

Marietta Borough Council
Minutes of Meeting held April 13, 2021
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 7:02 PM. The meeting opened with a moment of silence followed by the pledge of allegiance.

PUBLIC COMMENT

Mary Alice Bitner – 20 S. Waterford Ave. – Mary brought up concerns about the noise on South Waterford of loud mufflers waking her up during the night. She is speaking about Brian Buckwalter's property. Recently it has quieted down, but this complaint still needs to be addressed. President Mazis stated that we have heard about the situation and Council doesn't have the power to stop it. If someone breaks the noise ordinance, then citizens need to phone the police. The police are in charge of enforcing this ordinance. If no one calls, then we are powerless. It is important that you phone the police.

Norma Smith – 15 W. Market Street – Norma stated that they are making racist remarks towards her and is she to call the police for that.

Solicitor Harter stated the question was about the noise ordinance which is enforced by the police the other half that happened to do with the trash can be dealt with by the Borough, since this falls under Borough's ordinances. A comment between two people or residents is a civil manner and you need to seek legal counsel. If you feel harassed or threatened then you need to call the police. The Borough government does not have authority to enforce comments between people.

Craig Gehosky - 23 S. Waterford Avenue – For him the noise has been driving him crazy. He knows that there are limits to what people can do, so what he did was to write a note and placed it on their car. Things did quiet down for a short period, but you have to understand that the muffler systems on these cars are very loud. He did walk across the street and spoke with them and they were very respectful. He feels that currently the situation is resolved. He suggested that it would be nice if we had negotiation services that were offered. President Mazis stated that it is interesting that you bring up this service and it may be something that we look into. Councilmen Dalzell stated that the first thing you do should be to speak with your neighbor. We live in a community and we all are neighbors, and we need to live together. It is not always going to work, but it is worth a try. He also is interested in learning more about this ad hoc negotiating program.

Secretary Bradnick stated that the situation has been reported to the office. Ronda has reached out to the police department to patrol this area more. She has also reached out to the landlords that own these properties to speak with their tenants.

Chris Whalen – S. Porter Street – Something that you may want to do is to ask the police to patrol the area more.

Bob Shank – Front Street – He wanted to let us know that a lot of these cars have been on Shanks parking lot and they have been doing work on their vehicles in the parking lot. Bob told them that when he opens the restaurant that they no longer can use the parking lot to work on their vehicles. They told him that they had permission from the police to use Shank's parking lot

to work on their cars. Bob stated that he did buy a sign to put up in his parking lot that it is parking for Shank's restaurant and all others will be towed.

MINUTES FOR APPROVAL

President Mazis asked for a motion to approve the March 9th minutes. Council member States made a motion to accept the March 9th minutes with a second by Council member McKinney. Motion carries unanimously by voice vote.

ANNOUNCEMENTS

President Mazis thanked all the essential workers and first responders for their efforts during COVID-19, and to remind everyone that we still need to social distance, wear face masks and avoid crowded indoor spaces. We feel like it is over, but it is not over. We are still in the emergency situation and there has been threat of a fourth wave, and cases have gone up in the last two weeks. Solicitor Harter stated the borough continues to monitor the situation in respect to in-person meetings versus zoom meetings. The governor's order is still in effect till the 20th of May and is still capped at 25% for indoor meetings.

President Mazis stated that today was the first day for the Plein-air festival and citizens will see painters around town. On April 23-25, the painters will be showing their works of arts at the Community House. On Saturday, April 24th on the grounds of the Community House there will be a workshop on Plein-air drawing and painting and will start at 10:00 AM. It is a family-friendly workshop across the street in the parking lot.

President Mazis stated that on April 20th Elizabethtown College students have done research on the history of several Marietta buildings and there will be a presentation on-line at 11:00 AM.

REPORTS

Fire Police/EMA – Steve Bailey – They had a total for March of 16 calls, 31 officers, and 69.5 duty hours. The truck was cleaned and sanitized. They are asking for volunteers to join the Fire Police, as they are down on volunteers. Steve continues with routine activities monitoring PA Health Dept. for updates on the progression of the COVID-19 virus. He posts this on social median that people should follow all guidelines to protect themselves and others from transmission of the virus. He had his annual physical and got tested for COVID and it has come back clean.

Pioneer Fire Company – Brandon Smith – No one present to give report.

Pioneer Fire Company Financial Statement – Jeffery Marsh – Council member Marsh stated the balance as of February 28, 2021 was \$10,042.47. Council member Marsh 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 – Council member States report was dated March 2021. The sewer fund has a savings account balance of \$185,217.98 and a checking account balance of \$424.13. 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 – Council member States' reported that the recycling report for March was 23,880 pounds recycled, totaling 11.94 tons. Council member States made a motion to accept the report as presented with a second by Council member McKinney. Motion carries

unanimously by voice vote.

