

**Marietta Borough Council**  
**Minutes of Meeting held November 14, 2017**  
**113 East Market Street, Marietta, PA**

President Hannold with Council members Kulman, Nagle, Sargen, Mazis, Snow, 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 Foreman. The meeting opened with a moment of silence followed by the pledge of allegiance.

**PUBLIC COMMENT**

Katie Walsh – Lancaster County Redevelopment Authority – Katie spoke on the stakeholders meeting for the trail head that was held on November 3<sup>rd</sup>. They had thirty (30) people in attendance. They had great participation from the Marietta community and Our Marietta committee volunteers. With the data they received and the data that they will be receiving from the surveys from Our Marietta project, they hopefully will be able to come up with a plan keep the ball rolling.

Sharon Renninger – 122 West Front Street – Since she has not been on council she would like to thank council for their support for the Our Marietta committee project. This project started in June 2016 and she thanked the consultants and the volunteers that were committed to this project. On December 10<sup>th</sup> at 3:00 PM at the Pioneer Fire Company a meeting will be held to share the findings of the surveys that were done by the committee and the public is invited. The results should be a great planning tool for the future development of the community.

Glenn Orr – 45 W. Fairview Avenue – He thanked the council members that are going off council for serving.

President Hannold closed the public comment session.

**MINUTES FOR APPROVAL**

President Hannold stated the minutes of the Regular Council Meeting held October 10, 2017 were presented. Council member Nagle made the motion with a second by Council member Mazis to approve the minutes. Motion carries unanimously by voice vote.

President Hannold stated the minutes of the Budget Meeting held on November 2, 2017 were presented. Council member Nagle made the motion with a second by Council member Mazis to approve the minutes. Motion carries unanimously by voice vote.

**ANNOUNCEMENTS**

Mayor Vegso presented a proclamation for the Musselman/Vesta Restoration Project to Margaret Landis, Lenny Droege and Dave Haneman for their involvement in this project and extraordinary work.

President Hannold stated that there will be one, four (4) year seat that will be expiring at the end of the year on the Planning Commission if anyone is interested to submit a letter of interest. Also, every year the opening on the "Vacancy Board" seat is appointed yearly, if anyone is interested.

**REPORTS**

**Fire Police/EMA – Steve Bailey** – For the month of October they ran a total of nineteen (19) calls, fifty-nine (59) officers for a total of one-hundred, nine (109) hours on duty.

They had a stand set up and handed out glow sticks and candy trick or treat night. There was a police officer assigned to Marietta that evening and it worked out well. Everything is set up for Santa Claus's

arrival. The EMS vehicle has been serviced.

**Pioneer Fire Company – Brandon Smith** – For the month of October they ran thirteen (13) fire calls and thirteen (13) QRS calls for a total of twenty-six (26) calls. They had a total of one-hundred, thirty-seven (137) hours on calls and training.

**Sewer – Marcus Snow** – Report dated October, 2017. The sewer fund has a savings account balance of \$181,191.88 and a checking account balance of \$11,295.81. Council member Snow made a motion to accept the report as presented with a second by Council member Mazis. Motion carries unanimously by voice vote.

**Recycling – Marcus Snow** – Report that the Borough recycled 30,260 lbs. during October 2017. Council member Snow made a motion to accept the report as presented with a second by Council member Nagle. Motion carries unanimously by voice vote.

**Treasurer – Sharon Bradnick** - The General Fund Monthly Breakdown dated November 14, 2017. The total general fund accounts are \$800,127.36. Council member Snow made the motion to approve the report as presented with a second by Council member Mazis. Motion carries unanimously by voice vote.

**Secretary – Sharon Bradnick** – Reported that this Friday we will be holding our next NFWF Grant meeting at 7:30 AM in the Borough office.

**Mayor's - Mayor Ray Vegso** – We had Veterans Day and we need to thank all the Veterans for serving. They had a nice ceremony at the Community House for the occasion. In regards to the police the minutes are in the back. A hand gun was stolen from a resident from Conoy and was returned to the owner after it was found in Chicago. Our police participated with an investigation with a bank card scam that a Marietta resident was a victim. The perpetrator scammed 9 victims out of money and several charges have been filed. The police budget is set and there was an eight percent increase but only a four percent increase to the municipalities the other four percent came from reserved funds.

## **STANDING COMMITTEE REPORTS**

### **Administrative – President Bridey Hannold**

President Hannold stated that we need a motion to un-commit \$2,796.00 for the codification project. Council member Nagle made the motion with a second by Council member Snow. Motion carries unanimously by voice vote.

President Hannold presented her report which shows the zoning policy and the office policy and it can be voted on next month. The personnel policy it shows a couple of amendments one being the 15 years to 12 years and on the second page showing the benefits. Nothing has changed but if you offer benefits they have to be in the policy. These are vision, dental, short term and long term disability. They were never in the personnel policy and needs to be put in. On page three it is the longevity amount and the longevity was never in the policy. We were told these amounts were based from the police department's policy, if we are going with the police policy the numbers should reflect this.

Council member Mazis stated that this was not discussed in committee and needs to go back to committee first.

President Hannold presented the fee schedule for 2018. The items that did not have fees established are highlighted in yellow and these are things we would be reviewing and will need to be passed at the end of the year.

### **Planning/Zoning/Environmental – Council member Glen Mazis**

Council member Mazis gave a brief summary on the meeting with Chris Brown in which there was a walking tour of the Borough. Brown suggested utilizing spaces as pocket parks, like in front of the old movie theater, putting up more historic plaques around the Borough, using Conservatorship program to deal with blighted properties, changing parking requirements in commercial areas and other ideas. The planning committee will be looking into these. The planning commission will be working on the parking ordinance and tweaking the zoning ordinance in the coming months.

His first motion is to waive the review process for the Burma Road Land Development Plan which is all in East Donegal Township with a second by Council member Sargen. Motion carries unanimously by voice vote.

Council member Mazis made a motion to grant a sixty (60) day extension to the approved Old Town Hall/Union Meeting House Land Development Plan with a second by Council member Nagle. Motion carries unanimously by voice vote.

Council member Mazis made a motion to grant Riverbend Development the two waivers, one for the pipe size and the second for the limiting zone separation which both were reviewed by our engineer and advised that they are more than adequate, seconded by Council member Snow. Motion carries unanimously by voice vote.

Council member Mazis made a motion to approve the Riverbend Development Stormwater Plan conditioned on all the comments being addressed and all required Marietta Borough permits being obtained with a second by Council member Sargen. Motion carries unanimously by voice vote.

Council member Mazis made a motion to un-commit \$20,000 for the MS4 permit with a second by Council member Nagle. Motion carries unanimously by voice vote.

Council member Mazis stated that there are a lot of positive things happening with the NFWF grant. We are going to get a lot of our MS4 work done also beside stormwater management.

#### **Public Outreach – Council member Leah Nagle**

Council member Nagle stated that we have successfully been using face book and she just posted our newsletter to it.

#### **Public Safety – Council member Harold Kulman**

Council member Kulman stated that we are still involved with the safety on Route 441 and engaged with a consultant with the county and she states we should be looking for a traffic safety engineer to go over the intersections and the hill. There is a radar sign on Chickies Hill and we also have one on Furnace Road to calibrate how many cars are turning onto Furnace Road. They have another meeting scheduled. The traffic engineer would cost between \$20,000- \$30,000. The information that is gathered can then be taken to PennDot.

#### **Public Works – Council member Steve Foreman**

Council member Foreman was absent from the meeting and President Hannold presented council with a certified playground safety inspector course to have Bill take which costs \$700. Council member Nagle made the motion to send Bill to the certified playground safety course with a second by Council member Sargen. Motion carries unanimously by voice vote.

Council member Snow made a motion to un-commit \$43,224.90 for the alley project with a second by Council member Nagle. Motion carries unanimously by voice vote.

## **SPECIAL COMMITTEE REPORTS**

### **Marietta Placemaking Committee – James Sargen**

Council member Sargen made a motion to un-commit \$10,000 for the place-making grant match with a second by Council member Nagle. Motion carries unanimously by voice vote.

### **NWRT Committee – Council member Glen Mazis**

Nothing at this time.

## **OLD BUSINESS**

President Hannold asked for a motion to advertise Ordinance 2017-06 adopting the Fire Tax. Council member Snow made the motion to advertise Ordinance 2017-06 adopting the Fire Tax with a second by Council member Kulman. There was a long discussion on the Fire Tax and the Memorandum of Understanding (MOU) between the Borough and the fire company. Council member Mazis stated that he has a problem with the Memorandum of Understanding and feels these two documents go hand in hand and the Memorandum of Understanding should go back to the committee. Council member Kulman stated that they discussed this in three separate meetings and every time it has changed because too many fingers have gotten in the pot. Council member Mazis stated he agreed to the Fire Tax because of the MOU, and the MOU has changed and he doesn't know what ground that he is on right now. He's looking at the comments that our solicitor supplied and feels that things in the MOU didn't need to be changed. After continued discussion on the MOU, the solicitor's comments and going over the changes that were made to the MOU, Council member Snow made a motion to table the motion to advertise the 2017-06 Ordinance with a second by Council member Nagle. Motion carries unanimously by voice vote.

Council member Nagle made a motion to have the MOU taken back to its original status with the change to section 1-b to have a second fund for a truck with a second by Council member Sargen. Motion carries unanimously by voice vote.

Council member Snow un-tabled the motion to advertise the Ordinance 2017-06 adopting the Fire tax with a second by Council member Nagle. Motion carries unanimously by voice vote. Now the motion is on the table to advertise Ordinance 2017-06 adopting the Fire Tax. Motion carries by voice vote with a 5 to 1 vote the nay from Council member Sargen.

Council member Sargen stated that he does not agree on the way the Fire Tax is structured. They were given a document that the Borough would have a saving on their health insurance and some of this money \$5,100 dollars was put in the fire tax. He brought to everyone's attention that the fire hydrant rental fees may increase and he wanted to have the borough reserve that money in the borough's budget to offset the fire hydrant increase and he feels that the borough will be starting in 2018 with a deficit.

Council member Mazis made a motion to establish the "neutral" tax millage rate for 2018 at 5.37 mils with a second by Council member Kulman. Motion carries unanimously by voice vote.

Council member Nagle made a motion to establish the fire tax millage rate for 2018 at .75 mils with a second by Council member Snow. Motion carries unanimously by voice vote.

Council member Nagle made a motion to establish the millage rate for 2018 for general Borough purposes at 5.15 mils with a second by Council member Kulman. Motion carries unanimously by voice vote.

Council member Snow made a motion to advertise fixing the tax rate for 2018 at 5.9 mils with a second by Council member Kulman. Motion carries unanimously by voice vote.

Mayor Vegso stated that it should be noted in the minutes that the tax rate combined is going up 9.8%.

Council member Nagle made a motion to advertise the 2018 budget with a second by Council member Mazis. Motion carries unanimously by voice vote.

Mayor Vegso asked that the new council members that are coming on board that council have enough in the budget to send them to training sessions. President Hannold stated that we do budget for training and there is \$650 in the budget to allow for training for the new members.

Mayor Vegso asked if this council is going to do anything with the potholes on Furnace Road. President Hannold stated we keep patching the potholes and public works is going to mill out some sections. Everyone needs to realize that until the road is reconstructed the potholes will open back up.

President Hannold stated that we are going to invite the new council members to our December meeting so if they have any questions they can ask this council and we will hand out the new member packets.

## **NEW BUSINESS**

President Hannold presented Ordinance 2017-07 amending Chapter 270 adding the categories for equivalent dwelling units back into the Borough code. It was listed for them to be set by resolution during the codification, but Mike Davis said they should be in the ordinance. Nothing has changed. Council member Kulman made the motion to advertise Ordinance 2017-07 amending Chapter 270 establishing the basis of equivalent dwelling units with a second by Council member Snow. Motion carries unanimously by voice vote.

President Hannold presented Resolution 15-2017 prohibiting the location of a Category 4 Licensed Facility within the Borough. Council member Mazis made the motion to accept Resolution 15-2017 with a second by Council member Snow. Motion carries unanimously by voice vote.

Mayor Vegso stated that we need a new solicitor and we need to do this in a careful way and we should advertise it and get several people to apply. President Hannold stated that we will advertise for a new solicitor and set up a meeting with them to interview each one.

Council member Kulman would like to check if we have budget a donation for the library and also Northwest Emergency management asked for \$2500. President Hannold stated that we have in the budget to give \$2,000 to the library. The Northwest EMS was referred back to committee months ago and that is not in the budget. These things need to be looked at months in advance and decided on.

Council member Nagle stated that since we have new people coming in that everyone should go in and clean up their emails. President Hannold stated that she would like Sharon to look into what the cost would be to shut down the emails and set up new emails for the new council members and make sure the old information can be transferred. Sharon will check with other municipalities on how this is handled.

Council member Mazis stated that he has two motions that Bill Laudien stated that should be formalized and council can ponder them or pass them. The first motion "Neither the president of the Marietta Borough Council nor any of its members may call the Borough attorney unless the issue has been raised in a prior Borough Council meeting and the Council has decided that legal advice should be pursued. Then, either the Committee chair who is investigating the pertinent issue or the President of the Council will agree with the Council to consult the attorney. If there is an issue that emerges that is threatening to the health and safety of the citizens of the Borough, then the president of the Council may consult the

attorney immediately, but will inform the council of having done this by email and will briefly describe the topic. The Chief Executive Officer of the Borough and his or her staff may consult the Borough attorney, if the carrying out of their duties requires such consultation, but will also email the Council alerting them to the consultation."

Mayor Vegso stated that the state code makes it clear that every elected council member can contact the solicitor any time for any reason.

President Hannold stated that Mike Davis had a policy in place at his office and maybe we want to discuss this in committee.

Council member Mazis stated the second motion is that "Members of the Council and its President when going through Borough records to access documents will inform all the members of the Council by email of this action and briefly describe the purpose for doing so." It's courtesy to let other council members know what you're looking for because maybe he or others would like to know also. When a person comes in off the street there is a record of this and we shouldn't be above the law. President Hannold stated that we will review this legally.

Council member Snow resigned from Borough Council due to taking a new job and his job does not allow for him to serve on Borough Council. Council member Mazis made a motion to accept his resignation from Council with a second by Council member Kulman. Motion carries unanimously by voice vote.

**PUBLIC COMMENT**

No public comments.

President Hannold closed the public comment session.

There being no further business to come before Council, on a motion by Council member Kulman with a second by Council member Nagle the meeting adjourned at 9:07 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick  
Secretary/Treasurer