

Marietta Borough Council
Minutes of Meeting held November 14, 2023
113 East Market Street, Marietta, PA

President States with Council members Lauver, Hudson, Marsh, Dalzell, DeBottis and Solicitor Harter present, called the regularly scheduled monthly meeting of the Marietta Borough Council to order at 7:00 PM. Absent were Council member Wills and Mayor Carroll Baltozer. The meeting opened with a moment of silence followed by the pledge of allegiance.

PUBLIC COMMENT

No public comment

MINUTES FOR APPROVAL

President States asked for a motion to approve the October 10th minutes. Council member Dalzell made a motion to accept the October 10th minutes with a second by Vice President Hudson. Motion is carried unanimously by voice vote.

ANNOUNCEMENTS

No announcements

REPORTS

Fire Police/EMA – Steve Bailey – A total of 15 calls, 34 officers, and 140.5 duty hours. Responded to 2 fire related calls, 4 accidents, 3 meetings & trainings, and 7 public services. We need volunteers as always. We have 2 new people who are going through the process of becoming fire police officers, but we can still use more.

Emergency Management Report – Again this year the fire police were very busy over Halloween handing out glow sticks to the children on Trick or Treat night. The idea is to make the kids more visible to motorists. We handed out more than 600 glow sticks this year. This was less than previous years.

The fire police placed a line of traffic cones down the center of Market Street from Clay Street to Decatur Street. This was to slow traffic during the trick or treat hours. This seems to work well, and we are going to try to make this a normal procedure every year. The fire police also did this for the Marietta Haunted House and again, it did very well.

One other item that Steve wanted to touch on is the weather. With the cold weather coming it is important to get your heating units checked out to make sure they are in proper working condition. Another thing to look at is that in the older homes people are starting to use their fireplaces and wood burning stoves. Make sure your chimneys are in proper working order. Make sure you use the proper fuel. If you are burning wood, please make sure you get it from the proper place.

Pioneer Fire Company — For the month of October they did 22 Fire Calls and 23 QRS Calls for a total of 45 calls. There were 3 trainings. Christmas Trees are going to be picked up on Black Friday. We are going to be selling chicken and waffles and Santa will be coming the Friday before Christmas.

Pioneer Fire Company Financial Statement – Jeffery Marsh - The reported balance as of August 31, 2023, was \$14,546.02. Total withdrawals were \$5,645.51. Total deposits were \$5,500.00 from the Borough. Balance as of September 30, 2023, is \$14,400.51. Council member Marsh made the motion to accept the report as presented with a second by Council member Dalzell. Motion is carried unanimously by voice vote.

Sewer –Freddy States – President States gave the report dated October 2023. The sewer fund has a savings account balance of \$208,778.43. Total receipts \$103,883.77. Interest \$8.62. Total receipts and interest are \$103,892.39. Disbursements \$124,757.16. Ending balance of \$187,913.66. Checking account beginning balance \$6,211.94. Total receipts \$119,000.00, interest \$1.04. Total receipts and interest are \$119,001.04. Disbursements \$121,776.00. Ending balance \$3,436.98. The monthly ending balance breakdown as of

October 31, 2023, checking account is \$3,436.98, money market-savings is \$187,913.66 for a grand total of \$191,350.64.

President States motioned to accept the report as presented with a second by Council member Dalzell. Motion is carried unanimously by voice vote.

Schedule B Monthly Municipal Report for the month of October 2023. Single Stream 17300 lbs. LCSWMA, Yard Waste 3820 lbs. Blue Lane – Columbia Borough. 21120 total pounds recycled, 10.56 equivalent tons, 62.75 tons of refuse collected. President States motioned to accept the report as presented with a second by Council member Dalzell. Motion is carried unanimously by voice vote.

Treasurer – Julie Hall – The General Fund Monthly Breakdown dated 11/9/23, 2023, was presented to council. The total general fund accounts are \$597,612.17.

Secretary – Julie Hall – Council received the profit and loss statements for the months January–October. At the end of October, we show that our income is \$42,332.51 for the month.

Council member Dalzell motioned to accept the treasurer/secretary report as presented with a second by Council member Hudson. Motion is carried unanimously by voice vote.

