

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

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

**PUBLIC COMMENT**

Judith Kennedy – 264 W. Front St. – Was here to file a formal complaint against the residents of 243 W. Market Street. They have a pit bull dog that is not staying within the confines of their home and property. Their backyard is unfenced and the dog was not on a leash. She called the police and reported it, but wanted to bring it to council's attention and have it on record.

Ann Smedley – President of Lions Club – as a representative of “Our Marietta,” she gave a report on Marietta Lions Club events; one being the Easter Egg Hunt on April 20<sup>th</sup>. Also, she urged the public to go out to “Our Marietta” website for a list of events within the Borough. She thanked Bron’s Deli and Miriam Fletcher for their donations; they would not be able to do what they do without them. Marietta Lions Club meets the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of every month at 6:30 pm at the Pioneer Fire Company.

Linda Ross – Fairview Avenue – She went door to door on East Market Street from Bank Street to Route 441 and put letters in their mailboxes about the availability of free trees to be planted. She contacted the administrator of the tree program and because we did not have any applications come in for any trees for spring, we will need to wait until fall to submit.

President Mazis closed public comment.

**MINUTES FOR APPROVAL**

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

**ANNOUNCEMENTS**

President Mazis stated there are no public concerns from last month. The County has its Litigation Plan from FEMA; look at that handout as it is interesting and allows that we have 5 years to implement its program. Marietta Summer Recreation Program is from June 17<sup>th</sup> to July 26<sup>th</sup>. It is free for Marietta residents. On April 23<sup>rd</sup> at 7:00 pm at the Pioneer Fire Company, we will have a public presentation on our park plan as a result of our planning grant and also a presentation on the grant for green infrastructure which will present ideas for both Front Street and Furnace Road upgrades. On February 14<sup>th</sup> we had a meeting with DCNR and LandStudies to explore grant possibilities to implement a more coordinated approach to upgrading parks, renovating streets, developing the downtown, mitigating floods as a united plan for Marietta.

**REPORTS**

**Fire Police/EMA – Steve Bailey** – For February they ran thirteen (13) calls, twenty-six (26) officers for a total of sixty-eight and a half (68.5) hours on duty. He was busy last month on emergency

management with the weather. The ice watch is over for this year. He posted weather updates by emails and kept elected officials and emergency services aware.

**Pioneer Fire Company – Bryan Smith** – For February they ran twelve (12) QRS calls and fifteen (15) fire calls for a total of twenty-seven (27) calls.

**Pioneer Fire Company Financial Statement – Robert Shambaugh** – Report dated February 25, 2019. The fire company had a balance of \$3,787.62. Council member Shambaugh made the motion to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

**Sewer –Freddy States** – Report dated February 2019. The sewer fund has a savings account balance of \$214,623.34 and a checking account balance of \$11,935.93. 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** – Reported that the Borough recycled 14,560 lbs. during February 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 March 12, 2019. The total general fund accounts are \$707,923.10. Council member Shambaugh motioned to approve the report as presented with a second by Council member States. Motion carries unanimously by voice vote.

**Secretary – Sharon Bradnick** – Everyone received their profit and loss statements for the month of February. At the end of February, we show that we have an income of \$14,066.96 for the month. January through February we show a loss of income in the amount of \$22,403.12. We will be putting out letters for donations for the Marietta Summer Program. We have a small amount of money in the Northwest River trail checking account and council needs to decide if you want to keep that account open and budget to place money in it for maintaining the trail or if we want to close that account. This can be discussed in the administrative committee meeting. The next meeting for the Northwest EMS will be May 8<sup>th</sup> at 6:30 pm to be held at East Donegal Township. They are still looking at different ways to come up with some ideas on how to raise money. Northwest went through some scenarios on how they are saving money but it is not enough and they are reaching out to the municipalities that they serve to come up with some other ideas and commitments. The Milanof Schock library reached out to the borough asking if we would provide them a letter of support for a Keystone grant to fix their roof. Also, she received a letter from PP&L that has a tree program that is for municipalities and 4<sup>th</sup> graders.

