

**Marietta Borough Council
Minutes of Meeting held August 11, 2020
113 East Market Street, Marietta, PA**

President Mazis with Council members Marsh, Carroll-Baltozer, States, Dalzell, Hudson, McKinney and Mayor Kulman and Solicitor Harter present by zoom meeting under Covid-19 limitations, 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.

PUBLIC COMMENT

There was no public comment.

MINUTES FOR APPROVAL

President Mazis asked for a motion to approve the July 14th minutes. Council member Dalzell made a motion to accept the July 14th minutes with a second by Council member Hudson. Motion carries unanimously by voice vote.

ANNOUNCEMENTS

President Mazis stated Farhat started to put the flapper valves on. They are still missing three of them and they hope they will arrive before they get the rest of them installed. He thanked all the borough essential workers for their efforts during COVID-19, and to remind everyone that we still need to social distance and wear face masks. He also wanted to touch base on the ordinance for the parking spaces which has been implemented for two main reasons; 1) For two years people have asked that we do some traffic calming on Market Street and one of only things that is cost effective is to place parking lines that extend into the cartway, which has been proved to create traffic calming. 2) The other problem in town is a shortage of parking spaces and by parking more efficiently; we are getting much more parking spaces on Market Street. We are still under the emergency declaration until September 4th. The governor may or may not extend it. Last time he waited until the day before it expired to extend it.

REPORTS

Fire Police/EMA – Steve Bailey – Was not present to give his report. Secretary Bradnick gave the report for Steve. They had a total for July of 10 calls, 26 officers, and 79.5 duty hours. The truck was cleaned and sanitized. All officers have been instructed in protocols for the virus. Gloves, masks and a thermometer are on the front seat of the vehicle and all officers have been instructed to use them.

Pioneer Fire Company – Brandon Smith – They ran fourteen (14) fire calls and fourteen (14) QRS calls for a total of twenty-eight (28) calls for July. They applied for the COVID-19 relief grant. They started the audit in June and still working on that. President Mazis asked how the COVID has affected the fire company. Brandon stated it effects on how we handle the way we go on calls with more complicated procedures to ensure safety from the virus. The fund raisers are down. They put a plan in place where we were only responding to certain medical calls. Now they are back on all medical calls and have given out 10-95's. The main thing is that no one from the public is allowed to enter the firehouse.

Pioneer Fire Company Financial Statement – Jeffery Marsh – Council June stated that the balance as of June 30, 2020 was \$20,099.44. Council member States made the motion to

accept the report as presented with a second by Council member Hudson. Motion carries unanimously by voice vote. Brandon Smith stated that the reason the report was different this month is because the auditor suggested that they do the report from month to month, instead of meeting to meeting it makes it a lot easier to keep the accounts straight.

Sewer –Freddy States – Council member States report was dated July 2020. The sewer fund has a savings account balance of \$304,520.38 and a checking account balance of \$1,078.78. Council member States motioned to accept the report as presented with a second by Council member Hudson. Motion carries unanimously by voice vote.

Recycling –Freddy States – No report submitted.

Treasurer – Sharon Bradnick - The General Fund Monthly Breakdown dated August 11, 2020. The total general fund accounts are \$1,238,260.63. Council member States motioned to approve the report as presented with a second by Council member Hudson. Motion carries unanimously by voice vote.

Secretary – Sharon Bradnick – Everyone received their profit and loss statements for the month of July. At the end of July, we show that we have an income of \$27,994.57 for the month. January through July we have an income of \$333,551.99. On May 15th BB&T took out a payment on the principal loan of \$47,842.75. We budgeted \$60,000 to be paid on that loan this year, so on August 3rd an additional payment was made on the loan in the amount of \$12,157.25. The balance on the loan is \$96,688.55. President Mazis asked if we are currently at the normal level of revenue during the COVID-19 crisis. Bradnick stated that we have around \$36,000 of tax revenue to come in yet. We are down in the budget around \$222,000. The budget is at 84.3%. We have 4 months to have revenue come in. Bradnick explained, however, that as a matter of practice she underestimates these revenues for the budget and we are not in bad shape. The Borough received the bicycle hitches and States, Bradnick, the road crew and Mazis will meet on Monday to see where we need to place them.

