

February 25, 2014
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, February 25, 2014 in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:00 p.m. 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
Lynn M. Miller
David T. Aichele

Richard M. Moriarty, Mayor
Linda J. Deal
James A. Stager
Daniel P. Ostrowski

OTHERS PRESENT

Edward J. Arnold, Millersville Borough Manager
John D. Rochat, Millersville Borough Chief of Police
Jessie L. Ebersole, Millersville Borough Staff
Steven A. DiGuiseppe, Millersville University
Haley Williams, Millersville University Student Advisor
Elaine J. Jones, Lancaster Intelligencer Journal / New Era
James A. Kirk, Jr., Zoning Hearing Board Vice Chairman
Lucie Lehr, Historic Commission member
Craig Lefever, 36 N. Prince Street, Millersville
Ed & Stephanie Hersh, 72 Blue Rock Road, Millersville

MINUTES

A motion to approve the minutes for the January 28, 2014 Council Meeting was made by Mr. Lastowski and seconded by Mr. Stager. With no discussions the motion passed by a unanimous voice vote.

CITIZEN'S REQUESTS OR CONCERNS

Mr. Lefever of 36 North Prince Street asked why the declared snow emergency was not enforced; in particular, the parking on North Prince Street as it is a posted snow emergency route. Mayor Moriarty mentioned it is rare for the borough to state a snow emergency because the borough is hampered with where people take their cars. We realize we cannot get all the cars off the streets because some people just don't have anywhere else to go and we don't have anywhere to allow people to park. So, it is our effort to at least get some of the vehicles off the streets and the Mayor believes hauling them away or fining them isn't really a fair idea. Mr. Arnold stated we did finally get an agreement hammered out with the University to allow parking in their parking garage during these declared emergency events.

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REPORTS OF COMMITTEES OR BOARDS

Mr. Lastowski reported on the Blue Rock Regional Fire District meeting held on Thursday, February 6th. Mr. Hagelgans presented a service call report for 2013. There were a total of 1208 emergency calls during the year (of that 831 were fire related). 231 emergency calls were based in Millersville, 421 in Manor Township and 526 were mutual aid. Mr. Lastowski mentioned the emergency center was opened for the recent ice storm and that the storm produced 24 calls in 24 hours. The major impact of these storms on the budget will be reflected in fuel usage accounts. Mr. Kirkham mentioned his and Mr. Lastowski's attendance to the Fireman's banquet on February 2nd. It was well attended by all the Fire Stations (approximately 150 people) and there were numerous service related awards presented.

MAYOR'S REPORT

Mayor Moriarty swore in Ms. Haley Williams as the Millersville University Student Advisor to the Borough Council. He reported on the January's monthly report as being average. The annual police department report is finished and they will discuss the report in detail at the upcoming Safety Committee meeting. He did mention the robbery items are being returned with challenges to individual schedules. Chief commented that the stolen property returns are going pretty good and are more than half way distributed. Mayor Moriarty stated that Pennsylvania is the only state that does not allow local police officers to use radar. The Pennsylvania Mayors Association has been pushing to have this law changed and that they are very close. Mayor Moriarty will be a spokesperson for the Pennsylvania Mayors to support the change to this legislation.

Chief Rochat provided additional comments to the monthly reports, noting that Part 1 crime statics have increased 44.8% from 2011. He also noted the type of crimes our Investigator is handling has been the trend for the past three years (burglaries, robberies, sexual/indecent assaults).

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuseppe announced some of the upcoming events: the MU Theatre drama production "A Lesson Before Dying" and the all-student produced, directed and performed musical presentation of "Aida", as well as the 7th annual Science Olympiad and Odyssey of the Mind competitions. He reported on the most quoted man on campus recently is Millersville's Eric Horst. Eric Horst is the director of the weather information center and meteorologist at Millersville and this winter has regularly been quoted in the local newspapers, radio and television. Mr. Horst continues to provide an in-depth analysis of coming storms and what people need to know to be safe.

Ms. Williams reported on students in the Music Business and Technology program joined the famous musical group "Foreigner" on the stage at the American Music Theater. The Millersville Chorale was asked to be the first university group to open for Foreigner that night. She also reported that MU senior Jean Casimir is in Sochi, Russia as part of his internship with the television network NBC as they cover the 2014 Winter Olympic Games.