**Mayor's Report - Harold Kulman** – Mayor Kulman read a proclamation making April 2019, Safe Digging month through 811. Please call 811 before you dig (at least three days before). The three parties are working on the agreement with the police merger agreement and hopefully at the April meeting, things will be completed. The Mayor presented a municipal class on Oversight of our Police that he would like to attend and asked if the council would cover the cost. Council member Marsh made the motion to send the Mayor to the class and pay for it with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

## **STANDING COMMITTEE REPORTS**

**Administrative – President Mazis**

President Mazis stated that Tom Brill came to the Administrative meeting and introduced himself as the new president of the Pioneer Fire Company. We had a lengthy conversation on his intentions of working with the Borough on the way the company is run. He also asked for a copy of the Memorandum of Understanding. There is a change in the meeting date and time for the Administrative meeting which will be the third Thursday of the month at 6:30 pm. The Annual PSAB Conference will be June 9-12 and Mazis asked if anyone would be willing to attend. Council member Dalzell, States and President Mazis said that they would look at the schedule to see when they could attend and work it out amongst themselves.

President Mazis presented Resolution 11-2019 for the liquor Control Board Noise Control. Council member Dalzell made a motion to adopt this resolution with a second by Council member Marsh. Motion carries unanimously by voice vote.

President Mazis presented Resolution 12-2019 to go for the Flood Mitigation Grant from DCED. Council member Dalzell made a motion to adopt Resolution 12-2019 with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

President Mazis presented Resolution 13-2109 which is the second phase for the (G3) Chesapeake Bay Trust grant for the engineering design in the amount of \$30,000 for the Green Streets, Green Jobs, and Green Towns. Council member Dalzell made the motion to adopt Resolution 13-2109 with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

## **EXECUTIVE SESSION**

Executive session for personnel matters.  
Entered session at 8:02 pm.  
Reconvened the meeting at 8:36 pm.

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

Council member Dalzell stated that he was out of town but was at the meeting by Skype. They heard a report from Linda Ross. President Mazis stated that at the Planning Commission meeting they spoke about the 421 W. Market Street property and presented plan's that allows them to move forward more quickly by having mixed housing of both apartments and townhouses. Justin Eby with the Redevelopment Authority gave a presentation on the International Property Maintenance Code at the Planning Commission and would like to work with Marietta to get this set up but it would require a MOU for the implementation period. The zoning officer is looking over the Borough Code to assess whether it is sufficient for the Borough's needs or whether the Universal Code would be better. This will be presented at the meeting that we are going to have March 28<sup>th</sup> at 5:30 PM. Last month we submitted a grant in with Lancaster Bicycle Club to have a repair station for the trail, and we received a grant in the amount of \$760.

## **Public Outreach – Louis McKinney not present**

Council member Dalzell stated that Louis is looking at getting events into an advertising pamphlet and was reaching out to the publisher to get more information. Council member Dalzell also recommended that we put in a basketball court. Bradnick stated that we have one at War Memorial Park. Council member Dalzell went to the Donegal Hub meeting and it was a working meeting to develop their leadership. If anyone has time or resources to contribute to homelessness in our area they should reach out to the Donegal Hub.

Sharon Bradnick presented the event application for the Lions Club Easter Egg Hunt, the paperwork is all in order and they have their insurance certificate. Council member Dalzell made a motion to accept the application for the Lions Club Easter Egg Hunt with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

Sharon Bradnick presented the event application for the Riverlands Trail Festival which was previously named the National Trail Day for June 1<sup>st</sup> this application is submitted to Hope Byers at Columbia Crossing. They would be using the Musselman Vesta Building. No insurance has been submitted. Council member Dalzell made a motion to accept the Riverlands Trail Festival event application pending them submitting insurance with a second by Council member States. Motion carries unanimously by voice vote.

Sharon Bradnick presented the event application for the Marietta Fireworks at War Memorial Park for July 5<sup>th</sup> to July 7<sup>th</sup>. All the paperwork is in order with insurance. Council member Marsh made a motion to accept the Marietta Fireworks with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Sharon Bradnick presented the event application for the DBSA Baseball Practice at the War Memorial Park on the Legion Field. Council member Dalzell made a motion to accept the DBSA Baseball Practice for the larger baseball field from March 13 to June 15 with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

