

March 25, 2014

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

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

The meeting was called to order at 7:03 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 (absent)
James A. Stager (absent)
Daniel P. Ostrowski

OTHERS PRESENT

Edward J. Arnold, Millersville Borough Manager
John D. Rochat, Millersville Borough Chief of Police
Andrew M. Boxleitner, Street Superintendent
Jessie L. Ebersole, Millersville Borough Staff
Edward R. Saylor, Planning Commission Vice President
Steven A. DiGuiseppe, Millersville University
Nathan Rosenberg, Penn Manor Student Advisor
Duane E. Hagelgans, Blue Rock Regional Fire Commissioner
Jill Gilbert, Trout, Ebersole & Groff, LLP, Borough Auditor
Kristy Beckman, Trout, Ebersole & Groff, LLP, Borough Auditor
Elaine J. Jones, Lancaster Intelligencer Journal / New Era
Sam Bigler, 17 Wabank Rd., Millersville
Tom Dukes, 123 Manor Ave., Millersville
John Folker, 115 West Charlotte St., Millersville

MINUTES

None

CITIZEN'S REQUESTS OR CONCERNS

Mr. Saylor of 532 Thorngate Place had a few items of concern. He first asked if the Borough would consider having a collection site here for the National Prescription Drug Take-Back program. This program aims to provide a safe, convenient, and responsible means of disposing medications and prescription drugs. The Safety Committee will look into this request. Second, Mr. Saylor asked about the replacement of the damaged stop sign at the intersection of West Frederick Street and North Duke Street. Mr. Boxleitner, Street Superintendent responded that PennDOT has it ordered and it should be here soon. Next, he finds Millersville University's 'Snapper' magazine interesting and would like to be able to pick up copies here at the Borough

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office. Mr. DiGuiseppe will see that copies are provided. Finally, with the Spring weather approaching he would like to see the sidewalk completed on West Frederick Street where they had removed the telephone poles during the West Frederick Street Phase 1 project. Mr. Arnold will follow up with the Contractor.

REPORTS OF COMMITTEES OR BOARDS

Mr. Hagelgans, Fire Commissioner reported on the Blue Rock Regional Fire District's 2013 Year End Report. Summarizing, the operating expenses came in at about 82% of budget, all the buildings' expenses at about 81% of budget and the total expenses came in at 68% of total budgeted expense. This low overall percentage (68%) is due to having no Capital expenditures reported this year. Mr. Hagelgans stated that in negotiations of the cell tower communications service lease, the County will be purchasing the radios that were budgeted as a Capital expense. He noted that the total net income for the year ended at \$355,744. He also mentioned that with a positive year-end close for the late two years; they are aggressively reducing a \$600,000 debt with a high interest rate. They anticipate saving approximately \$100,000 in interest by paying off this debt early. Mr. Hagelgans went on to announce that volunteers are up. One of their main initiatives is to actively recruit and retain membership. Most of this increase in volunteers is from the University. Mr. Lastowski, Vice-Chair of the Blue Rock Regional Fire Commission stated it is an honor to serve with the dedicated people that we have providing fire service to the community and thanked Mr. Hagelgans for his part in being fiscally responsible.

FINANCE COMMITTEE – 2013 FINANCIAL STATEMENTS AUDITOR'S REPORT

Mr. Lastowski announced the Finance Committee met on March 19th and previewed the Borough's 2013 Financial Statements with supplementary information provided by the Auditors. Mr. Lastowski introduced Mrs. Jill Gilbert and Mrs. Kristy Beckman from Trout, Ebersole & Groff, LLP, the Borough's financial auditors. Mrs. Gilbert explained that they did an audit of the Borough's financial statements as they have for many years. She mentioned these are the Borough's financial statements and that in their auditing Trout, Ebersole & Groff gives an opinion of the Financials. The opinion that the Borough received this year is an 'unmodified' opinion; meaning there were no issues that arose that would have caused them to modify the financial statements. She advised Council, especially the new members to read the Management's Discussion and Analysis, pages 3 through 10, as it gives a good description of what has happened during the year and anticipates what will happen next year. She then proceeded to go through various pages of explanation. The first section reviewed was the Government Wide financial statements. These are statements that bring all the borough's funds together. She noted the borough's ending net position at December 31, 2013 is \$14,218,767; this amount takes into consideration the borough's assets and liabilities. The next financial statements Mrs. Gilbert explained were the borough's major funds; the General fund, General Capital Reserve fund, and the Highway Aid fund. These funds showed a net increase of \$295,859 and a net ending fund balance of \$3,700,192. The other financial statements reviewed were the borough's proprietary funds, otherwise known as the business funds, where you charge a fee for service; the Sewer and Sewer Capital Reserve funds, Solid Waste fund and the Educational Service Agency fund. These funds showed a net increase of \$639,527 and a net ending fund balance of \$9,080,524. She continued to explain the borough's fiduciary funds.

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These are funds that the borough maintains; the employee's Pension funds, Deferred Compensation fund, and the Park fund. She noted the investment income of these funds did well this past year, with an increase of \$1,269,427 in the Pension funds and \$52,711 in the Park fund. The pages following the financial statements are the relative notes to the financial statements. Mrs. Gilbert gave reference to Note 6, the Borough's changes in Capital Assets and Note 8, the Borough's Long Term Debt. The last statement highlighted was the budget versus actual figures in revenues, expenditures and transfers. The Borough's revenues came in \$292,681 more than budget mostly due to the earned income tax collected and the building permit fees received from the University's new dormitory construction project. Expenditures were \$138,390 less than budgeted mostly due to staffing positions that were not filled before yearend. President Kirkham thanked Mrs. Gilbert and Mrs. Beckman for their excellent presentation and all their efforts during the audit and for putting together the final version of the Borough's Financial Statements. He also thanked Mr. Arnold, Mrs. Ebersole and all the Staff, as well as the Finance Committee for another good job.

MAYOR'S REPORT

Mayor Moriarty asked President Kirkham to present the certificate of recognition to the Street, Wastewater Treatment Plant and Borough's departmental personnel for their outstanding service during the wintery storms. President Kirkham read the certificate and Mr. Arnold accepted on behalf of the staff.

Mayor Moriarty reported on the monthly police report stating February would have seemed to be a quiet month due to all the snow but in looking at the Calls for Service it is the third highest month of February in the past ten years. He also noted the list of Detective's investigations, commenting on the continuance of high activity. Chief Rochat commented on the continuation of the return of merchandise from the large burglary case and stated that they will have some unclaimed items at the end of this returning process. He also mentioned Officer Turner is still in field training and that the new officer, Alan Anderson is starting tomorrow.

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuiseppe announced various upcoming events. The honors and awards convocation is scheduled to be held April 26th starting at 10:30 a.m. at the Student Memorial Center. He announced Commencement for graduates will be May 9th in Pucillo Gym and Commencement for undergraduates will be on May 10th starting at 10 a.m., weather permitting at Biemesderfer Stadium. Mr. DiGuiseppe reported that electrical utilities upgrades will begin this month on campus. He anticipates there will be numerous planned power outages, of varying durations, as approximately fifty miles of underground cable is scheduled to be replaced. The project may take as long as two years to complete. All major buildings on campus, including residence halls will be affected by the power outages at some point during construction.

Ms. William was unable to attend but asked Mr. DiGuiseppe to read her topics to report. Some items read were that students have returned to campus from having a week off for Spring Break, the annual Super Fest is scheduled for the weekend of May 2nd and 3rd and that Mr. DiGuiseppe has been appointed as one of the new advisors to the Student Senate.

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Mr. DiGuiseppe reported that the last Veterans Memorial Committee meeting was held today. It was decided that as of May 1st the operating procedures will be presumed by the borough staff. Brick orders and donations are still being accepted. He announced that as of today they have sold 720 bricks. Mr. Arnold recognized Mr. DiGuiseppe for a terrific job directing us through this lengthy project. He also added that on the transition date of May 1st the cost of the bricks will be increasing to \$50 for a brick with two-lines and \$75 for a brick with three-lines.

