

**May 14, 2013**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, May 14, 2013 in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:00 PM by Council President, Michael C. Kirkham followed by the pledge to the flag. A moment of silence was then observed.

**COUNCIL MEMBERS**

Michael C. Kirkham  
Philip A. Lastowski  
Linda J. Deal  
J. Philip Gerber

Richard M. Moriarty, Mayor  
Thomas R. Keller  
Lynn M. Miller  
James A. Stager

**OTHERS PRESENT**

Edward J. Arnold, Millersville Borough Manager  
John D. Rochat, Millersville Borough Chief of Police  
Jessie L. Ebersole, Millersville Borough Staff  
Steven A. DiGuseppe, Millersville University  
Elaine J. Jones, Lancaster Intelligencer Journal / New Era  
Diana Lyon, 454 Hostetter Dr., Millersville  
Marilyn W. Sachs, 109 E Charlotte St., Millersville  
Edward R. Saylor, Planning Commission Vice Chairman

**MINUTES**

None

**CITIZEN'S REQUESTS OR CONCERNS**

Mr. Saylor wished to thank Council and any employees that helped with the expansion of the recycling program.

**REPORTS OF COMMITTEES OR BOARDS**

Mr. Lastowski commented on the Blue Rock Regional Fire Commission meeting that was held May 2<sup>nd</sup>. Their year-to-date expenses are on track with the exception of the workers' compensation that has increased drastically now that they are with State Workers' Insurance Fund (SWIF). He mentioned Blue Rock Fire Rescue has 160 volunteers on the books but stated only 60-70 members are active.

**May 14, 2013**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

**MAYOR'S REPORT**

None

**MILLERSVILLE UNIVERSITY REPORT**

Mr. DiGuiseppe reported Commencement is this Saturday, May 18<sup>th</sup>, pending good weather; all is a go for an outside ceremony starting at 10 AM on Chryst Field at Biemesderfer Stadium. If inclement weather, there will be two indoor ceremonies for undergrads in Pucillo Gym starting at 10 AM and again at 2 PM. Friday evening will include the College of Graduate and Professional Studies ceremony in Pucillo Gym starting at 6:30 PM. Mr. DiGuiseppe announced Millersville University was named one of the top “green” colleges in the Princeton Review Guide for its sustainability efforts and environmental initiatives. Over the last few years Millersville has partnered with Oregon Dairy Organics and Edie Waste Systems to develop a recycling program to convert organic waste into high-quality compost. He also mentioned that in addition to the summer session the will begin on May 20<sup>th</sup> will be the summer camps MU will be hosting for thousands of younger children, tweens and teens.

**FINANCE COMMITTEE**

None

**WASTE WATER COMMITTEE REPORT**

None

**PLANNING AND BETTERMENT COMMITTEE**

Mr. Gerber made a motion to approve the Non-Residential Land Development Agreement with Millersville Road Partners, LP, the two agreements providing for Grant of Utility Easements (one with Penn Manor School District and one with Millersville Road Partners, LP) and the Stormwater Management Agreement. Mr. Stager seconded the motion. Mr. Arnold explained these documents are for the Millersville Commons Project and that for the most part these agreements and easements resound our ordinances and what we call for relative to Stormwater Management and Subdivision and Land Development, in particularly to a non-residential development. With no further discussions the motion passed by a unanimous voice vote.

**STREET COMMITTEE**

Mr. Stager made a motion out of committee to advertise for bids for (2) four wheel drive ¾ ton pickup trucks with plows and operators for the snow removal in 2013-2014. With no discussion the motion passed by a unanimous voice vote.

Mr. Stager made a motion out of committee to advertise for the special Street Committee meeting to be held June 18, 2013 starting at 7 PM. The purpose of this meeting is to obtain community feedback on a conceptual traffic plan for connecting North and South Duke Streets. Mr. Stager mentioned notices will mailed and hand delivered to all residents in the immediate vicinity. With no further discussions the motion passed by a unanimous voice vote.

May 14, 2013

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

SAFETY COMMITTEE REPORT

None

PERSONNEL COMMITTEE

Mrs. Deal announced the Personnel Committee approved Chief Rochat's request to apply for the Community Oriented Policing Services (COPS) Grant with a four year commitment for thirteen Officers in the Police Department conditional on the grant being awarded. Mrs. Deal reminded Council that the motion at the last Council meeting passed the decision to the Personnel Committee to authorize the thirteenth position.

Mrs. Deal made a motion out of committee to consider adding a thirteenth Officer to the Police Department whether we are awarded the grant or not. Chief Rochat began with some history for those Council members who have not been around that long. He mentioned the Bartell and Bartell Study that was done on the Police Department in 1997. The results of the study show the department at that time was struggling to maintain a professional and efficient operation. He mentioned his years of expertise and credentials that would lead to the credibility of his statements. He stated he has been Millersville's Police Chief for 15 years, has been in law enforcement for 36 years, 26 of those years has been as a Police Chief, has been a Police Chief in three jurisdictions, two of which have been college towns, holds a Master's degree in Criminal Justice and is a Professor at HACC for 16 years teaching criminal justice and has been published. He reported in 2012 the department handled 2060 calls for service (requiring reports). Total calls for service in Millersville according to Lancaster County Communications annual report is 4486. Chief noted in 2004-2005 the department went from 13 Officers to 12 Officers for financial reasons. At that time he predicted crime rate would increase and that he would be back to, at a minimum ask to re-staff the position. The department instituted the 12 hour shift. Results showed seven Officers working 12 hours shifts is equivalent to staffing 10 Officers working 8 hour shifts. Three years ago with the support of Dr. Breaux and Chief Anders at Millersville University, he has been able to create an innovated program which puts a Borough Officer and a University Police Officer in the same vehicle during busy nights to jointly patrol student housing in the borough. Chief Rochat gave examples of other colleges that have excessive block parties that occur as a yearly event. He stated that some view it as luck that Millersville does not have these issues. He takes personal offense to this thinking and stated it is not luck that our partying is not to the magnitude of others. Years ago Millersville had experienced these types of events and he believes we need to give credit where credit is due. He quoted, "It is only by the hard work and dedication of our Police Officers and the strong relationship we have brokered with the University that enable us to reduce the severity of the parties." The Mayor presented information to support the costs of an additional Officer. He showed calculated cost savings that occur when we replace two top tier Officers with three lower tier Officers. He also showed comparisons of projected costs over the next five years, with and without the grant monies. Chief Rochat went on to mention multiple cases that accumulate many hours of investigation research only to result in the District Attorney's Office not pressing charges. He went on to present further statistics on the increase in Part I and Part II crimes over the last eleven years. Part I crimes showed 164 to 314 crimes or a 91% increase and Part II crimes showed 218 to 453 or a 107% increase. He went farther back in history and showed a trend line chart on the total reportable Part I and Part II crimes in Millersville since 1998, 317 to 610 and another chart on the Calls Requiring a Police Report since 1998, 1639 to 2060. In the Chief's professional opinion stated, "We are at a critical stage and need to replace the position lost several years ago." Chief Rochat stated his

**May 14, 2013**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

appreciation for supporting the COPS grant but with or without the grant the thirteenth position is needed. His intention for this position is to hire an entry level patrolman and then promote from within the current rank of Officers for a second investigator. Mr. Keller asked multiple questions, one was whether we would see a reduction in overtime and/or part-time wages. Chief Rochat replied that you will have some savings but not a bundle. The Chief's intent is to have two investigators not working the same schedule, and that most overtime is due to holidays coverage or driven by specific events, i.e. MU graduation; therefore not changing significantly. Mr. Keller clarified that we will be having another investigator and keeping the same number of patrolman; the thirteenth position will not be patrolling the streets. President Kirkham stated his concern about the cost to the Borough and asked where the money would come from. He stated, the budget is already tight and without the grant it will impact greatly. With the grant it will impact later in the fourth year. Another large concern President Kirkham stated is that we have no idea what the results of the Police arbitration will cost us. He believes at this point we should wait until the arbitration comes back and we know the costs of the new police contract. Chief Rochat is aware of the sensitivity to tax increases and where the money comes from but stated, "You pay me to be your Police Chief and for my expertise, and in my professional opinion we need the thirteenth position." He does not know where the money will come from. "That is a decision Council will need to make if they believe the citizens deserve that level of service." He further stated, "Tough decisions have to be made on where the money will come from." Mr. Gerber stated the rise in crime and being down an Officer for several years tells him everything he wants to know. Mr. Gerber continued by saying, "to talk about the costs is getting in the way of reality of the safety in the community and we will have to make adjustments as needed." Mrs. Deal mentioned that Civil Service has been notified to start the process of replacing Officer Young and that a list of eligible hires would be in place. Her thoughts were to possibly table this motion until we know whether we receive the grant and the arbitration is settled so that we know the exact cost of what it is, not just our current police officers but for a new thirteen officer. Mr. Lastowski said regardless, the statistics are going up and we still have that problem to deal with and we will have to pay for it. Mrs. Deal was asked to re-read the motion out of committee. She read, "to recommend to Council to add a thirteenth Officer to the Police Department regardless of obtaining the grant and this was based on the information shared by the Police Chief and Mayor." Chief Rochat requested an amendment to the motion to add a date of on-or-after October 1, 2013 to meet the qualifications of the grant. Mrs. Deal amended the motion to add on-or-after October 1, 2013. Mr. Lastowski seconded the amendment. The motion as amended passed by a 5-2 roll call vote, with Mr. Keller and Mr. Kirkham voting against. Mayor Moriarty thanked Council for their votes and confidence in the Police Chief.

Mrs. Deal made a motion out of committee to approve a CPI increase of 2.1% salary adjustment retroactive to January 1, 2013 for the management team. This does not include the Zoning and Code Enforcement Officer, Mr. Tuscan, since his initial raises were negotiated in his employment offer and will be awarded as he completes licensing requirements. The motion passed by a 6-1 voice vote, with Mr. Lastowski opposed.

Mrs. Deal made a motion out of committee to approve a 1.5% simultaneous salary adjustment to Mr. Leslie McMullen, Sewer Superintendent based on his outstanding job performance and recommendation by the Borough Manager. Mr. Gerber stated it has to be extraordinary and quoted, "If the man is doing his job, he's doing his job. What makes it meritorious?" Mr. Arnold commented on Mr. McMullen's plant control and plant treatment in respect to the scrutiny within the Chesapeake Bay initiative and the latest update to Act 167, Stormwater Management Act, which could result in thousands of dollars in fines and penalties being imposed on a daily basis. Mrs. Deal commends Les but believes his job responsibilities

**May 14, 2013**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

have not changed in the last year and that maybe next year when the sewer plant takes on more flow it would be more appropriate. Mr. Gerber mentioned he has had the opportunity to work with Les over the years and agrees he has the most expertise in the treatment plant. Mr. Gerber finds it astounding that he has numerous times pulled accurate information from the top of his head. With no further discussions the motion passed by a 6-1 roll call vote, with Mrs. Deal opposed.

**PRESIDENT'S REPORT**

None

**BOROUGH MANAGER'S REPORT**

None

**EXECUTIVE SESSION**

After a brief recess, Council broke for an executive session at 9:15 PM for legal matters concerning the North/South Duke Street corridor.

**ADJOURNMENT**

Mr. Gerber made a motion seconded by Mr. Lastowski, to adjourn the meeting at 9:37 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Secretary

EJA/jle