

COUNCIL MEETING MINUTES

September 12, 2022

**6:00 PM Work Session**

1. **Executive Session**

Council entered into Executive Session at 6:00 PM for the purpose of interviewing candidates for the part-time administrative position. Council exited Executive Session at 6:52 PM with no action taken.

1. **Perry County Economic Development**

Council President Barthel advised that due to the length of the Executive Session, this item would be moved to the regular agenda under Public Comment.

**7:00 PM Borough Council Meeting**

Council President Barthel called the meeting to order at 7:00 PM.

1. **Pledge of Allegiance**

 Council President Barthel led those assembled in the Pledge of Allegiance.

1. **Moment of Silence**

 A moment of silence was held.

1. **Roll Call**

Council President Barthel took roll call with the following noted as present: President Barthel, Vice President Wentzel, Councilmen Edkin, Magee, and Webster, Councilwomen Urban and Zulli and Mayor McCreary. Also in attendance were Manager Border, Secretary Hammaker and Engineer Rogalski. Treasurer Chorba and Solicitor Altland were noted as absent.

1. **Consent Items**
2. **Approval of the August 8th and August 22nd Council Meetings Minutes**

A motion was made by Councilman Magee and seconded by Councilwoman Urban to approve the 08/08/22 and 08/22/22 meeting minutes with minor correction of typos provided to Secretary Hammaker. The motion passed with all in favor.

1. **Approval of the Financial Statements**

Council Vice President Wentzel moved to approve the Financial Statements and Councilman Webster seconded the motion. President Barthel asked if there were any questions or comments and Councilman Magee posed some questions which were answered by Manager Border and Secretary Hammaker. With no further questions or comments, President Barthel called for a vote. The motion carried with six in favor and Magee opposed.

1. **Approval to Pay the Bills**

A motion was made by Council Vice President Wentzel and seconded by Councilman Webster to approve paying the bills. President Barthel asked if there were any questions or comments and Councilman Magee posed some questions which were answered by Secretary Hammaker. Seeing no further questions, President Barthel called for a vote and the motion passed with six in favor and Magee opposed.

1. **Public Comment (Please Keep to a Three (3) Minute Time Limit)**

William Gumbinger of the Marysville Moose was present and addressed Borough Council. He asked Council to start planning for both the Breakfast with Santa and the Bridge Drop noting that approvals will be needed for both the events. President Barthel asked Mr. Gumbinger to attend the next Parks and Recreation Committee meeting which will be held on October 3rd at 6:00 PM for discussion of those items.

Leonard Vacarro, 252 Deer Trail, addressed Borough Council regarding the Parks and Recreation survey which was previously done in the Borough. He noted that he is very much in favor of adding Pickleball Courts. Mr. Vacarro noted that this is a growing sport and many other communities have Pickleball Courts. He added that it is good for all ages with a majority of players being 50 years of age and older. Vice President Wentzel asked what the requirements were for a Pickleball Court. Mr. Vacarro advised a paved area with a net would be required. He added that you can fit four courts on a standard tennis court noting that the area should be fenced in. Councilman Webster noted that the standard Pickleball Court is 40’ by 20’. Council President Barthel stated that once grant monies are received, planning will begin and encouraged Mr. and Mrs. Vacarro to attend the next Parks and Recreation Committee meeting. Councilman Webster asked if a lot of people in Marysville play Pickleball and Mr. Vacarro stated that they did and that it is becoming a popular sport. President Barthel encouraged Mr. Vacarro to attend the Parks and Recreation Committee meeting and, if possible, to bring along some literature on Pickleball.

John Fasnacht, 21 North Main Street, suggested repainting the lines in front of the Moose on Verbeke Street as they are faced and it is dangerous when exiting the subway. President Barthel requested that this issue be placed on the Streets Committee agenda.

Kyleigh Spidle and David Misner, both from the Perry County Economic Development Authority addressed Borough Council. Ms. Spidle gave an update on the Main Street Program and provided Borough Council with some handouts. She stated that the PCEDA is making a push for multimodal monies noting that they have been working on the multimodal list since 2018. She advised that the intent was to revitalize the downtown and that from the Borough’s perspective, the downtown was not only the square but included the businesses along 11 & 15 and the Lions Club Park as well. She stated the purpose of her attendance this evening was to obtain a letter of support from the Borough for a Multimodal Grant. Councilwoman Urban stated that she attended the meeting was held on September 9th and she noted that some of the items listed for the Multimodal Grant were included in the Parks Grant which the Borough was recently notified was awarded. She asked how this would be handled. Ms. Spidle stated that the funds from the Multimodal Grant could be reallocated. Manager Border advised that the list of projects and a sample support letter were included in the packets. Ms. Spidle noted that they are trying to rebuild momentum after covid. Vice President Wentzel asked if there was to be a façade program in other communities and Ms. Spidle advised that there was, noting that the Main Street Program was would be for the entire County. She added that it included nine Boroughs and there were approximately 60 open applications already. She added that the monies would be awarded on a first come first serve basis. Councilwoman Urban reiterated that the Downtown included the Rockville Plaza and the Lion’s Club Park and the intention was to increase commerce. Ms. Spidle stated that the State wants to narrow the down the area, but the Borough is unique in the fact that our commercial areas are not limited to the square. Councilwoman Urban stated that she is in support of the effort but that line items needed to be removed from the plan which are now covered under the grant the Borough received.

1. **Engineer’s Report**

Engineer Rogalski stated that there are a number of items on the agenda this evening. He added that the pricing for the study which will determine the impervious areas in the Borough was provided noting that his firm has worked with this consultant on three other projects and the data is pretty accurate. He added that this data will be utilized to develop the fee structure relative to MS4 and Stormwater and that the Railroad will be included.

1. **MS4**

Councilwoman Urban advised that there was no meeting this month. She noted that from her experience the pricing provided is good.

Engineer Rogalski noted that there is an updated Stormwater Ordinance on the agenda for advertisement this evening. He advised that this revision is required under the permit. Engineer Rogalski stated that when reviewing the current Stormwater Ordinance, he discovered that the Borough actually had two Ordinances relative to Stormwater and that it would be necessary to repeal sections of Chapter 26 of he Codified Ordinance. He noted that the items highlighted in yellow on the propose Ordinance would be items that Council would need to choose.

Vice President Wentzel asked if the survey was independent from the Ordinance and Engineer Rogalski stated that it was and that the Ordinance addresses the DEP requirement.

Councilwoman Urban stated that she was doing some research prior to the meeting and that Chapter 26 is an eleven-page document. She noted that the Codified Ordinance on the Borough website needed to be updated as she was unable to find Ordinances that were referenced and that the search tool was not helpful. She noted that she wanted the residents to be able to access this with more ease. Engineer Rogalski stated that he could provide a six-page document that would assist residents with understanding the process and compliance.

Council President Barthel advised that he attended an MS4 training previously and asked Engineer Rogalski if his firm would provide another training for Borough Council. Engineer Rogalski stated that as part of the process, they were obligated to staff training and Council could be included.

1. **Old Business**
2. **South Main Street Bridge Project**

Manager Border gave an update on the project noting that Erdman Anthony prepared proposals for the preliminary work and that they were due today.

1. **Cameras for the Public Works Complex**
2. **Millersburg**
3. **ADT**
4. **Alwine**
5. **CT Security**
6. **Hilton Lock and Security**

Manager Border noted that he received two additional quotes noting that they were provided in this evening’s packets. Councilman Magee asked if the quotes were reviewed by the Streets and Finance Committees and Manager Border advised that all, except for the new quotes had been reviewed by both Committees. Councilman Magee made a motion to send these back to the Streets and Finance Committees for review and recommendations. Discussion ensued on whether this was necessary as some members of Council wanted to move this item forward. Councilman Webster stated that he felt that either Millersburg or Alwine would work. Vice President Wentzel reminded the other Council members that Alwines’ proposal included an annual fee of $120.00. Council President Barthel noted that there was a motion on the floor and asked if there was a second. Councilman Edkin seconded the motion. He added that he felt that some research needed to be done as he did not feel that the quotes were comparable. Councilman Webster advised that he did not feel it was necessary to send this item back to the Finance Committee as they already determined that there was $5000 to $6000 available for this project. Councilwoman Zulli stated that she was comfortable with Council making the decision this evening. President Barthel called for a vote on the motion and the motion passed with four in favor and three opposed.

1. **Traffic Control Maintenance Agreement**
2. **ATS**
3. **Signal Service Inc**
4. **Kuharchik Construction Inc**

Manager Border stated that Council President Barthel had asked him to reach out to each of these companies to get an idea on response time. He stated that ATS is more local than the other two companies. With no further discussion, Councilman Webster made a motion to enter into a Maintenance Agreement with Signal Service Inc. and Councilwoman Urban seconded the motion. The motion passed by a vote of five to two.

1. **New Business**

  **a.** **Motion to Approve Ordinance 640 with Regards to a One-Way Street and Parking Designations**

Councilman Webster made a motion to approve Ordinance 640 and Councilman Edkin seconded the motion. President Barthel called for a vote and the motion passed six to one.

1. **Motion to Approve Ordinance 642 with Regard to the Fire Prevention Code**

A motion was made by Councilman Magee to approve Ordinance 642. Councilwoman Urban seconded the motion which passed unanimously.

1. **Motion to Accept the Resignation of Dave Magee Effective December 31, 2022**

Vice President Wentzel made a motion to accept the Resignation of Councilman Magee effective December 31, 2022. Councilman Webster seconded the motion and the motion carried.

1. **Motion to Advertise the Vacated Borough Council Seat with a Start Date of January 1, 2023**

Vice President Wentzel made a motion to advertise for the vacated Council seat with a start date of January 1, 2023 and Councilwoman Urban seconded the motion. Council President Barthel asked if there was any questions or comments and William Gumbinger asked what the deadline would be for applicants. President Barthel advised that the deadline would be December 31, 2022. With no further discussion. President Barthel called for a vote and the motion carried.

1. **Motion to Approve/Deny Waiver Requests from Wally’s Storage**
2. **22-407. C.2.I – Utilities on Final Plan**
3. **22-522.2. A – Site Analysis**
4. **22-405 – Preliminary Plan Procedure**

Benjamin Kirk of Burget & Associates Inc, the Engineer for the applicant was present to represent the plan. Engineer Rogalski advised that the plan proposes three individual storage unit buildings and one commercial building. Engineer Rogalski advised that there are some administrative items outstanding; however, the Planning Commission has recommended approval of the three waivers.

Councilman Magee asked if any soil tests were conducted on the land and Mr. Kirk advised that there were not. Engineer Rogalski stated that the applicant was not obligated to perform such testing, noting that this is under the regulations of DEP and the applicant would be obligated to notify DEP if they ran into any issues during the course of the development of the lot.

President Barthel asked if all three storage buildings were being built on the open field area and Mr. Kirk advised that they were.

Vice President Wentzel asked if the changes to the lighting plan that were requested by the Planning Commission were completed. Mr. Kirk referred to sheet five of the plan and the detail on sheet six which shows how far the proposed lighting illumination would extend noting that it would be contained on the subject property. He also advised that the applicant has provided for screening on the subject property as approved by the Borough which would be trees and/or shrubs or fencing if the Borough so chooses. Engineer Rogalski advised that the current plan shows trees and shrubs for screening adding that council could request fencing as long as the applicant agrees. Engineer Rogalski noted that boding would be in place and held to make sure that the appropriate screening was installed.

Councilman Webster asked if the applicant is responsible for maintaining the screening and Engineer Rogalski stated that they were. Councilman Webster also asked the current entrance and exit would remain and Mr. Kirk advised that they would.

Council President Barthel noted that there would be fencing for security. Engineer Rogalski stated that fencing used for security would be chain link and that fencing for screening purposes would need to be solid.

Seeing no further comments or discussion, President Barthel called for a motion. Vice President Wentzel made a motion to approve the three waivers and Councilwoman Urban seconded the motion. The motion passed by a vote of six to one.

1. **Motion to Approve/Deny the Land Development for Wally’s Storage**

Engineer Rogalski advised that one of the conditions of approval of the plan should be that the applicant meet and/or address all outstanding comments from his memo dated 09/09/2022.

Vice President Wentzel made a motion to approve the Land Development Plan for Wally’s Storage under the condition that the applicant meet/address the items contained in the Borough Engineer’s memo dated 09/09/2022 and that the applicant use trees/shrubs for screening along the Center Street portion of the subject property as shown on the plan. Councilman Webster seconded the motion which passed by a vote of six to one.

Mr. Kirk thanked Borough Council and stated that they have reached out to the Borough Fire Company but have not received a response and asked if someone would be able to assist them with this. President Barthel advised that he should give the information to Manager Border, which he did.

1. **Motion to Advertise Ordinance 643 with Regard to Stormwater**

Councilwoman Urban made a motion to Advertise Ordinance 643 and Councilman Magee seconded the motion. Seeing no discussion, a vote was taken and the motion passed unanimously.

