

**COUNCIL MEETING MINUTES**  
**September 8, 2009**  
**7:00 P.M.**

Council members present were: Mr. Rapp, Mr. Capuano, Mr. Trotter, Jr., Mr. Blatt, Ms. Halleman, Mr. Grotenhuis. Absent were Ms. Gifford and Mayor Fink. Also in attendance were: Mr. Rick Prill, Administrator, Solicitor Don Lipson, Chief Stephens.

Council President Rapp called for the pledge to the flag.

At this time Council President Rapp indicated the next item on the agenda was the approval of minutes:

1. July 23, 2009 Work Session meeting minutes. Councilman Blatt noted that he has provided Mr. Prill with a couple of minor corrections to the minutes. Hearing no comments regarding revisions/corrections, Council President Rapp called for a motion and second for approval of the minutes. Councilman Blatt motioned for approval of the minutes, seconded by Councilman Capuano, the minutes were unanimously approved.
2. August 3, 2009 Regular meeting minutes. Councilman Blatt noted that he has provided Mr. Prill with a correction to the minutes. Hearing no comments regarding revisions/corrections, Council President Rapp called for a motion and second for approval of the minutes. Councilman Blatt motioned for approval of the minutes, seconded by Councilman Capuano, the minutes were unanimously approved.

Council President Rapp opened the meeting for any public comments:

1. Mr. Richard Dillman, representing Jenn's House, commented that he has provided Council with a letter requesting the refund of their initial Planning Commission application fee since they were required to re-submit their application, applying for a Use Variance versus a Special Exception. Mr. Prill noted that when Mr. Dillman submitted their Use Variance application, he was directed by myself to submit a new application fee, this being done for procedural reasons, and then to request reimbursement of the initial application fee, which he has done this evening. Council President Rapp indicated that this matter will be coming up on the agenda shortly. Hearing no comments, Mr. Rapp closed the public portion of the meeting.

Council President Rapp noted the next item on the agenda was the Mayor's report. With the Mayor absent, Mr. Rapp reviewed the following Police Department reports:

1. August Crime Statistics
2. August financial monthly report
3. August ticket fines and collections report from District Judge Rapp
4. August Abandoned Vehicle Report

5. August Vehicle Maintenance Report

The next item on the agenda was the Executive Administrator's report. Mr. Prill indicated that the only item he had was the matter involving the reimbursement request from Mr. Dillman of Jenn's House. Following a brief discussion regarding the background of the two applications filed by Jenn's House, Councilman Blatt made a motion to approve the reimbursement request from Mr. Dillman for the initial Special Exception application fee. The motion was seconded by Councilman Grotenhuis and approved unanimously.

Council President Rapp asked if anyone had any New Business to discuss. Hearing no comments, Mr. Rapp moved onto the next agenda item.

Council President Rapp noted the next item on the agenda was approval of the following Resolutions:

Resolution # 2009-38 Approving the Termination of a Part-Time Staff Member.

**BOROUGH OF FOUNTAIN HILL  
RESOLUTION NO. 2009-38**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL,  
LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE TERMINATION OF A PART-TIME  
STAFF MEMBER**

**BE IT RESOLVED** by the Borough Council of the Borough of Fountain Hill that Patrick McCafferty be terminated retroactively effective as of 8/29/09.

Duly Adopted by Borough Council at a meeting held on the 8th day of September 2009.

**ATTEST:**

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA**

By: \_\_\_\_\_  
Rick Prill, Borough Secretary

By: \_\_\_\_\_  
Lawrence E. Rapp, President of Council

Councilman Capuano made a motion to approve Resolution No. 2009-38. The motion was seconded by Councilman Trotter and approved unanimously.

Resolution # 2009-39 Approving the Bid Award for the N. Clewell Street Reconstruction / Resurfacing Project

Borough Solicitor Lipson commented that the Borough Engineer brought to his attention late this afternoon that one of the bid proposal pages had not been submitted by the low bidder, raising the question as to whether this omission had a legal impact on the acceptance of the bid. Mr. Lipson indicated that he has not had the opportunity to review this and requested that this Resolution be held over to the 9/23/09 Work Session meeting agenda. Councilman Capuano moved to table action on this Resolution to the 9/23/09 Work Session meeting. The motion was seconded by Councilman Trotter and approved unanimously.

Resolution # 2009-40 Approving the Bid Award for the Micro-Surfacing Contract.

**BOROUGH OF FOUNTAIN HILL  
RESOLUTION NO. 2009-40**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL,  
LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE AWARD OF BID FOR THE STREET  
MICRO-SURFACING PROJECT**

**WHEREAS**, Bids were received on September 2, 2009 for the Micro-Surfacing of various streets; and

**WHEREAS**, The lowest bid received was from Asphalt Paving Systems, Inc. in the amount of \$33,984.00; and

**WHEREAS**, The Borough Engineer has reviewed the bid documents and is recommending the award of the bid to Asphalt Paving Systems, Inc.;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Fountain Hill that the bid for the Street Micro-Surfacing Contract be awarded to Asphalt Paving Systems, Inc. in the amount of \$33,984.00.

Duly Adopted by Borough Council at a meeting held on the 8th day of September 2009.

**ATTEST:**

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA**

By: \_\_\_\_\_  
Rick Prill, Borough Secretary

By: \_\_\_\_\_  
Lawrence E. Rapp, President of Council

Councilman Trotter made a motion to approve Resolution No. 2009-40. The motion was seconded by Councilman Capuano and approved unanimously.

Council President Rapp indicated the next item on the agenda is the Introduction and Approval of Ordinances.

Introduction of Ordinance #747 Accepting a Portion of Warren Street.

**BOROUGH OF FOUNTAIN HILL**

**ORDINANCE NO. 747**

**AN ORDINANCE OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, ACCEPTING A PORTION OF WARREN STREET AS A PUBLIC ROAD AND PROVIDING FOR AN EFFECTIVE DATE AND GENERAL REPEALER**

**WHEREAS**, the Subdivision Plan of William R. Sullivan, approved by the Fountain Hill Planning Commission and recorded in the Lehigh County Recorder of Deeds Office to Document I.D. No. 7163765 provides for the dedication of a certain portion of Warren Street improved by the Developer to the Borough upon completion of the construction and approval by the Borough Engineer; and

**WHEREAS**, the Borough Code provides that a Borough may, by Ordinance, accept any open street not previously dedicated to or laid out by the Borough and the effect of such acceptance shall be the same as of opening such street, 53 P.S. 46734; and

**WHEREAS**, the Borough Engineer has advised the Borough that all public improvements work has been completed for the Subdivision; and

**WHEREAS**, the description of Warren Street to be dedicated to the Borough has been approved by the Engineer and is attached to this Ordinance as Exhibit A; and

**WHEREAS**, a diagram of Warren Street to be dedicated to the Borough dated October 14, 2008 has been approved by the Engineer and is attached to this Ordinance as Exhibit B; and

**WHEREAS**, the owner of the street, Wilson Hoffman, has dedicated the street to the Borough by Deed of Dedication to be recorded in the Office of the Recorder of Deeds of Lehigh County.

**NOW, THEREFORE**, be it ordained and enacted that the portion of Warren Street referred to and described in this Ordinance is hereby accepted as an open and public street of the Borough.

**GENERAL REPEALER**

All ordinances or parts of ordinances, and all resolutions or parts of resolutions, inconsistent herewith shall be and are herewith repealed.

**SEVERABILITY**

The provisions of this ordinance are severable. If any provision, sentence, clause, phrase, section or part thereof shall for any reason be found unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections, or parts thereof, but the same shall remain in effect. It is hereby declared to be the intent of the Borough that this ordinance shall stand notwithstanding the invalidity of any part included herein.

**ENACTMENT**

Date of Borough Council Public Hearing: October 5, 2009

Councilman Grotenhuis made a motion to for the Introduction of Ordinance #747. The motion was seconded by Councilwoman Halleman. Councilman Capuano questioned who is responsible for the maintenance of the detention basin and for the spraying for mosquitos and insects. Following a brief discussion, Mr. Prill indicated that he will check with the Borough Engineer to determine who is responsible for the ongoing maintenance of the detention basin. Hearing no further comments by members of Council or members of the public, Ordinance #747 was Introduced by unanimous vote.

Introduction of Ordinance #748 Approving a Handicapped Parking Space

ORDINANCE NO. 748

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, PROHIBITING PARKING AT VARIOUS TIMES, AMENDING SECTION 302 ( c ) (3) (Schedule 1(A)), BY ADDING THE FOLLOWING HANDICAPPED PARKING SIGN

- I. SECTION 302 ( c ) (3) (Schedule 1(A)), shall be amended by adding the following Handicapped Parking spaces and signs:

ADD:

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
S. Bergen	Front	# 613

GENERAL REPEALER

All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of \_\_\_\_\_. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

Date of Borough Council Public Hearing: October 5, 2009

Councilman Trotter made a motion to for the Introduction of Ordinance #748. The motion was seconded by Councilwoman Halleman. Hearing no comments by members of Council or members of the public, Ordinance #748 was Introduced by unanimous vote.

Introduction of Ordinance #749 Approving Parking Restrictions on Warren Street.

ORDINANCE NO. 749

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, PROHIBITING PARKING AT VARIOUS TIMES, AMENDING SCHEDULE 1 (A) AND SCHEDULE 2 (B)(7), AUTHORIZING THE INSTALLATION OF NO PARKING AND SPECIAL PURPOSE PARKING SIGNS ON WARREN STREET

BE IT ORDAINED by the Borough Council of the Borough of Fountain Hill, Lehigh County, Commonwealth of Pennsylvania, that Chapter 15, Part 3, shall be amended as follows:

1. Schedule 1(A), Parking Prohibited at All Times in Certain Locations, shall be amended as follows:

ADD:

STREET	SIDE	BETWEEN
Warren Street de-Sac	Cul-de-Sac	Entire circumference of the Cul-
Nace Avenue de-Sac	Cul-de-Sac	Entire circumference of the Cul-

2. Chapter 15, Part 3, Schedule 2(B)(7), Special purpose parking signs are hereby erected at the following locations:

ADD:

STREET	LOCATION	SIGN TO READ
Warren Street	East side, beginning at the entrance of the cul-de-sac and extending 100' north	No Parking, Stopping or Standing November 1 – March 31
Warren Street	West side, beginning at the entrance of the cul-de-sac and extending 60' north	No Parking, Stopping or Standing November 1 – March 31
Warren Street	East side, beginning at the Intersection of Moravia Street and extending 115' south	No Parking, Stopping or Standing November 1 – March 31
Warren Street	West side, beginning at the Intersection of Moravia Street and extending 140' south	No Parking, Stopping or Standing November 1 – March 31

#### GENERAL REPEALER

All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of \_\_\_\_\_. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

Date of Borough Council Public Hearing: October 5, 2009

Councilman Blatt asked if the property owners along Warren Street have been notified of this proposed ordinance? Council President Rapp noted that there used to be no parking signs on this lower portion of Warren Street and when the road was reconstructed, the signs were taken down but not replaced.

Hearing no further comments, Council President Rapp asked for a motion and second on the Introduction of this ordinance. Councilman Capuano made a motion to Introduce Ordinance #749. The motion was seconded by Councilman Blatt and Ordinance #749 was introduced by a unanimous vote.

Council President Rapp noted the next item on the agenda was the Adoption of Ordinance #746.

Adoption of Ordinance # 746 Approving Handicapped Parking Spaces & the Removal of No Parking Loading Zone Signs.

ORDINANCE NO. 746

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, PROHIBITING PARKING AT VARIOUS TIMES, AMENDING SECTION 302 ( c ) (3) (Schedule 1(A)), BY ADDING THE FOLLOWING HANDICAPPED PARKING SIGNS, (Schedule 2(B)(8)), BY DELETING NO PARKING LOADING ZONE SIGNS, AND PART 3, PARKING VIOLATIONS, Schedule 2(B)(3), BY DELETING THE FIRE MARSHALL PARKING SPACE

I. SECTION 302 ( c ) (3) (Schedule 1(A)), shall be amended by adding the following Handicapped Parking spaces and signs:

ADD:

STREET

SIDE

LOCATION

Seneca	Front	# 924
Russell	Front	# 1231
Cherokee	Front	# 830

II. SECTION 302 ( c ) (3) (Schedule 2(B)(8)), shall be amended by deleting the following:

DELETE:

<u>STREET</u>	<u>LOCATION</u>	<u>SIGN TO READ</u>
S. Hoffert Street Zone am	West side; beginning 54' From the southwest corner of Broadway and S. Hoffert Street intersection and Extending 40' in a southerly Direction	No Parking Loading Fridays 8:00 am – 11:00

III. PART 3, PARKING VIOLATIONS, Schedule 2(B)(3), shall be amended by deleting the following:

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
N. Hoffert	East	Front of 863 N. Hoffert

#### GENERAL REPEALER

All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of September 8, 2009. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

Date of Borough Council Public Hearing: September 8, 2009

**DULY ENACTED AND ORDAINED** on this   8   day of  September , 2009, by the Borough of Fountain Hill in lawful session duly assembled.

Councilman Grotenhuis made a motion for the approval of Ordinance #746. Councilwoman Halleman seconded the motion. Council President Rapp asked if any members of Council had any comments or questions regarding this ordinance. Hearing none, Council President Rapp asked if any members of the audience had any comments or questions regarding this ordinance. Hearing none, Council President Rapp asked for a vote on the adoption of this ordinance. Ordinance #746 was adopted by unanimous vote.

Council President Rapp asked if any members of Council had any Old Business to bring up. Hearing no comments, Council President Rapp noted that he had no President's Report to make at this time.

Council President Rapp asked for the Solicitor's Report. Mr. Lipson commented that he had no report.

Council President Rapp proceeded to Committee Reports:

Finance Committee: Councilman Trotter reported on the following:

1. That the tentative 2010 budget review calendar has been distributed to Council.
2. Noted that to-date, tax revenue collections are at approximately 85% for the year.
3. Reviewed the amount of bills to be paid by Fund and made a motion for the approval of the Bill List. The motion was seconded by Councilman Grotenhuis. Hearing no questions or comments, the motion was approved unanimously.

Public Works Committee: Councilman Capuano reported on the following:

1. Reviewed the August monthly report.
2. Noted that the Public Works Department are making various alley and pothole repairs.
3. Recommends that Council consider doing more micro-surfacing work next year to prolong the life of various roads that are in good shape but need minor work.

Councilman Grotenhuis asked if there are any new road resurfacing techniques available that might help the Borough with its' future road needs? Councilman Capuano commented that when Delaware Avenue was last done, the technique of milling and reusing the milled asphalt was tried but that it does not seem to be holding up like it should have.

Police Committee: Council President Rapp asked Chief Stephens if he had any report to make. Chief Stephens reported on the following:

- Borough representatives recently met with the Principal and other school officials to review and discuss the traffic issues around the school. The Police Department will be using cones around the intersection of Moravia and Warren to try to prevent dangerous parking conditions. The Department is also looking at the possibility of painting lines in the roadway to deter parking.

House & Ordinance Committee: Councilman Blatt indicated he had no report.

Fire Committee: Councilman Grotenhuis indicated that no Fire Department report has been received for August.

Recreation Committee: Councilwoman Gifford is absent.

Health & Sanitation Committee:

- Councilwoman Halleman reviewed the August monthly report for Garbage and Sewer operations as follows:

8/31/2009			Current & Prior Billings Due	August Receipts	Total Quarterly Collections To-Date	Balance Due
<b><u>Garbage Collections</u></b>						
	Current	(Billed Jun. '09)	\$ 174,319.24	\$ 18,370.43	\$ 147,119.90	\$ 27,199.34
	* Prior / Delinquent		\$ 106,385.36	\$ 4,740.85	\$ 12,901.36	\$ 93,484.00
	Recycling Cans		\$ -	\$ 20.00	\$ 90.00	\$ -
	Grant/Recycling		\$ -	\$ -	\$ -	\$ -
	<b>Total</b>		<b>\$ 280,704.60</b>	<b>\$ 23,131.28</b>	<b>\$ 160,111.26</b>	<b>\$ 120,683.34</b>
<b><u>Sewer Collections</u></b>						
Residential	Current	(Billed Jun. '09)	\$ 149,345.42	\$ 14,803.67	\$ 121,291.79	\$ 28,053.63
Residential	* Prior/Delinquent		\$ 104,027.76	\$ 6,997.75	\$ 13,242.16	\$ 90,785.60
Commercial	Current	(Billed 1st Qtr '09)	\$ 73,330.43	\$ -	\$ 73,330.43	\$ -
Commercial	* Prior/Delinquent	(Prior to 1st Qtr. '09)	\$ 8,224.83	\$ 676.73	\$ 676.73	\$ 7,548.10
	Salisbury Twp.		\$ -	\$ -	\$ -	\$ -
	Star Village		\$ -	\$ 198.46	\$ 198.46	\$ -
	St. Luke/Pump House		\$ -	\$ -	\$ -	\$ -
	<b>Total</b>		<b>\$ 334,928.44</b>	<b>\$ 22,676.61</b>	<b>\$ 208,739.57</b>	<b>\$ 126,387.33</b>
	<b>Grand Total</b>		<b>\$ 615,633.04</b>	<b>\$ 45,807.89</b>	<b>\$ 368,850.83</b>	<b>\$ 247,070.67</b>

\* Prior/ Delinquent - Outstanding Bills except Current Bill.

Councilwoman Halleman commented that the Finance Committee has met and is looking at options to increase collections on delinquent accounts.

Council President Rapp asked if there were any reports from any Special or Select Committees.

Community Officer Apgar addressed Council reporting on the following:

1. Is in the process of renewing business contacts throughout the Borough.
2. Was able to get out to the Park and Pool during their seasons.
3. Coordinated a community event with school children, taking them on a tour of the Police and Fire Departments and providing them with safety training.
4. Getting more acquainted with the school and their programs.
5. Is proposing a Community Police Event involving a Halloween themed event for October 23, to be held at the Park. There would be a small admission charged to help cover any expenses.

Councilwoman Halleman asked about the hours of the event. Officer Apgar noted that the event needs to be held when it is dark and that the evening hours would better work for working parents.

Councilman Rapp asked is children attending would need to be accompanied by an adult? Officer Apgar indicated that the purpose of the event is as a family outing and that parent supervision would be required.

Councilman Trotter asked if there is enough time to pull this program together? Officer Apgar indicated he is comfortable that the program call be put together by October 23<sup>rd</sup>.

Councilman Capuano asked what liability does the Borough have given that the event would be on Borough property? Solicitor Lipson noted that the Borough would have the same liability as any activity on Borough property and that Borough involvement in the program is needed to help minimize the liability and risk.

Council President Rapp asked Mr. Erland if he had any report. Mr. Erland indicated no comments.

Council President Rapp asked Annamarie Jordan, Library Representative, if she had any report. Ms. Jordan commented on the following:

1. The Library is proposing no increase in the 2010 budget.
2. Noted that she and the other Library Board members were upset over the letter that had previously be sent out by Lower Saucon Township in that the letter had been sent to municipal representatives leading them to believe that it had also been provided to the Library Board members, when in fact the Library Board did not receive the letter until well after the Borough had received a

copy. She and the Board are upset that they had not been given any advance notice of the letter before it was sent to other municipal members.

Councilman Capuano commented that the Council appreciates her service as a volunteer member of the Board.

Councilwoman Halleman asked if the Library Board has reached out to Lower Saucon Township to express its' displeasure on how they handled the distribution of this letter and to discuss the matter?

At this time, Council President Rapp opened the meeting up to any public comments. Hearing no further comments, the public session was closed.

Hearing no further comments from Council, Council President Rapp asked for a motion to adjourn. Councilman Capuano made the motion, seconded by Councilman Grotenhuis and approved unanimously. The meeting adjourned at 8:05 pm.

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Minutes approved on October 5, 2009 .

	Motion	2nd	Yes	No	Abstain
Tavis Grotenhuis			X		
Carolee Gifford		X	X		
Norman Blatt	X		X		
Fred Capuano			Absent		
Larry Rapp			X		
Doug Trotter			X		
Helen Halleman			X		
Mayor Ned Fink			Absent		

\_\_\_\_\_  
Lawrence E. Rapp, President of Council

\_\_\_\_\_  
Rick Prill, Borough Secretary