Zoning – Ron Kistler – no report

Vesta Furnace – Dave Haneman – Bill Hager who took pictures for Turquoise Island which was a presentation that he put together. This benefits nonprofits. There were approximately 50-60 people and raised \$500.00 for the Reptile Rescue Organization. Also, Kelly, who is retired Walt Disney traffic designer was in from Arizona and he explained and showed some of the work that he had done on some of the photos to transform the buildings and environment of the Vesta complex for the presentation. It was amazing what he was able to do.

The Eastern Division of the Pennsylvania Canal System Panel has arrived. Lenny and Dave will establish that. They will contact the Lancaster County Parks for permission to place that on the east side of Chickies Creek. Sager and Swisher is still working on auditing of the books.

Dave will contact Pannier again to see about an 18x24 panel that would be very similar to what was placed down there when Furnace Road was done.

Love's Tree Service removed 3 or 4 trees from the Vesta lawn that were dead.

There are two directional signs that have been made to direct visitors to the Marietta #1 and Donegal Furnaces. This is a nice walking trail.

There were 8 people out last Sunday for the Furnace walking tour. It was a very nice day.

26 people from the Mount Joy retirement homes visited the Vesta on the 26th of October. One of the couples had attended the Chapel and remembered the sign board, the pulpit, and the pulpit chair.

Rivertowns group has already been working on the April event and have received \$5,040.00 in donations.

Mayor's Report – Rebecca Carroll Baltozer – no report

STANDING COMMITTEE REPORTS

Administrative – President States

President States stated that there was no meeting last month, but we will be having one this month.

President States stated that we have previously discussed the closing of the office between Christmas and New Years. With the way Christmas and New Years fall this year, the office would only be open 1 ½ days.

President States asked for a motion to approve the closing of the office the week between Christmas and New Years. Council member Dalzell made the motion to close the office for that week with a second from Council member DeBottis. Motion is carried unanimously by voice vote.

President States asked for a motion to hire Jonna Roden as a fill in school crossing guard. We do have a full-time crossing guard, however, when she is not able to work, our road crew guys, or the Police have to fill in for her. Jonna lives right near the school crossing and is looking for part time right now but could possibly be interested in full time in the future. She does have all her clearances. Council member Dalzell stated that this would be a much better use of our resources.

Council member Dalzell made a motion to hire Jonna Roden as our fill in crossing guard with a second from Council member DeBottis. Motion is carried unanimously by voice vote.

President States asked for a motion to advertise the budget, which we have balanced and to set the tax rate which is not increasing. The tax rate will be the same for 2024. Vice President Hudson made a motion to advertise the budget and set the tax rate, with a second from Council member Marsh. Motion carries unanimously by voice vote.

President States asked for motion to approve payment #4 for the Tot lot for \$6,428.06. Secretary/Treasurer Hall stated that she has a call into Ann Yost to see if this payment includes the sign that has to be installed yet or if this is the final payment. It does not state on the payment request that this is the final payment. Council member Dalzell made a motion to approve payment #4 for \$6,428.06 for the Penncast Tot Lot, with a second from Council member DeBottis. Motion is carried unanimously by voice vote.

Lastly, President States stated that our Roadmaster was approached about a month ago concerning a formal complaint to the PUC to fix the Bank Street Crossing. Anyone who uses the trail knows that the Bank Street crossing where you come over is in rough shape. It's steep, it's rocky, it's somewhat paved, somewhat not paved. The formal complaint triggered the PUC to reach out to the Borough and they would like to make that crossing safer. They would like to negotiate something between us and Norfolk Southern. With that, PennDOT gets involved as well. We had a meeting out there and the railroad would like us to close as many crossings as we can. They would really like us to close them all. The crossings are worth way more than they would be willing to pay for them. They're really priceless. It's our access to the trail, to the river and it's our biggest asset in our town. President States stated that they walked and looked at all of them and the one's that will never get closed, are privately owned, are the boat club, Chestnut Street, Bank Street and Bridge Street. Gay Street is the only one in the middle where they tried to negotiate that one. That is also right at the Square. It's the heart of the town and to give that up President States feels would be a great mistake. Once you give up a crossing, you will never be able to get it back.

Their thought process is that we have two underpasses and there are five overpasses so what's giving up two when you have three other ones. But for us, it's our access back and forth to the trail to make us more convenient. President States stated that he wanted to put this out there to get everyone's opinion on what they think. The only negotiation that President States put out there and they are looking in to and will have another meeting is that the reason we cross everyone over at Bank Street is because they own land from Bank, on the river side. About half that land is theirs from Bank to Robert Mowrer Drive. And they will not give us access there. That is the reason we had to come across Bank and take the trail up through Furnace Road. That gives them a lot of liability because now 100% of the people cross the trail there. And it's steep and not paved well. President States asked them if we worked out where we relinquished control of Bank Street, would they give us the land for \$1 and pay us for Bank Street and we could use those funds to continue from Bank and take the trail all the way through. They would do it and came back with the number of \$60,000.00 for the crossing. President States contacted our engineer and met with him. They walked the trail and our engineer gave President States two estimates of what it would cost. Number one, if we bid it out and actually did the paving at Bank and just cleaned it up and let it go, it was roughly \$59,000.00. We wouldn't have to change anything, just fix up our two sides to make it safer. Number two finished the trail altogether and that was roughly \$180,000.00. President States that we are not acting on this tonight, he just wanted everyone to know that is what they are proposing. Even if we don't take any of those deals, we now have an obligation, due to the complaint, to fix Bank so that it's safer. Council member Dalzell asked what the extent of the need repairs are? President States stated that we could pave right up to the railroads side and make it look nice. We could possibly do this in-house if we contacted East Donegal and their guys would come down with their equipment and help our guys. We would have to send them a formal letter to request that. President States feels that we hold all the cards right now. President States will be reaching back out to them to go over numbers and to see what they are willing to offer.

Planning/Zoning/Environmental – Bill Dalzell – the main topic of their meeting was that there is a grant through the federal government, administered by PennDOT called Safe Streets for All. It is for complete streets design and implementation. The idea behind Complete Streets is that the streets in most municipalities in the US are designed primarily for cars and that is dangerous to pedestrians, economically disincentivizing for communities. This is about redesigning the streets so that they are equally designed for cars, pedestrians, bicycles, golf carts, scooters, etc. This is part of what we did on Furnace Road. We actually have a complete streets design developed for Front Street. This is a really big issue for safety. We talk about speed, dangerous roads, etc. This is the best thing we can do to address that. The grant has not been announced yet for 2024, but there is no reason to think that it would not be. It is an 80/20 match with a minimum award of \$100,000.00. It would be an incredibly good deal if we can get it. You have to be awarded the design grant to be eligible for the implementation grant the following year. The PZE committee does recommend that the Borough apply for this grant next year.

The committee also talked about the annual Lancaster County Bike Club Grant. This is a very small grant, only around \$1,000.00 - \$2,000.00, but it has been awarded to us every time we have applied for it. We will be looking into applying for another repair station for the Furnace Road Trail Head and a traditional bike rack for the Borough Hall. They also briefly discussed the Marietta Bike Race and how awesome it was, and they would like to see it in Marietta again.

Public Outreach – Vice President Hudson

Vice President Hudson stated that they did not have a meeting last month. Vice President Hudson stated that he just wanted to mention is that we do have a balance budget for next year. We were able to include a little more money for the Gears program. It's a summer program for children that reside in the borough and also the surrounding area. Vice President Hudson stated that he became aware of the program when we came out of COVID and there was a little bit of a scramble for funds for the program. Fortunately, we have generous people in the community who donated to the program. Vice President Hudson just wanted to make sure there was enough money in the budget to cover the program. He also has been taking walks around to finalize what will be a historic walk around town. It will be about 2 miles long and hopefully it will be something very special and will be entertaining to take and will teach people about Marietta. It will be designed to get people off Front Street and up into the town.

Vice President Hudson reminded everyone that on the top of our Special Event application, it states that the application should be submitted no less than 60 days prior to the date of the event. This is important to allow enough time to present the application to Council for approval and to make sure all the needed forms are completed and that there are no conflicts.

Vice President Hudson presented a special event application for Extraordinary Give Community Event at the Marietta Center for the Arts on November 17th from 5pm-10:30pm. There will be music, bands, and food trucks. They do have their certificate of insurance. Council member Dalzell made a motion to approve with a second by Council member DeBottis. Motion is carried unanimously by voice vote.

Vice President Hudson presented a special event application for the Lions Club to hang Christmas Lights. They do have their certificate of insurance. Council member DeBottis made a motion to approve with a second by Council member Dalzell. Motion is carried unanimously by voice vote.

Vice President Hudson presented a special event application for a Christmas Tree Lot in the back of 17 East Market Street. It will be from November 21st through December 21st, from 10am-7pm Tuesday through Sunday. The name of the group is Debbie's Daughter LLC. They do have their certificate of insurance. Council member DeBottis made a motion to approve with a second by Council member Dalzell. Motion is carried unanimously by voice vote.

Public Safety – Miles Lauver – Fire Police are looking for a place to keep their squad out of the weather. Tire cleanup at the resident behind the Borough Office has not been cleaned up. Secretary Hall will talk to the zoning officer to see where we stand on the issue. Council member Lauver asked if the grease issue at River Trail Brewery has been addressed. Secretary Hall stated that she will follow up with the zoning officer on that issue as well. She does know that he went out to the place and talked to the owner. The last thing is speeding through town. We really need to address this issue. President States stated that our road crew are taking courses on how to conduct traffic studies. They already went to the first class.

Public Works – Jeff Marsh – Road crew is continuing to clean up the leaves in town as well as the catch basins. The trucks have been prepared for winter as well as the snow equipment. The tennis courts are finished except for nets being placed on the courts. The scoreboard is still under construction.

Council member Marsh asked for a motion to accept the contract for waste & recyclable materials for Goods Disposal Services. President States stated that our trash and recycling contract was up this year. Goods is the company that came in the lowest, which was still approximately \$70.00 higher per household. Republic Services did not put in a bid to renew their contract. This will be an increase of \$19.00 per quarter. Right now our trash is \$65.00 and it will increase to \$84.00 per quarter. That was the best we could do.

Council member Marsh made a motion to accept the contract for Goods Disposal Services with a second from Council member Dalzell. Motion carries unanimously by voice vote.

Council member Marsh asked for a motion to approve Resolution 09-2023, Change in Rate for Sewer. The rate for sewer will be \$113.00 a quarter for each dwelling unit in the Borough starting with the fourth quarter 2023. The \$2.00 increase is the result of Marietta-Donnegal Authority's increase in treatment costs and a \$2.00 increase is a result of Marietta Borough. Council member Dalzell made a motion to approve Resolution 09-2023 with a second from Council member DeBottis. Motion carries unanimously by voice vote.

Council member Marsh asked for a motion to approve Resolution 10-2023, Change in Rate for Trash. The

service charge for the collection and removal of ashes, garbage and refuse be set at the rate of \$84.00 a quarter for each dwelling unit in the Borough of Marietta. This change in rate will become effective January 1, 2024. Council member Dalzell made a motion to approve Resolution 10-2023 with a second from Council member DeBottis. Motion carries unanimously by voice vote.

Council member Marsh made a motion to approve capacity (1EDU) for 181 Elk Avenue for a studio, with a second by Council member Dalzell. Motion carries by voice vote.

Council member Marsh made a motion to approve capacity (1EDU) for 137 E. Market Street for an in-law quarter with a second from Council member Dalzell. Motion carries by voice vote.

SPECIAL COMMITTEE REPORTS

JOINT SEWER AUTHORITY – Jeffery Marsh – plant is running well. Still working on our 2024 budget. New equipment has been installed.

Shade Tree Committee – Bill Dalzell – The committee met on November 9th. Council member Dalzell stated that Lillian Hill passed away and she will be greatly missed. They will be planting a tree in her honor. The Shade Tree Commission recommends that Cheryl Corson be added to the Commission. Council member Dalzell made a motion to approve adding Cheryl Corson to the Commission with a second from Vice President Hudson. Motion carries by voice vote.

Council member Dalzell stated that they were able to receive additional trees from the Chesapeake Bay Foundation. That was the organization that gave the Shade Tree Commission the trees that were distributed out on Marietta Day. They had some overstock that the Commission was very happy to take off their hands. There will be a volunteer day and a tree give a way day on November 24th from 9am – noon. They will have 193 saplings to plant along the river trail and 78 saplings for residential or other spaces in town. Council member Dalzell informed everyone of some of the species of trees that will be available for residential or street tree use.

MESA – Vice President Hudson – Vice President Hudson stated MESA just passed a milestone. There was a meeting on Fees on September 28th and the fee schedule was explained. There was a 45-day period for objections. There were two formal written objections. One from East Donegal and one from West Donegal. There were none from Marietta. The 45-day period is now over so MESA can go ahead and start paying bills, etc. They plan on sending out the first bills in February.

War Memorial Park – President Freddy States – President States stated Council member Marsh reported on the progress of the tennis courts. Just waiting on nets for the pickleball courts and the tennis court and the practice board. We will continue to apply for Grants to try to continue to work on the park through next year as well.

OLD BUSINESS

No old business.

NEW BUSINESS

Council breaks for executive session requested by Solicitor Harter.

Solicitor Harter stated that the executive session is at his request to discuss two research projects. One related to MESA and one concerning sidewalks. Solicitor Harter reported that a discussion was held on the two topics he mentioned earlier. He provided a report on those research issues. No deliberation was held, no action was taken. If anyone has any motions, they want to bring in connection with the discussion, so there can be a discussion, please do so now. No motions were made.

PUBLIC COMMENT

Carl Jones – Market Street – asked Council member Dalzell if he stated about grant money coming in for the bicycles for the children? Council member Dalzell stated that he did not state that. The grant is for complete streets. Mr. Jones stated that our streets are narrow and we and there are cars on both side of the

streets and people parking on the streets. Where are we going to put all this stuff? Council member Dalzell stated that we actually have fairly wide streets in Marietta. Mr. Jones stated that Front Street is a very narrow street. Council member Dalzell agreed that Front Street is one of the narrow areas. President States stated that the street Council member Dalzell was talking about was Market Street. This complete street project would do all the crosswalks Mr. Jones has been asking Council to do.

Harold Kulman – E. Market Street – asked when the budget is going to be public so he can take a look at it. Secretary/Treasurer Hall stated that it is public, and Mr. Kulman can stop in the office anytime and take a look at it.

Chris Sandollini – West Market Street – wanted to let everyone know that Lillian Hill's family will be having something on Sunday from 2-5pm at Shanks in commemoration of Lillian's life. Everyone is welcome to attend.

Steve Shireman – W. Walnut Street – wanted to know about the resolution we passed concerning the \$2.00 increase for the Marietta Donegal Joint Authority? Secretary/Treasurer Hall stated it was a \$2.00 increase for Marietta Donegal Joint Authority and \$2.00 increase for Marietta Borough for the sewer rate. Mr. Shireman stated that he just wanted to make sure it was a \$2.00 increase for both.

Robert Harrington – W. Market Street – If the borough office is going to be closed over Christmas week, is there anyway we can ask the police to put a parking ticket stay for that week? Secretary/treasurer Hall stated that per the ordinance, the Police only do not ticket for parking meters on National Holidays. Mr. Harrington then asked if the 5-day period to pay the ticket would be extended. Secretary/treasurer Hall stated that yes, we would give leniency, however, there is a drop off box in the door that you could put your payment and ticket in.

Also, the issue with the Norfolk Southern crossing, just a thought, has it ever been proposed on Gay Street that if we are trying to limit foot traffic we have, could the borough put a pedestrian tunnel there instead. President States stated that Norfolk has a 30-foot right of way on both sides of the tracks that they would have to agree to allow us to do anything to. Council member Dalzell stated we would probably have a better chance of a pedestrian bridge, and that would be a long shot. Steve Shireman, Marietta Donegal Joint Authority, stated that they wouldn't even let them put a sewer pipe through there. The sewer line now goes under the tunnel. Norfolk is very tough to deal with.

Presidents States made a motion to adjourn the meeting, with a second from Council member Dalzell. The meeting was adjourned at 8:19 pm.

BOROUGH SEAL

Respectfully submitted,

Julie A. Hall
Secretary/Treasurer