1. **PLIGIT General Fund CD**

Manager Border advised that the General Fund CD matured and that Council needs to decide what to do with those funds. He stated that if Council decides to reinvest the funds in another short-term CD, the current rates are 2.88% for a 60-day CD, 3.13% for a 90-day CD and 3.23% for a 120-day CD.

Councilman Magee made a motion to reinvest the monies from the matured General Fund CD in a 90-day CD through PLIGIT. Councilman Webster seconded the motion which passed unanimously.

1. **PT Admin**

Councilman Webster made a motion to extend an offer of employment to both Jessica Gonzalez and Jennine Rhome for part-time administrative positions in the Borough Office with hours not to exceed 30 per week individually and at a rate set by Borough Council. Councilman Magee seconded the motion which passed with all in favor.

1. **Motion to Allow the Borough Manager to Submit a Letter of Support to PENNDOT on Behalf of the Perry**

 **County Main Street Revitalization Project**

Councilwoman Urban made a motion to allow the Borough Manager to submit a letter of support to PENNDOT on behalf of the Perry County Main Street Revitalization Project. Vice President Wentzel seconded the motion which passed with all in favor.

1. **MS4 Vacancy**

Councilman Magee advised that he would be willing to stay on for the remainder of the term. President Barthel advised that this item would be tabled until 12/31/2022.

1. **Pool Contribution**

Councilman Webster stated that the Finance Committee discussed the status of the pool’s finances at their last Committee meeting. He added that the pool had a good year and that there were a few more outstanding bills to be paid, but the Committee is recommending that the 4th quarter contribution from the General Fund not be paid to the Pool Fund. Councilman Magee made a motion not to transfer the 4th quarter contribution from the General Fund to the Pool Fund and Vice President Wentzel seconded the motion. Councilman Magee asked if prices were obtained for the wiring work that needed to be done and Manager Border advised that it would cost $450. Mr. Magee asked if any other projects needed to be accomplished and Manager Border advised the sand project, but that this was being included in next year’s budget. Councilman Edkin asked if the Parks and Recreation Committee had a wish list for the pool that this money could be used for and Vice President Wentzel advised that they did not. With no further discussion, President Barthel called for a vote and the motion passed unanimously.

1. **Healthcare**

Manager Border advised that the renewal was due at the end of the year and that he provided pricing in the packets for Council’s review. He added that action would need to be taken on this issue prior to year-end.

 **9. Commission Reports**

 **a. Planning Commission Report**

Vice President Wentzel stated that Jason Finnerty was present at the last Planning Commission meeting to

give an update on the County Comprehensive Plan and noted that the draft minutes from that meeting were included in the packets. He added that October was the deadline for submissions.

Councilman Webster asked the status of the Zoning revisions. Manager Border advised that they are currently being reviewed by the Borough Solicitor.

1. **Code Enforcement Officer’s Report**

Manager Border advised that his report was included in the packet. He added that he had two hearings at the MDJ’s office. He was asked about the response to Quick Tickets and replied that he was getting a

response from them.

 **c. Police Department Report**
 Chief Richards advised that a copy of the report was included in the packet. Chief Richards stated that newly

 hired part time officer, Jared Charles, started ride alongs and will be sworn in tomorrow.

 **d. Fire Company Report**

 There was no Fire Company report.

1. **Committee Reports**
2. **Personnel**

No report.

1. **Finance**

Vice President Wentzel advised that the Committee elected him as the new Chair. And the 2022 financials and 2023 proposed budgets were discussed at the last meeting.

1. **Sewer/Sanitation/Streets**

Councilwoman Zulli advised that there was not a meeting this month.

1. **Parks & Recreation and Pool**

Vice President Wentzel advised that there was not a meeting this month.

1. **Managers’ Report**

Manger Border announced that a grant from DCNR in the amount of approximately $106,000 was secured and that the second half of the recovery money was received.

1. **Correspondence**

None.

1. **Public Comment (Please Keep to a Three (3) Minute Time Limit)**

Vice President Wentzel thanked the public for staying for the entire meeting.

1. **Media Questions**

None.

Council President Barthel adjourned the regular meeting to an Executive Session on a matter of personnel at 8:27 PM.

Council returned from Executive Session at 9:01 PM. There was no action to be taken.

1. **Adjournment**

With no further business to be discussed, Vice President Wentzel made a motion to adjourn the meeting at 9:02 PM. The motion was seconded by Councilwoman Urban and passed unanimously.