Zoning Report – Tom Arnold – Not present for report. Solicitor Harter stated that we investigated the 421 W. Market Street Project and it showed that they operated on a day to pour concrete without a permit to do it earlier than normally permissible. They were sent a warning notice, and we have not heard of any additional violations, but we are keeping an eye on them.

Mayor's Report - Harold Kulman – Mayor Kulman stated that the Regional Police are looking for a new chief. They have received a little over thirty local resumes. We hope to get around five or six people to interview. The police department pays their health insurance and if they don't spend it you receive a refund. This year they received \$170,000 back, which they already committed to a camera for each person in the department and for camera's in the cars. They are also getting new weapons, and will be selling the old ones. They also received back \$58,000 from the insurance company. They received \$80,000 towards expenses to help with the COVID-19. The Susquehanna Regional Police department does not want to authorize special exceptions for the noise ordinance. They think that this should be done by our zoning officer and invited council to their next meeting on September 1. The drug task force sent him a long report, and he will send this out to everyone to look at.

STANDING COMMITTEE REPORTS

Administrative – President Mazis

President Mazis stated the Administrative Committee discussed the sidewalk repairs on East

Market Street and decided how to handle the last few sidewalks that haven't been done, but most have been completed. In terms to the sewer authority sharing in paying utilities it was the committees decision that it was not worth disturbing the working relationship with the sewer authority and that we would just drop that.

Secretary Bradnick stated that our phone system needs replaced. They are outdated. We had to have someone come in and work on them. CenturyLink no longer services our phones. She worked out to Flagstream and they suggested that we contact Farlow Communications. I asked that Farlow give us a price in replacing our 4 phone line ports and our 6 standard digital phones. This cost would be \$3,632.

President Mazis stated that we will vote on this shortly, but we also have similar situation with the computers that they are outdated and we are looking at replacing these next year and work this into our next budget. There was an executive session on a personnel issue.

President Mazis made a motion to install the new Mitel MI Voice Office 250 phone system for \$3,632, with a second by council member States. Council member Dalzell asked if we shopped around. Secretary Bradnick that yes, she checked with Verizon, and CenturyLink. We wanted to go with a system like we have and Verizon and CenturyLink offered a digital phone that you pay a monthly bill for phones that go to IP based or cloud based. We didn't want our phones to be hacked and have to pay extra fees. Even more importantly, we didn't want the office to be unable to be reached if there was a blackout or the internet was down. President Mazis called the motion. Motion carries unanimously by voice vote.

President Mazis stated that when we passed the resolution 2020-19, it was agreed that we would discuss it every month if we had heard of any issues on serving alcohol on the restaurant's property with meals outside. There have not been any issues or complaints.

President Mazis stated that the Mayor vetoed the Quick Ticket Ordinance. The Mayor, in timely fashion, served a letter vetoing the Quick Ticket Ordinance to the Borough office. Council member Dalzell made a motion to pass the Quick Ticket Ordinance with a second by Council member States.

Mayor Kulman reiterated his previous objections. He feels if we are going to continue with this that the appeals committee needs to be very well versed in the ordinances. He objected to paying an additional fifty dollars for the appeal, but was answered by States that the funds for the appeal fee would be refunded if the appeal was won. After Kulman stated there would not be time to schedule a special meeting for an appeal, Solicitor Harter stated that there is no requirement in the ordinance to have separate individualized hearings for each person so it would be when an appeal is filed whenever the next public works committee meeting is available would be when the hearing would be heard. The solicitor would be available if needed at the hearings.