Treasurer – Sharon Bradnick - The General Fund Monthly Breakdown dated April 13, 2021. The total general fund accounts are \$972,482.10. 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 – Council received the profit and loss statements for the month of March. At the end of March, we show that our income is in the negative of \$85,768.51 for the month. January through March we have an income of negative \$86,972.89. We have received a small check for real estate taxes but the large check will be coming in May. Sharon went to a Northwest EMS meeting and gave a report on how they are doing. Seventy percent of their staff has been vaccinated for the COVID virus. They received \$59,000 from the County the first round, the second round they received nothing and the third round they received \$263,000. Some of this money they paid out to their employees for hazard pay. They purchased a skid of gloves and they had to replace one of their ambulance. They purchased a used ambulance from Virginia which cost them \$80,000 and is a four-wheel drive vehicle and only has \$59,000 miles on it. They also announced that Life Lion merged with Susquehanna Valley. We as a borough do not need to do anything, since we are contracted with Northwest EMS. They had a committee from the different municipalities work on a list of opportunities for Intergovernmental Cooperation agreements to help save money. One of the first things that they would like to work on is the Emergency EMS services.

Zoning Report – Tom Arnold – Tom was not present, and Secretary Bradnick gave the March report. He issued twelve zoning permits for the month. He has not issued any quick tickets for the month. He is asking that the mowing season is upon us and to keep your lawns mowed and keep the weeds and brush under control. He is starting to see vehicles that are not inspected and/or registered parked throughout the Borough. All vehicles are required to inspect and registered when parked on the streets and on properties. He has been in touch with the Borough attorney regarding a few cases where it is best to take legal action to have the Code in compliance. As always, he would like the residents to make sure their addresses are visible on the outside of their properties. He is continuing to do sweeps through the Borough to keep it safe and beautiful. So, he encourages all residents to police their properties for trash and weeds and to keep their properties looking great.

Mayor's Report - Harold Kulman – Mayor Kulman stated that and his wife took a walk on Front Street and they saw a lot of artist doing their paintings. He spoke with them and told them we appreciate them coming to Marietta. The Mayors of Pennsylvania are coming up with the Bell Across Pennsylvania event again, ringing of the church bells and other bells on May 2nd, at 7:00 PM. Some homeowners have been questioning the Mayor about the purchase of homes that were refurbished but not done properly. What recourse do they have if something is not constructed correctly? Solicitor Harter stated that this is a breach of the RASDL at the time of the signing of the application. The Borough wants to keep an eye on this to make sure inspections are done before the closing takes place on the property. People have been making bids without inspections, but the banks will require inspections in order to issue a mortgage. Mayor Kulman also stated that the buzzard problem still exists in town. Is there something that we can do? They are on Fairview Avenue currently. Councilmen Dalzell stated that they don't stay in Marietta over the summer but we will have an issue with them in the fall again. He was in touch with USDA in Harrisburg and they have a lot of experience managing buzzard populations. We will have to work on this problem as a community. A piecemeal approach doesn't work. He recommends that we wait until fall and then we can get this agency to work on it. In addition, Mayor Kulman stated that the commission will be having interviews on Thursday for the new

chief's position. The State Police Association will recommend three applicants.

STANDING COMMITTEE REPORTS

Administrative – President Mazis

President Mazis stated that we had no meeting. He and Councilmen States were on vacation. Mazis stated that he and Secretary Bradnick had a meeting with John Inch in regards to the requirements for the recreation and parks in lieu of fee. Of the \$155,000 owed to the Borough, \$88,000 was spent for the bike path in excess of what was needed for the emergency access road, and this leaves \$67,000 to use for work on War Memorial Park. We have had several meetings in regards to doing a grant for a master plan for War Memorial Park. Once we have the grant, we will then have \$67,000 for work in kind or a match towards the grant in order to do the work that will be required for War Memorial Park.

President Mazis stated that this leads us into Resolution 05-21 for a Master Plan for War Memorial Park that will allow us to look at the park to determine what is required for ADA and what is needed in this park for the community. The grant will allow for public input on the many possible uses for the park. This is a 50% grant match grant and the borough would have to put in \$20,000 for a \$40,000 grant. Council member States made a motion to pass Resolution 05-21 for a Master Plan for War Memorial Park with a second by Council member Dalzell. Motion carries unanimously by voice vote.

President Mazis stated that we have the plan for the work that needs to be completed on the three parks: the Tot Lot, Front Street Park and Chestnut Street Park. The only one that the Borough feels that is in the Borough's financial reach to start with is the Penncast Tot Lot, which is right below the Senior Housing on Market Street. There are a number of things such as making it ADA accessible, having rain gardens, ADA parking, create a walking path in the park, make picnic areas with shade sails, and a bump-out on the street, and a crosswalk to allow people to cross over to get to the trail. Mazis reached out to Community Basics for a letter of support as well as the support of the local community. This leads us to Resolution 06-21 to apply for the grant to do the work at the Penncast Tot Lot. Council member Dalzell made the motion with a second by Council member States. Motion carries unanimously by voice vote.

President Mazis stated that the park that is across the street from this park on Front Street is going to be a more expensive project. DCNR suggested that we go for a multi-modal grant with DCED to finish the road on Furnace Road beyond the parking lot and also the beginning of running the trail off Front Street. Then, this grant would be a match to go for a DCNR grant for the Front Street Park. We will be working on this next which is due in July.

Planning/Zoning/Environmental – Bill Dalzell

Council member Dalzell stated they met last month. They have been looking over the Heritage Plan and how it is presented on the website, and they worked on some text to make it a little more understandable and this will be up on the website soon. They also discussed how it is implemented and how it is supposed to work and how it is working. If it doesn't need any changes but we need to actually implement it. President Mazis stated that he wrote this and can comment on how it is supposed to work. When there is any significant changes or alterations to a building within the historic district, the permit is not to be approved by the zoning officer without being sent to the Planning Commission to look it over and have a meeting with the applicants. At this point, they can discuss the alterations that can be done in a way that will preserve the historic character of that block. Dalzell asked who is deciding that this is a

significant alteration. Is there anything that the homeowner needs to consider or aware of, or is this when we get the permit in. Mazis stated that the zoning officer is supposed to be aware of the historic district is and the alterations. They did request that a question be put on the application if the property is in the historic district. It's the responsibility of the zoning officer to know if it is in the historic district.

Dalzell stated that next meeting that occurred was the Planning Commission meeting and they had public comments about the Walkworks grant. One of the things that they learned was that one of the main corridors that children use to walk to school is the alley. He would have never thought that and once it was pointed out, it makes perfect sense. This was an eye opener. The Walkworks was pretty much the whole meeting discussing how active transportation within the Borough can be augmented.

Public Outreach – Rebecca Carroll-Baltozer

Council member Baltozer stated that they discussed GEARS and the summer recreation program. We need to raise money for this. Secretary Bradnick was at the meeting and she stated that she mailed out thirty-seven letters for donations. We have received some donations and they will be meeting this Thursday to see where we are at. We currently have ten children signed up for the program. The committee also discussed the welcome bags that will be going to the new 421 Market Street apartments. The committee discussed things to do for October for fire prevention month. They also discussed the Memorial Day Parade but we all know the parade has been canceled.

Council member Baltozer stated that she has four event applications. The first one she made a motion for the Marietta Fireworks for July 3rd and everything is provided for their event with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Council member Baltozer made a motion for the Girls softball and she spoke with them in regards to scheduling with baseball/softball and midget football at War Memorial Park. This will be approved pending insurance with a second by Council member States pending insurance. Motion carries unanimously by voice vote.

Council member Baltozer made a motion for the Barnstormers Baseball for the use of War Memorial Park fields when the fields are available; the paperwork is complete, with a second by Council member States. Motion carries unanimously by voice vote.

Council member Baltozer stated a motion for the Schuylkill River Runners on the Northwest River Trail was already approved for at the last meeting. She made the motion last month with a second by Councilmen Dalzell.

Council member Baltozer stated that the Memorial Day parade was canceled but the Legion Riders are asking to still do a parade in Marietta. Dave Chobanoff spoke that each year the Legion Riders ride in the parade and last year they just rode through, but this year people approached the Legion Riders to see if they could put a float in the parade, and other people have ask to be in the parade so they are requesting permission to hold the parade but it will not be large. The Legion Riders weren't sure how to handle the insurance. Solicitor Harter stated they did not need insurance, because last year they did not close streets or have a significant crowd. It was just a bunch of guys who rode through town. At the point when you start to get other people in it like a parade, where you are going to block streets and require supervision, then insurance and an event application is necessary, You can decide if you want to just do what you did last year and keep it small, so that it does not trigger a special event application or

decide you are going bigger and you need insurance and, crowd control. The Borough is not going to object if you just do something small. You did nothing wrong it's just once it gets so big, it triggers a special event application. Council member Baltozer told him to reach out to the Community Center to see if they could carry the insurance. Council member States made a motion to approve the American Legion Riders Memorial Day Parade pending insurance and traffic control with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Joe Clark stated that they placed a welcome bag in the office for council to look at. Upon approval of the bags they will be rolled out on Thursday. Mayor Kulman volunteered to be the one that will hand out the welcome bags for new residents in addition to the other volunteers. Baltozer made a motion to approve the Welcome Bags with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Public Safety – Jeffery Marsh

Council member Marsh stated they met, and most of their meeting was discussing the letter from Manheim Township requesting that we pass a resolution to have Lancaster County look into establishing a county wide health department. Secretary Bradnick stated that she and Council member Marsh spoke about this, and he had asked that she check into who started up the vaccine distribution area at Park City. This had not been done as of the Council meeting. Bradnick stated that she was at an NW EMS meeting and some municipalities at that meeting were not interested in this. She stated that this needs to be looked into more. Council member Dalzell disagreed and stated that according to the LNP poll that 80% of Lancaster County residents are interested in exploring this. Bradnick placed the information in everyone's box to read and discuss. Solicitor Harter stated that this is like the radar resolution. It is not something that we look into but you are advocating that the County look into, evaluating whether a department of health is needed. Council member Marsh made a motion to proceed with Resolution 07-21 in support of Manheim Township to advocate for Lancaster County to look into a countywide health department with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Public Works – Freddy States

Council member States stated they canceled their meeting this evening. He is going into the office to go over the streets that need improvement. He would like to do some street or alley projects each year. They are going to do crack sealing this year. We also have the left side of the bridge on Front Street that needs to have work completed on this bridge. President Mazis asked that States check out if there are any grants available to do the work on the bridge. Council States stated that he found a person Ed Lincoln to do some mowing for the Borough as a contractor.

SPECIAL COMMITTEE REPORTS

JOINT SEWER AUTHORITY – Jeffery Marsh – The sewer authority is continuing to update maintenance issues. They are down to one pump at the pumping station. This is being repaired. The new gate has been installed. The sewer authority is in the process of refinancing their loan, since rates have dropped.

NWRT Committee – Glen Mazis – The next meeting is in April 27, 2021.

G3 Grant Phase III Committee – Glen Mazis – We have been in a series of meetings with CS

Davidson and Land Studies. The drawings are complete and the permitting process are underway. Solicitor Harter went over the bid package and approved it. One fly in the ointment is that no one is able to reach the National Park Service due to the COVID. The transfer of the land from the County to the Borough is still not finalized. Solicitor Harter said we may need to draw up a MOU with the County to proceed with construction. CS Davidson did a timeline of everything and if everything goes to plan they will be working on the project the beginning of August and finishing up in October.

Shade Tree Committee – Bill Dalzell – They will be meeting next week. They are trying to do a tree planting in May. We may push this back to September because the planting season is in the spring or fall and it is running close for the spring season. President Mazis stated that they need to reach out to John Inch. He would like to offer Marietta residents a one-time offer of free very mature street trees. See if you can have him as part of your shade tree committee advised Mazis.

Walkworks Grant – Glen Mazis – We have already spoke in regard to this.

OLD BUSINESS

NEW BUSINESS

Mayor Kulman stated that there was a letter that was sent to him from the District Attorney of Lancaster County. They are saying with all donations and matching money they seem to be operating at a level that they can afford the Drug Task Force. They still have problems with the heroine cases and fentanyl cases. The task force is continuing to improve. They are looking to hire a Sargent and a Corporal in the task force. Also, do we have any plans on getting an in-person meeting started? Solicitor Harter stated that currently the roles are 25% capacity of the space, which would not be feasible for the Council room. Council member Dalzell stated that even when we get back to regular meetings, he would still like to have the zoom meetings for people that are not able to come. This needs to be looked into on how other municipalities are handling this. This is done during the church service and we need to do this at Council. Freddy States suggested we just use a laptop to make the meeting accessible.

PUBLIC COMMENT

Julie O’Leary – LNP – She gave her opinion on the municipal meetings. She goes to a lot of these and they are in very small enclosed areas. They do not wear masks. She appreciates that we are being safe. She likes how we are speaking about having the meeting in house and on line for people can continue to tune in. She has valued these meetings that allow her to go to the meetings by zoom. President Mazis stated that prolonged exposure in enclosed spaces that are not large enough is one of the most serious problems with COVID spread.

Ray Vegso – Pine Street – He is aware of the Federal Money that can be used for broadband internet expansion. Marietta needs to make sure that everyone in Marietta has broadband internet access. Someone needs to look into this. President Mazis stated that is there any other programs that we as a Borough can look into for our residents.

There being no further business before Council, on a motion by Council member Dalzell with a second by Council member States, the meeting adjourned at 9:30 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer