on the Sewer Authority, so moved by Council member Davis with a second by Council member Renninger. Motion carries.

Council member Roberts stated the Marietta Sewer Department Savings Account at the end of June has a balance of \$132,196.85 and the Checking account has a balance of \$831.49. On a motion by Council member Overlander with a second by Council member Davis, the June Sewer Department Monthly Breakdown was unanimously approved as presented.

Mayor Vegso asked if we get a rebate from this and what do we do with that.

Council member Roberts stated that it goes into the General Fund.

The Borough recycled 20,220 pounds of recyclables for June. On a motion by Council member Roberts

with a second by Council member Overlander, the June Recycling Report was unanimously approved as presented.

Council member Roberts stated that he has one other comment to make in regards to Hiltz Propane on West Market Street. This was a warehouse for Strube's Incorporated, no one worked in this building and now everyday someone is working there every day all the time and there was a discussion about having them install sewer lines to their building which they did not want to do because of the cost. But he feels that it is the Borough's responsibility to install the sewer line in the street and their responsibility to tap the lateral that comes off of it to go into their building. This should not be up for discussion. He don't want anyone in town saying that they will cut their sewer line off and get a port-a-potty put in their back yard to save money. We have an ordinance for this and he feels it is our responsibility to get this sewer line up the street. Everyone in town had to pay to have the lateral installed but the Borough had the sewer lines put into the street. It would be about one-hundred, fifty (150) feet.

Council member Renninger asked if they have an occupancy permit.

Council member Overlander stated that this is something that Mark our Zoning Officer would be on top of and this can be checked out tomorrow.

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

Mayor Vegso stated that the police meeting minutes are in the box and one of the things that came up at the last meeting was that people are coming around that are scam artist and asking for people to buy discount cards for businesses that aren't valid and also people coming around selling Kirby vacuum cleaners. If this happens you need to call the police.

Also to stop cars from speeding they are going to put the device out that monitors speed on a couple of streets and it is hard to judge if a person is speeding and if you jot down the vehicle and time to report to the police.

There is also is a problem with drug use. There is a new form of drugs that is coming out and there are police groups and mayors groups that are trying to move towards education and awareness on this problem. You can only try to scare people and you will see activity to try and develop programs in the schools, churches and clubs. We need to try and do something. By doing nothing we keep slipping.

On a better note, he has performed two marriages this year and he has two scheduled for September.

He wanted to let the public know that he received a letter from an attorney from Harrisburg and it was addressed to him and he read this letter aloud that pertained to the Boat Club and the trail that is going through the Borough property. He turned this letter over to the Borough and the Borough solicitor will respond on behalf of the Borough.

Lester Potteinger asked to speak on behalf of the Boat Club and stated that the reason this letter was sent out was because they were told by the President that the Borough did not need to come on the Boat Club's property to install the Northwest River Trail. A gentleman came to do some work at Evans Run and the gentlemen came on the Boat Club property and that we were going to put up an orange fence.

Mayor Vegso stated that he cannot respond because the President was involved and he is not well informed with the situation and he is not doing anything else in regards to this letter and the solicitor can handle it.

Vice President Roberts stated that the Borough has enough property to put the trail in but he will let the people know that is doing the work to where they need to go. However, when we were in early negotiations the people that were responsible for the trail offered the Boat Club numerous gratuities to get this trail done and they were all spurned, so if we happen to damage and put a couple of ruts in your grass we can fix that and we will still be further ahead. Also the engineers have put in stakes down there showing our property lines and members of the Boat Club have ripped them out.

Lester Potteinger stated that they are having it resurveyed and they are having steel pins put in.

Vice President Roberts stated that this is the best thing that has come to Marietta and LCSWMA is putting a lot of money into it and a lot more people are coming into town and bringing business to the town.

Mayor Vegso stated that we now have the Robo call system in place and if you are not signed up please go out to our website and put in your phone numbers and your email address. It is a good communication tool.

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

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick  
Secretary/Treasurer