

**Marietta Borough Council**  
**Minutes of Meeting held November 12, 2019**  
**113 East Market Street, Marietta, PA**

President Mazis with Council members Marsh, Dalzell, Shambaugh, States, McKinney, Mayor Kulman and Solicitor Harter 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 Angelo. The meeting opened with a moment of silence followed by the pledge of allegiance.

**PUBLIC COMMENT**

Mary Jo Hughes – 701 East Market Street – Presented to council that her car was hit again on East Market Street. When is this going to stop? The gentlemen that hit her car had a blood level of 1.06 and came from a local establishment. She doesn't know what more to do. She asked, "Who is going to buy her house when people find out that her car keeps getting hit when parked out front." Between the speeders and the drunk drivers something needs to be done. This has been going on since the road has been repaved. Drivers are saying that their cars are being pulled towards her house. She needs to have her sidewalk in compliance but, is the road in compliance she wanted to know.

Scott Noden – 688 East Market Street – He has been noticing these accidents for some time now. We need to come up with money to fix the road. We need a special detail out there. Have the police sit in this block. The word will get out that Marietta Borough is not messing around.

Jim Sargen – 644 East Market Street – Jim presented information to council on the data collected by the radar sign. The radar sign is in his block. He's been sitting on the front porch and been looking at the speed sign when cars go by. He acquired some of the data that the radar sign picked up previously. The radar shows that majority of the cars are going 21 to 25 mph and then some going 26 to 30 mph. Jim said, "On the basis of this data you could make an argument that we don't have a speeding problem in Marietta. Looking at the fourth chart this will tell you something differently. The things that you need to pay attention to, is the vehicles that are going over 70 mph. This is indicative of drunk drivers speeding through town. Also, we need to look at the internal clock. It looks like the time is off, because it doesn't match the time of high traffic correctly, because the men did not set this up at 6:00 pm. So we need to do a better job. Currently there are two bills that are being introduced that would allow municipal law to use radar guns." He supplied a list of House Transportation Committee to send a Resolution to show the Borough is in favor of the Bill 607. Jim continued, "Passing this bill will then cost the Borough money to purchase the speed guns, but would be worth it. We would need to post signs within 500 feet of the municipal boundary that we use radar to enforce speeding. I don't understand why I have to come here and tell you this, why don't you already know this.

Joan Brill – 1408 Trout Run Road, Mount Joy – She is here to voice her concerns with the Pioneer Fire Company. She read from a letter that expressed her dad's, Jack Rice's concerns: "They have no morals, no values. The fire company has expelled six members over the last few months. They gave equipment away. Was anything done to the driver that ran over a little girl during the Halloween parade in Columbia. When there is extra money at the end of the year instead of being applied to a new truck it was spent on remodeling the kitchen. Volunteers are at an all-time low and it is worst here. Firemen are showing up under the influence and no one is disciplining them. The Borough needs to have an investigation into the funds. This is Borough tax money and the Borough should know how the money is being spent. There are things defiantly wrong in the running of the Fire Company and these things need to be looked into."

Kathy Kissinger – East Market Street – She is here in support of her fellow neighbors that have had their cars damaged. Her car has been damaged on East Market Street. Anything that the Borough can do to help will be appreciated.

James Sargen – 644 E. Market Street – Asked Council who is familiar with Act 167. Glen did a lot of work to get the money for the flapper valves. There are a lot of things that we can do in Marietta to slow down these floods. Act 167 will allow you to form run off authorities with neighboring municipalities. We are not going anywhere. Whatever East Donegal is doing will infringe on the Borough. Some of their swells on the other side of Rt. 441 dump into our storm drains and we have no say in it. He is encouraging everyone to formularize themselves with Act. 167.

President Mazis stated that we have been working with East Donegal more and we are making progress. The run off authority would be a good idea. We have improved getting much more accounting from the Fire Company and are sharing it in different ways.

Tom Arnold – Zoning Officer – Addressed the public and Council that he has made great strides with the garage on East Market Street. The problem that has arisen is the District Justice has his hands tied. The most he can do is fine him. He spoke to the solicitor about doing an injunction and go through the common pleas court. I will cost us between \$1,500 and \$2,000 to go this way without guaranteed success. If it is found in our favor then we will get this money back. He wanted to let people know that we are not setting on our hands.

President Mazis closed public comment.

## **MINUTES FOR APPROVAL**

President Mazis asked for a motion to approve the October council meeting minutes. Council member Shambaugh made a motion to approve the October council minutes with a second by Council member Dalzell. Motion carries unanimously by voice vote. Council member Shambaugh made a motion to approve the November budget meeting minutes with a second by Council member Marsh. Motion carries unanimously by voice vote.

## **ANNOUNCEMENTS**

President Mazis stated that a public meeting on the C2P2 grant will be held on Monday, November 18, 2019 and will be held at the Community House at 6:30 PM. It will present alternatives to the public for input on improving our parks and green spaces.

## **REPORTS**

**Fire Police/EMA – Steve Bailey** – They had a total for October of 21 calls, 46 officers, and 99.5 duty hours. On trick or Treat night, Lt. Ernie Lehman took their vehicle and placed traffic cones in the center of Market Street the length of the town. This slowed the cars down while the kids were out. On Saturday, November 23 they will be blocking off North Waterford Avenue for the lighting of the community Christmas tree. Announced that Doug Hoey will be moving from the area and he will be losing another member. If anyone is interested in helping out it would be greatly appreciated. Mayor Kulman stated that he commends these gentlemen for their service. They are out day and night and out in all kind of weather.

**Pioneer Fire Company – Bryan Smith** – They ran thirty (30) fire calls and eighteen (18) QRS calls for a total of forty-eight (48) calls for October. They did have an incident during the Halloween parade. The driver was taken for a drug test. Anytime an incident happens our drivers are taken

and given a drug and alcohol test.

**Pioneer Fire Company Financial Statement – Robert Shambaugh** – Council Shambaugh stated that the balance as of October 28, 2019 was \$21,781.26. Council member Shambaugh made the motion to accept the report as presented with a second by Council member McKinney. Motion carries unanimously by voice vote.

**Sewer –Freddy States** – Council member States report was dated October 2019. The sewer fund has a savings account balance of \$185,085.92 and a checking account balance of \$5,199.11. Council member States motioned to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

**Recycling –Freddy States** – Council member States reported that the Borough recycled 22,620 lbs. during October 2019. Council member States motioned to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

**Treasurer – Sharon Bradnick** - The General Fund Monthly Breakdown dated November 12, 2019. The total general fund accounts are \$973,596.04. Council member Dalzell motioned to approve the report as presented with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

**Secretary – Sharon Bradnick** – Everyone received their profit and loss statements for the month of October. At the end of October, we show that we have a negative income of \$39,041.60 for the month. January through October we show income in the amount of \$203,625.96. Bradnick will be doing a resolution to adjust some line items in the budget for grant money that was received and expensed for the year.

**Mayor’s Report - Harold Kulman** – Mayor Kulman stated that on October 15<sup>th</sup> he attended police commission meeting and on the 19<sup>th</sup> he went to a get together for the 200 years of service at the AME Church and read a proclamation acknowledging their years of service. On October 23 he went to the Marietta Business Association meeting and on the 24<sup>th</sup> he attended the monthly safety meeting. November 4<sup>th</sup> he attended a Flood Study Program at the Fire Company. They asked a lot of questions about flooding in order to gather information. They had a scheduled meeting with the police on November 6 and our budget meeting on November 7<sup>th</sup>. On November 10<sup>th</sup> he gave a short talk at the Veteran Memorial Service at the Marietta Community House. He has been very busy this month.

## **STANDING COMMITTEE REPORTS**

### **Administrative – President Mazis**

President Mazis stated the committee discussed and worked on the budget. We want to approve the inter-municipal agreement. We need a motion to advertise the budget and set the tax rate at 6.15 mills for general purpose and .75 for fire tax. Council member Dalzell made the motion to advertise the budget and set the tax rate with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

### **Planning/Zoning/Environmental – Bill Dalzell**

Council member Dalzell stated they started working on a 5-year plan. This is what we want the Borough to look at in 5 years. They are going to continue to work on this.

Council member Dalzell made a motion to adopt Ordinance 2019-04 to create a Shade Tree Commission with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

Council member Dalzell made a motion to adopt Ordinance 2019-05 this is to adopt the 2015 Edition of the International Property Maintenance Code with the minor changes with a second by Council member McKinney. Motion carries unanimously by voice vote. President Mazis stated that this will help us address blighted properties and use the Land Bank.

**Public Outreach – Louis McKinney**

Council member McKinney stated he did not have a committee meeting. He feels that we need to find a way to get the community involved in finding a solution to our problem with the 600 Block of East Market Street. He wants to speak with the tavern owners on serving people that are intoxicated. He is trying to find a solution to this speeding problem. President Mazis stated it was appropriate for the Outreach committee to give this message to the Borough's tavern owners and he hopes Councilman McKinney will do this.

Council member McKinney presented the event application for the hanging of the Christmas Lights and taking them down in January. McKinney made the motion to accept the application with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Council member McKinney presented the event application for Jim Flowers to use the Council Chamber during the Candlelight Tour. He did not sign the waiver or supply the insurance. We looked into other areas that he may possibly be able to go. This application was denied.

**Public Safety – Robert Shambaugh**

Council member Shambaugh stated they had a meeting and had a lengthy discussion on the accident and speeding on East Market Street. They come to the conclusion that they need more police presence. There is nothing that Borough Council can do to stop drunk driving. It is just unfortunate that this happened again to Mary Jo. We are going to continue to check the speed sign to see when the problem times are for speeding from the speed machine. Council member Dalzell stated that there are three (3) problems with East Market Street, speeding, but it shows that most people are traveling 21 to 35 mph. There are infrastructure solutions that can bring those speeds down. There is no infrastructure solution to bring drunk drivers down. The only thing would be is more enforcement. They also discussed changing the trail from S. Porter and Hazel to Decatur St to W Market St. This will be looked into. They also stated that if they hold the Halloween event at the Union Meeting House next year that they will need an event permit. Council member Dalzell asked "what is the definition on when you would need to apply for an event permit". Solicitor Harter stated that it is grey but if you have a significant impact on the public thoroughfares or sidewalks or impact traffic, then you need to get an event permit.

Council member Shambaugh made a motion to adopt the Intergovernmental Cooperation Police Agreement with a second by Council member Dalzell. A roll call vote was taken.

Dalzell – aye	McKinney – aye	Marsh – aye
Shambaugh – aye	Mazis – aye	States – aye

Motion carries unanimously.

**Public Works – Freddy States**

Council member States stated they had no meeting tonight. He has been meeting with Glenn and Bill every Monday morning. They are working on the bridge on East Front Street. We are working on getting this fixed as soon as we can. This damage came from a leak from the water company valve that goes through the bridge. In the next year we need to look at fixing the foundation on the bridge but currently we have an emergency permit to fix the damage to the bridge. We will need to get another permit from DEP to do the foundation work. We should have the bridge open within the next week. We looked into having the leaves raked out to the road and have the leaves picked up, but the cost is not feasible. What we have in place currently is the best thing for the Borough. They have not ignored people on the 600 block of East Market. We have added the two crosswalks and put up the crosswalk signs. This seems to be helping to slow people down. We are also looking into painting the parking spaces and having the white paint come out a little further. This will help with the parking issues and hopefully allow people to slow down when they see the white paint. Officer Ney stated that if there is more lighting that might help. It seems to be dark in that block. You need to realize that when you are coming in off of Rt. 441 those people are traveling 55 mph and you get a 500 ft grace period from the first sign that would bring the speed down. That is mostly the whole 600 block to get them slowed down. Council will look into the lighting.

### **SPECIAL COMMITTEE REPORTS**

**JOINT SEWER AUTHORITY – Jeffery Marsh** – The force main project is finished and they did an excellent job. Things are progressing at the plant.

**NWRT Committee – Glen Mazis** – They had a meeting in October and there was an hour-long discussion on finding a way to get donations from people out of town that are using our trail. They spoke about putting up parking meters, but they would be too vulnerable. They are looking into forming a non-profit to collect the money. Someone would need to be responsible in collecting the money and people think that the parking meters would be vandalized. They are looking into different ways to collect donations. It would be nice if we could raise enough money to help maintain the trail, especially from out of town people using the trail.

**C2P2 Committee – Glen Mazis** – The reports are done and we have our last public meeting on Monday, November 18<sup>th</sup> at the community house for a presentation on the parks. Our parks need a lot of work and upgrades. We will have to choose from among options to go for more grants.

**G3 Grant – Glen Mazis** – We did submit for the change of location. We are waiting for the money to come in. Land Studies did the scope of the work and it came in \$10,000 for than we asked for, because doing Furnace Road and Donegal Place is a much larger area than a section of Front Street. We discussed committing \$10,000 from the fund balance during the budget meetings.

### **OLD BUSINESS**

No old business.

### **NEW BUSINESS**

Council member Dalzell made a motion to do a resolution for support of the Bill 607. He stated it should say the Marietta Borough is in support of the Senate Bill 607, the Borough has encountered numerous threats to the public safety and this would give us another tool in handling speeders within the Borough, seconded by Council member Marsh. Motion carries

unanimously by voice vote.

**PUBLIC COMMENT**

Carl Jones – West Market Street – He walks through town and all these leaves on sidewalks the homeowner is responsible if someone falls, who is responsible if someone fall on the trail. The leaves need to be cleaned up on sidewalks and quit worrying about the trail so much. President Mazis stated that there is an ordinance that requires homeowners to keep their sidewalks cleaned. The road crew has been cleaning leaves on the trail, but since it is in the midst of a forest, the leaves are falling right afterwards.

Bev Kreider – W. Walnut Street – She would like an update on the work that was being done on North Waterford Avenue which was called the gateway to Marietta. The work was being done between MRA and the borough. Are there any pieces left on this project. President Mazis stated that they ran into some funding shortage and asked for an extension to the project.

There being no further business to come before Council, on a motion by Council member Dalzell with a second by Council member McKinney the meeting adjourned at 9:22 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick  
Secretary/Treasurer