### **Public Safety – Robert Shambaugh**

Council member Shambaugh stated they reviewed safety issues. Bailey brought up there is a vent pipe in the sidewalk at Shank's and they are going to take care of that. They are still looking at the dark areas in the Borough. Once they have a list they will reach out to PP&L to see if we can add some more lighting. Bradnick let council know that she went out and drove all the streets at night to see where there would be possible problems. She found that there are street lights at every street corner, also in the middle of the street at alleys. Down on Front Street by the Railroad House was dark but it was not because there is not a street light because there is one there, but because the trees are overgrown and blocking the lighting. People need to have their trees trim. When Leah was on council they looked into replacing the light bulbs with LED lights but this would cost the Borough more money in electric and we would have problems with the May Flies, and no one wants that. States suggested that at some point we might look into lower, historical-looking light-posts. Shambaugh turned this over to the street committee to possibly work on bringing more lighting when we do the green streets grant. Council member Shambaugh stated that we are still waiting for the complete report for the traffic study. The cheapest option is do nothing. The next cheapest alternative is to have no left turns at Hazel and Furnace Road and Route 441. When the complete report is in then we can decide. We will then need to reach out to East Donegal and West Hempfield.

### **Public Works – Freddy States**

Council member States stated we have some repair work to do before they come in to oil, chip and fog coat on Pajill and Essex. There is a low area that they want to take care of and at the same time take care of a repair in West Hazel and possibly get the Decatur Street trailhead road paved. They are going to try to work with East Donegal to use their paver. They looked at three crosswalks and are ready to order the three signs. They had Eastern Mobile Wash come in and give us an estimate to clean the front of the Borough building. It came in at \$2600. They are getting another estimate. We had Gemmill come in to give us an estimate to paint parking lines on all of Market Street and the estimate came in at \$12,414. We are going to obtain other

estimates.

### **SPECIAL COMMITTEE REPORTS**

**JOINT SEWER AUTHORITY – Jeffery Marsh** – They hired another operator for the sewer plant and she already started.

**NWRT Committee – Glen Mazis** – Nothing new to report at this time.

**C2P2 Committee – Glen Mazis** – Nothing new to report at this time.

### **OLD BUSINESS**

Solicitor Harter spoke in regards to sidewalk enforcement. The draft that everyone has comes from the zoning officer and the solicitor. The policy is something that can allow for uniform enforcement of the sidewalks. This procedure will allow the homeowners to have a year to put their sidewalks in and if needed will allow the homeowners to come in and propose for them to have two extra years to have their sidewalks put in. If the engineer says you're out of compliance, you are out of compliance. This allows for extra time to have the sidewalks installed, if there is a hardship. President Mazis stated he doesn't agree totally on this that there is no way to judge whether a sidewalk is hazardous by a professional inspector, but gives up arguing with the strict standards being applied whether hazardous or not. The committee could have some discretion in granting the time allotment given the degree of hazard. Council member Dalzell made a motion to adopt the sidewalk policy with a second by Council member Shambaugh. President Mazis asked for a roll call vote.

Dalzell – aye

Shambaugh – aye

Marsh – aye

Mazis – aye

States – aye

Motion carries.

### **NEW BUSINESS**

President Mazis stated that we received notice from the Lancaster County Planning on the property that we entered in the Blight property program at 116 E. Front Street. It is recommending the certification of this property as blighted. We would need to vote that way also. Council member Dalzell made a motion that we adopt the proposal of the Lancaster County Redevelopment Authority that we declare the property at 116 E. Front Street blighted, with a second by Council member Marsh. Motion carries unanimously by voice vote.

### **PUBLIC COMMENT**

Jack Rice – 624 W. Market Street – Everyone talked about sidewalk procedures. How about taking the telephone poles out the middle of the sidewalk. Sharon spoke that moving forward as we do streets, sidewalks need to be brought into compliance and we will look into having the poles moved. If they cannot be moved, then the sidewalk will need to be taken around the pole.

Linda Ross – Fairview Avenue – She would like some clarification. If someone complains about sidewalks then nothing will be done until the road is updated. Are you speaking about complaints or when a road is updated? She walks around Marietta all the time and the sidewalks are so bad that there are some areas you can't walk at all. It was explained by

Bradnick that taking two years to put your sidewalks in is just for when a road is updated.

Rae Ann Schatz – 24 Fairview Avenue – When the people come in for an extension is things going to be investigated? The solicitor stated that the application for the extension will have questions on the form asking what the hardship is such that they can't have their sidewalks put in. You also talked about putting on left turn in at Hazel and possibly having traffic would be backed up, why they don't adjust the timing on the red light at Rt. 441 and Rt. 23 so it does not allow for traffic backup.

President Mazis closed the public comment session.

There being no further business to come before Council, on a motion by Council member Marsh with a second by Council member Dalzell the meeting adjourned at 9:39 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick  
Secretary/Treasurer