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PENN MANOR SCHOOL REPORT

Mrs. Deal gave the Penn Manor report per Mr. Rosenberg's request. He was unable to attend. Fifteen Penn Manor students won awards for outstanding writing in the 2013-2014 Lancaster County Scholastic Art and Writing competition sponsored by the Lancaster Public Library. Emma Spearing, a seventh grader at Marticville Middle School earned the highest honor, the Gold Key Award in the flash fiction competition. She announced thirty middle and high school students won multiple awards at the Lancaster-Lebanon Technology Student Association (TSA) regional competition. These winners will advance to the state level TSA competition in April. Another twenty-seven seniors signed letters of intent to participate in collegiate sports at colleges and universities next year. This is the largest number of athletic signings in Penn Manor's history.

FINANCE COMMITTEE

Mr. Lastowski made a motion out of committee to accept the November, 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 accept the December, 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 the Resolution authorizing the trade in of (14) Sig-2340, (2) Sig P250-9 and (2) Glock-27 handguns with unused ammunition in the acquisition of (12) Glock-22 and (6) Glock-23 handguns with magazines, pouches and holsters for use by the Police Department. With no discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2014-7

Mr. Lastowski made a motion to adopt the Resolution and approve the Certificate of Approval for Student Services Inc.'s financing of the new student housing project located on the campus of Millersville University through the East Hempfield Township Industrial Development Authority. Mr. Ostrowski seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2014-8

Mr. Lastowski mentioned replacement of the gazebo in the Borough's park was budgeted in 2014 and the project is anticipated to begin this spring. The original gazebo had deteriorated and was removed three years ago. Mr. Arnold added that this gazebo is dedicated for the personal donation from the Rutter family. Worthington Rutter had donated over \$350,000 to the park maintenance back in 1970. To this day we still have the principal of this donation and only use the interest to support the park functions.

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Mr. Lastowski mentioned the borough is moving forward with the purchase of the Land Management Software for the Zoning and Code Enforcement department. This software was also a 2014 budgeted item.

Mr. Lastowski reported on the Sprint/Nextel decommission of their cell phone equipment on the Borough's water tower. This will result in an approximate \$20,000 annual loss.

Mr. Lastowski announced representatives from the Borough's Auditors, Trout, Ebersole, & Groff will be attending the next Finance Committee meeting to present the 2013 yearend financial statements and welcomed the public attendance.

WASTE WATER COMMITTEE REPORT

None

PLANNING AND BETTERMENT COMMITTEE

Mrs. Deal mentioned there is an amendment to the Rental License Ordinance that has been given much consideration due to the concern of some residents that own property in the Borough. These properties are considered a rental unit even though the property owner allows family members to live in those homes without charging rent. It is the Planning and Betterment Committee's recommendation to not make any changes to the existing ordinances. They believe it is not possible to create a clear definition of "immediate family" that will not cause hardship on the Borough to regulate. President Kirkham asked the committee to re-look at this ordinance again and consider what other college town have in place.

STREET COMMITTEE

Mr. Aichele mentioned the committee did not meet due to the snow. Mr. Lastowski took the opportunity to thank the Street Department and other staff that worked through the night during this last storm to clear the roads. Chief Rochat mentioned the Street Committee will need to discuss parking issues on Creek Drive, relative to the storms and Mr. Stager mentioned additional concern for the parking on the section of Wabank Road closest to Manor Avenue.

SAFETY COMMITTEE REPORT

Mrs. Miller mentioned the committee did meet to discuss open issues. There are some dates that need to get nailed down for the Landlord/Housing Fair meetings, Spring and Fall. Mrs. Miller congratulated the Zoning Officer, Mike Tuscan, for a job well done. His monthly report reflected a total of 47 Snow/Ice violations in February.

PERSONNEL COMMITTEE

Mr. Stager made a motion, seconded by Mr. Lastowski to adopt the Resolution that re-appoints Reverend David Fisher to the Educational Service Agency for another three-year term ending January 1, 2017. With no discussions the motion passed by a unanimous voice vote.

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RESOLUTION BOOK
RESOLUTION NO. 2014-9

Mr. Stager made a motion to accept the resignation of our Officer Robert A. Bechtel effective February 14, 2014. Mrs. Deal seconded the motion. With no discussion the motion passed by a unanimous voice vote.

Mr. Stager mentioned the Civil Service Commission had initially certified four candidates. The Borough hired candidates one and two. Candidate four withdrew his application upon taking a position with the Manheim Township Police Department thus leaving candidate number three. Mr. Stager further mentioned that normally the Personnel Committee would consider the open position at their meeting; however, due to the storm the Committee did not meet. The next Personnel Committee meeting is scheduled for March 13th. Mayor Moriarty voiced his concern that if we wait until next month, the applicant may not be available and we would be back to going through the whole process again at a cost of \$3000 to \$5,000 and possibly six more months. President Kirkham stated new Council members should have the opportunity be included in the decision of hiring this 13th Officer and that protocol should be kept. Chief Rochat reminded Council that the 13th position was authorized by Council, with or without the grant, and had given the Civil Service Commission the go ahead to start the hiring process and come up with a certified list of eligible candidates. Mr. Stager recognizing both sides to this issue, the cost and the increase in crime especially over the past year, in particular with all the robberies. He continued by saying it is problematic time-wise. The choice is do we want to change our mind and not fill the 13th position or we do want to offer the 13th position. If we go that route of offering employment then we are committed to going with the current eligibility list as rapidly as possible. Mr. Ostrowski asked to think this through a little more. If we are acting quickly to save \$3,000 to \$5,000 but can be potentially spending hundreds of thousands of dollars over the life of employment of this person and to add to that we lost grant money to help cover some of his salary. Mr. Ostrowski thinks we may be penny foolish to move too quickly on this. The Mayor stated with the work load in and out every month, we have a detective and a Chief that is ragged. He further stated there is a process in place that has been approved and now Council is retrenching. Mr. Kirkham asked for a motion to continue on and offer employment or not. If not, it will go back to the normal channels and return to the Personnel Committee. He recommended it go back to Personnel.

Mrs. Miller made a motion to make an offer as a replacement for the person that unfortunately took the job and left after one month and go to the next person on the certification list. Mrs. Deal seconded the motion. With no further discussion the motion passed by a 4 to 3 roll call vote, with Mr. Ostrowski, Mr. Lastowski, and Mr. Kirkham opposed.

Mr. Stager made a motion to make a conditional offer of employment to Alan Anderson the next available candidate on the certified Civil Service Commission list, as a police officer effective March 10 or as soon thereafter with provisions that he must successfully pass the physical examination including a drug test, psychological evaluation, the polygraph test and the MPOETC Police Officer Certification exams and as per the police contract his first year of employment will be a twelve month probationary period. Mrs. Deal seconded the motion. With no discussion the motion passed 5 to 2 voice vote, with Mr. Kirkham and Mr. Lastowski opposed.

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PRESIDENT'S REPORT

President Kirkham mentioned a meeting he had with Dr. John Anderson, President of Millersville University and Dr. Beaux. They are pleased with the relationship we have and the support in regards to rental properties. He also mentioned the Lancaster County Boroughs' Association meeting is tomorrow night at Gordinier Hall.

EXECUTIVE SESSION

None

BOROUGH MANAGER REPORT

Mr. Arnold asked Council to consider making a motion to revert back to using the Borough building for the Primary and General Election in 2014. Mr. Lastowski made such a motion, seconded by Mr. Stager. Mr. Kirk asked if there were any reasons for the request. Mr. Arnold replied that there were none given. With no further discussions the motion passed by a unanimous voice vote.

Mr. Arnold asked Council to consider making a motion to ratify the declaration of disaster emergency for the ice storm that began on February 4, 2014. It was noted that this declaration was enacted verbally by all Borough Council and the Mayor of Millersville, effective February 4, 2014. Mr. Lastowski made such a motion, seconded by Mr. Stager. With no discussions the motion passed by a unanimous voice vote.

ADJOURNMENT

With no further business to discuss, President Kirkham adjourned the meeting at 8:47 p.m.

Respectfully submitted,



Edward J. Arnold
Borough Manager

EJA/jle