President Mazis stated that we worked for years to get the International Property Maintenance Code and joined the Land Bank. Along with the quick ticket program, both programs will allow us to finally address blighted properties. We have had people complaining for years that we have not been able to do anything with certain properties that were in violation. Mainly it prevents the people who don't comply from a long extended process of avoiding dealing with the problem. With this program, when we go to the District Justice and this takes that decision away from the judge about the offense. Now, it is based on whether the person paid the quick ticket or not. It actually takes the discretion away from the judge about the state of the property. Our zoning officer's procedure is going to be no different than normal if we didn't

have the quick ticket. He first tries to work with the person. He is going to use the same discretion. If the person doesn't agree with it they will fill an appeal to Freddy's committee and three council members will decide. This is a lot easier than going to court and less expensive for the Borough.

Council member Hudson stated that he had asked what other areas are doing, and is this measure in line with what other municipalities are doing. Solicitor Harter stated that other municipalities, such as Columbia is using this quick ticket program and it seems to be working. So it is not out of line.

Council member Dalzell thanked Mayor Kulman for his comments that were very well thought out. You have to look does our current system work? The answer is no. The ordinance was drafted to address issues that we are having and this ordinance addresses those issues.

Council had a long discussion on concerns with the quick ticket and the reason on why the quick ticket is being put in place and the function of the quick ticket.

Council member Dalzell stated that he is sympathetic to Mayor Kulman's concerns about getting a fine and appealing it. What happens if someone goes before the committee for an appeal and the appeal is granted? Solicitor Harter stated that the committee has the ability to grant the whole \$50 deposit back and you don't owe the Borough anything, or they can say the fine is warranted and we are going to keep \$25 and give \$25 back. You are being asked to front the \$50 compared the MDJ proceeding, but if you challenge it by taking the case to the MDJ, then the cost would be the court costs which would be around \$125, on top of whatever they potentially award.

Council member Dalzell asked if we want to consider passing the ordinance and putting it that it is effective January 1. This would be a compromise. Council member Dalzell made a motion to change the effective date of the quick ticket ordinance to be January 1. Council member Carroll-Baltozer asked whether it was not the case that it had already been announced in the forthcoming Traveler that the effective date would be October 1, and was told this was correct. There was no second. Motion fails.

President Mazis called for a roll call vote to pass the Quick Ticket Ordinance.

Hudson – aye	Rebecca – aye	Dalzell – aye	Mazis – aye
Marsh – aye	McKinney – aye	States – aye	

Motion carries.

Solicitor Harter gave praise to Mayor Kulman for following the procedures for vetoing an ordinance and speaking out. This is an example of why this Borough has a good democracy, stated Harter.

Planning/Zoning/Environmental – Bill Dalzell

Council member Dalzell stated that the meeting was cancelled last month. Council member Dalzell made a motion to appoint Bev Kreider to the Planning commission by Resolution 20-2020 with a second by Council member States. Motion carries unanimously by voice vote.

President Mazis thanked Eric Marsh for serving on the Planning Commission. He moved out of town and this is why we were looking for someone. He also stated that Ms. Kreider had been

attending the Planning Commission meetings for some time and was quite knowledgeable with the issues it faces.

Public Outreach – Rebecca Carroll-Baltozer

Council member Carroll-Baltozer stated that they met at the Borough Hall and will do that again this month. They reached out to the Dinosaur people and look at our trail to see if we can do an event this fall. The Traveler was completed and is coming out. The fire company and the committee would like to do a fire extinguisher event, probably in the spring. The Waldorf School will be going back to class and would like to reach out to them to get them involved in the municipal drains cleaning for 2021. She was contacted by Chris Miller about starting a baseball team back up for March and told them to get an event permit put in. Lori Riner thanked everyone for being able to use the basketball court for yoga. It is working out well.

Secretary Bradnick stated that we have an event permit for the Donegal Braves Midget Football from August to November from 6:00 pm to 8:00 pm. They want to use it for practice and games. Solicitor Harter stated that we should have them sign an indemnification in case someone gets COVID-19. You need to have a requirement that they abide by the CDC, Federal, and State regulations governing the virus and public vents. He will send over an indemnification to have them sign.

Council member Carroll-Baltozer made a motion to allow Donegal Braves Midget Football to use War Memorial Park with the COVID-19 guidelines, a signed indemnification and that they reseed the field, with a second by Council member States. President Mazis called for a roll call vote.

Marsh – aye	Hudson – aye	Rebecca – aye	Dalzell – nay
Mazis – nay	States – aye	McKinney – aye	

Vote passes 5-2.

Public Safety – Jeffery Marsh

Council member Marsh stated they met it was a short meeting. They continued their discussion on traffic calming. Louis presented a computer disk showing speed tables in York. There are pros and cons to speed tables. Market Street is a thorough-fare and we cannot use speed tables on this road. They are continuing their discussion on the speed signs. Unfortunately our speed sign has been damaged and an insurance claim has been put in for a new one.

Public Works – Freddy States

Council member States stated they had Brandon Tennis coming to our meeting, and he lives in the five hundred block of East Market. He had placed “slow children at play” signs in East Prospect, and asked that the Borough have some signs placed in the alley and also contact the school that this alley is being used as a shortcut to get to the school to pick up there children.

War Memorial Park is being cleaned up, Flanagan Park is being cleaned up and the bushes trimmed. The rail trail is being cut back and cleaned up. The colored bike racks came in and these will be installed on Monday. We had an additional 83 feet of fencing that was to go in at Mr. Heisey’s property that was not approved in exchange for the help he gave the Borough in completing the bike trail with the promise his privacy would be ensured.

Council member States made a motion to build the additional 83 feet of fencing for Mr. Heisey for \$1,408 with a second by Council member McKinney. Motion carries unanimously by voice

vote.

Council member States stated that the flapper valves are being installed and we will have to have our guys go down on a weekly bases to make sure they are cleaned out and functioning. We are going to get prices to see what it will cost to clean our storm troughs going to the river.

SPECIAL COMMITTEE REPORTS

JOINT SEWER AUTHORITY – Jeffery Marsh – The trailer has been removed from Front Street.

NWRT Committee – Glen Mazis – The meeting in July was cancelled.

C2P2 Committee – Glen Mazis – We had our planning meeting and we are getting ready for a public meeting in September to solicit citizen feedback on the ideas suggested.

G3 Grant Phase II Committee – Glen Mazis – This grant will be closed out shortly.

G3 Grant Phase III Committee – Glen Mazis – We are waiting to hear from DCNR if we received the \$874,000 grant. They have not made any public announcements yet, and may be delayed due to the virus. We have received from Chesapeake Bay the grant in the amount of \$237,515 for work on the Donegal Place-Furnace Road area.

Shade Tree Committee – Bill Dalzell – They did not have a meeting last month.

OLD BUSINESS

Appendix A – Suitable Street Trees
Appendix B – Best Planting Practices
Appendix C – Pruning Best Practices

These are all advisory and meant to give more information to the public.

Council member Dalzell stated that the list will help people to select the right tree for their spaces. The best planting practices and pruning practices are just guidelines only. Council member Dalzell made a motion to adopt these three (3) appendixes with a second by Council member Hudson.

Secretary Bradnick stated that these appendixes' came from Carlisle Borough. Did anyone look at our SALDO to see if the tree list that we have in there is a conflict?

Motion carries unanimously by voice vote.

NEW BUSINESS

We are going to meet by zoom next month, but if the governor does not extend the order to allow the meeting we will need to have four (4) council members to meet at the Borough office to open the meeting. Rebecca, Jeff Hudson, Freddy States and Bill Dalzell would consider it. We are going with the zoom at this time, since we are still under the restriction of a maximum of 25 people at public gatherings inside.

Council member Hudson asks if he could be a facilitator to put out things on our Facebook on things that the residents could use, such as flood insurance possibilities. Secretary Bradnick

stated that she could put it out on our website or our Facebook under our resources.

No other new business to discuss.

PUBLIC COMMENT

No public comment.

There being no further business to come before Council, on a motion by Council member States with a second by Council member Dalzell, the meeting adjourned at 8:55 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer