

August 27, 2013
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, August 27, 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
Sam Bigler, 17 Wabank Rd., Millersville
David Aichele, 127 Landis Ave., Millersville
Carol A. Thomas, 170 W. Charlotte St., Millersville
Tyler Keck, 153 E. Charlotte St., Millersville
Benjamin Baer, 390 Eckman Rd., Pequea
Gary Chohany, 149 Pickwick Pl., Millersville
John Gamaldi, 103 Circle Rd., Millersville

MINUTES

A motion to approve the minutes for the July 23, 2013 Council Meeting was made by Mr. Gerber and seconded by Mr. Stager. With no discussions the motion passed by a unanimous voice vote.

CITIZEN'S REQUESTS OR CONCERNS

Carol Thomas of 170 West Charlotte Street stated her concerned that the work going on across the street does not indicate the placement of the sidewalk. She wanted to know whether the sidewalk will be constructed on Manor Township side as previously discussed. Mr. Arnold confirmed that the contractor had decided to place the sidewalk on the North side of the street in Manor Township. Mr. Arnold further mentioned the Street Committee has been discussing revisions to the borough's ordinance that lists the curbs and sidewalk inventory that will be required within the Borough. Anyone with an interest is invited to attend the upcoming Street Committee meetings which are typically held the second Thursday of every month starting at 5:30 p.m.

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Mr. Ben Baer of 390 Eckman Road inquired on the name of the new section of roadway being constructed with the land development at the corner of Millersville Road and Barbara Street (known as Millersville Commons). Mr. Arnold answered that that section of the road will be Wabank Road, as it is an extension of the existing Wabank Road that joins the intersection.

REPORTS OF COMMITTEES OR BOARDS

Mr. Lastowski reported on the Blue Rock Regional Fire Commission meeting that was held in August. He stated the Fire Commission reviewed the 2014 draft budget. The major increase is in the insurance costs, specifically the Workers Compensation coverage. However other expenses were able to be adjusted downward, due to having a couple years of history. The overall effect to the Borough is approximately \$1,000 less than last year.

Mr. Gerber thanked Mr. Arnold for going forward with the framing and public display of a deed dated in 1765 for lot #67 that went to Michael Habecker. He noted you will also find John Millers name on this deed.

Mr. Gerber announced he is pleased with the progress of the Veterans Memorial. The foundation is in, the wall is up, and the concrete pad that will accept the bricks is down. The wall still needs the seals and the plaque as well as the black granite top but all is expected to be completed before November 11th.

MAYOR'S REPORT

Mayor Moriarty reported on the monthly police report showing 239 Calls for Service as another typically high activity month. Mayor Moriarty commented that the detective's investigations are still very busy. The big news is the burglary spree committed by Mr. Lazarus is over and his sentencing hearing is scheduled for next month. The Mayor stated he will be speaking at the hearing in three points of view; one as the Mayor, one as a neighbor and also as a victim. President Kirkham asked Chief Rochat to pass on their thanks to Sergeant Margevich for an excellent job and to all those involved. Chief, in respect, mentioned retired Sergeant Bauman for his role in the beginning of this investigation. The entire police department worked tirelessly on this case.

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuiseppe reported that the fall semester has officially started and will continue through December 15th. He also reported that the Francine G. McNairy library and learning forum in Ganser Hall opened its door on August 26th. The building will be dedicated on October 24th during Homecoming week events. The 2013-14 University budget has been set at \$143 million, after a \$9.1 million budget deficit. As the newspaper reported, there have been permanent layoffs of current employees, frozen staff positions, additional cut backs and a dipping into their contingency reserve in order to meet this budget despite the tuition increase of 3% announced by PASSHE. Mr. DiGuiseppe reported on phase one of the student dormitory replacement, the first of Millersville's commitment to replacing all 2200 on-campus beds with modern suite style accommodations. Construction is underway for the residence hall that will include 267 units of mixed single and double occupancy semi-suites and full suites. Hobbs residence hall will be the first to be demolished at the end of the fall semester of 2013.

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FINANCE COMMITTEE

Mr. Lastowski made a motion out of committee to accept the July, 2013 Financial Reports as presented to the Committee by Borough Manager, Edward Arnold. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve a resolution authorizing participation in the Merchant Service Program under PLIGIT for the use of credit cards in connection with on-line payments. Mrs. Miller inquired on the fees. Mr. Arnold explained there will be a \$1.50 minimum or a 2.45% fee passed on to the user when you access through the internet. With no further discussions the motion passed by a 6 to 1 voice vote, with Mr. Gerber opposed.

RESOLUTION BOOK
RESOLUTION NO. 2013-9

WASTE WATER COMMITTEE REPORT

None

PLANNING AND BETTERMENT COMMITTEE

Mr. Gerber explained the request presented to the Planning and Betterment Committee by Mr. John Gamaldi in regards to his property at 103 Circle Road. Mr. Gamaldi points out the borough code states "a dwelling unit let for rent" and states he doesn't rent out this property and therefore requests it not be inspected or licensed as a rental unit. He has purchased this dwelling for his daughter. Mr. Gerber further commented the committee voted against Mr. Gamaldi's request but proceeded to make a motion (not out of committee) to consider this property not as a rental or abide to the rental inspections since it is used by his family. There was no second to his motion. Further comments were given by Mrs. Miller and Mr. Lastowski on the depth of the conversations within the committee that resulted in the request being denied at this time. Mr. Gamaldi stated the borough penalizes family situations such as his. He doesn't have a lease which he states our rental ordinance references, as he provides it for his daughter, son-in-law and grandchild. He believes the ordinance needs to be address to allow family situations. President Kirkham supports the decision made by the committee which was based on the ordinance as it is currently written but has asked the Borough Manager to contact our solicitor to re-look at the rental ordinance to allow for situations such as Mr. Gamaldi's.

STREET COMMITTEE

Mr. Stager made a motion to allow the use of public streets for the 'Girls on the Run' to be held on Saturday, November 16, 2013 at 9 a.m. and the annual Millersville Turkey Trot to be held on Thanksgiving Day, Thursday, November 28, 2013 contingent on the routes being available. Mr. Lastowski seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

Mr. Stager made a motion to allow the road closure and provide barricades as we have in the past for the fourth annual Manor View Drive block party on Sunday, September 15th from 5-7 p.m. Mrs. Deal seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

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SAFETY COMMITTEE REPORT

Mrs. Miller mentioned the Safety Committee did not meet but wanted to thank the Police Department for all the work done on the Lazarus case coming to a conclusion.

PERSONNEL COMMITTEE

Mrs. Deal made a motion to advertise an amendment to the borough's code of ordinances to revise regulations governing the Police Pension Plan to reflect the arbitration award.

Mr. Stager seconded the motion. Mrs. Deal mentioned the change specifically references the definition of Salary for police officers hired prior to June 5, 2013 and those officers hired on or after June 5, 2013. With no further discussions the motion passed by a unanimous voice vote.

Mrs. Deal made a motion to approve the resolution to state the elimination of contributions to the Police Pension Fund in calendar year 2012 and 2013 as a result of the arbitration. Mr. Keller seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2013-10

RESOLUTION BOOK
RESOLUTION NO. 2013-11

Mrs. Deal made a motion out of committee to renew the Chief of Police contract with updated figures aligned with the arbitration settlement. Mr. Arnold stated this is an annual contract subject to the committee's review of the conditions set forth and as he has met the conditions of the contract it is not necessary to make a motion. Mrs. Deal wanted to publicly thank the Chief by reading from his letter extending his annual employment contract; "Thank you for your continued service – as an effective administrator of our police department, as an advocate for the safety of our borough, and for your on-going communication with Borough Council. We appreciate all your extra time and effort in solving the difficult cases this year. You have trained our officers to handle the victims with empathy and the court issues with professionalism." With no further discussions the motion passed by a unanimous voice vote.

PRESIDENT'S REPORT

President Kirkham mentioned his appreciation of letters from the citizens, especially when we have controversial situations such as the North/South Duke Street intersection. He did recognize a recently received negative letter and has asked the Borough Manager to respond to all letters.

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BOROUGH MANAGER'S REPORT

Mr. Arnold gave an update on the West Frederick Street Infrastructure projects. Phase I still has one telephone pole remaining in the sidewalk. As soon as this last pole is out, the sidewalk work will be completed. Phase II project will be split in two sections. The first part will be the water and sewer utilities this year and next year will be the sidewalks, curbs and road overlay. The idea is to have the utilities completed and the road re-opened for Thanksgiving. The start date for this work has been set for September 30th and return next June to finish the project.

Mr. Arnold announced the Creek Drive Pumping Station improvements are all but complete. This upgrade added ten feet of flood protection as well as new pumps.

Mr. Arnold mentioned the annual LIMC dinner meeting will be held October 16, 2013 at Millersville University.

Mr. Arnold stated the progression of our newly designed website and gave note that it will be set up for the pay on-line, as well as tying in to the parking ticket system.

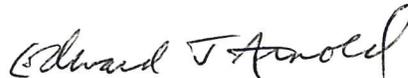
EXECUTIVE SESSION

None

ADJOURNMENT

Mr. Gerber made a motion seconded by Mrs. Deal, to adjourn the meeting at 8:25 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold
Borough Secretary

EJA/jle