PENN MANOR SCHOOL REPORT

Mr. Rosenberg reported that as of now the Penn Manor High School Commencement will remain as scheduled on June 3rd at the F&M College Alumni Sports Complex Center. He also announced longtime Penn Manor High School social studies teacher and coach Joe Herman has been honored with a 2014 Teacher Impact Award. Herman has spent his entire 39½-year career at Penn Manor, teaching European, Asian, U.S. and Pennsylvania History, Field Geography, Psychology and Economics. He also has coached track and field for his entire career and was a boys' soccer coach for 32 years and a field hockey coach for 3 years. He also announced the Penn Manor Education Foundation recently awarded more than \$16,000 in Venture Grants for 18 projects designed to enhance learning for students at all levels in district's schools. Marticville Middle School will get a new kiln to replace a 25-year-old machine and Central Manor Elementary School used its grant to buy a set of Whisper Phones that enable students to practice their oral reading skills without disrupting their classmates.

FINANCE COMMITTEE – (CONTINUED)

Mr. Lastowski made a motion to accept the 2013 Audit Report of the Borough's Financial Statements as presented by Trout, Ebersole and Groff. Mr. Ostrowski seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the 2014 budget adjustment and transfer of \$500,000 from the General fund to the General Capital Reserve fund as a result of the 2013 Audit report. Mrs. Miller asked for an explanation on this transfer. Mr. Arnold explained that the Borough maintains separate operating and capital funds. The operating funds are used for what is needed to "operate" during the Borough's calendar year. The capital funds are the result of money being moved out of the operating fund and "reserved" for capital purchases. For example, the borough's transportation improvement project is estimated at \$2.5 to \$3 million dollars. That \$500,000 transfer can be used toward that multi-million dollar project. Mr. Arnold also noted that the borough maintains both a General Capital Reserve fund and a Sewer Capital Reserve fund. With no further discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve a Sewer Capital Reserve budget adjustment in the amount of \$10,500 for the purchase of an automatic chlorine shut off valve at the Wastewater Treatment Plant and the offsetting budget adjustment to the replacement of the Digester Blowers project. It was noted that the Digester Blowers project's bid was awarded less than budgeted. With no further discussions the motion passed by a unanimous voice vote.

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Mr. Lastowski made a motion out of committee to approve the application for a credit card with a \$3,000 limit to be used for purchasing items for the Borough. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion, seconded by Mr. Ostrowski to accept the January, 2014 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, seconded by Mr. Ostrowski to accept the February, 2014 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 the Borough's 2007 Ford Crown Victoria police cruiser for a new 2014 Ford Utility Police Interceptor. With no discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2014-10

Mr. Lastowski mentioned receiving the January 2011 to December 2012 Liquid Fuels Tax Fund audit report from the State's Auditor General's Office. The report states that no instances of non-compliance, no significant deficiencies and no material weaknesses were found.

WASTE WATER COMMITTEE REPORT

Mr. Ostrowski made a motion out of committee to allow a new residential sewer service connection for Mr. John Folker's home located at 115 West Charlotte Street, Manor Township for one (1) EDU (equivalent dwelling unit) and one (1) tapping fee. Mr. Arnold explained that the owner has received clearance from the Pennsylvania PUC (Public Utility Commission). As a further explanation, the Pennsylvania PUC governs any rate you impose outside your jurisdiction. With no further discussions the motion passed by a unanimous voice vote.

Mr. Ostrowski made a motion out of committee to advertise the Borough's sludge hauling contract. He noted the Biosolids Management Service agreement would be for another two year term with a one year extension option. The current contract expires May 31, 2014. With no further discussions the motion passed by a unanimous voice vote.

PLANNING AND BETTERMENT COMMITTEE

None

STREET COMMITTEE

Mr. Aichele made a motion out of committee to advertise the Stormwater Management Ordinance. This ordinance is to restate and establish stormwater management regulations within the Borough in accordance to Act 167, the Pennsylvania Storm Water Management Act, and the Storm Water Management Plan. Mr. Arnold commented that this ordinance is being reviewed by the Borough's Solicitor and Engineer and he anticipates seeing revisions to the draft version distributed. He also mentioned our Engineer will attend the Council meeting where we consider adoption, to provide further clarification of the final ordinance. With no further discussions the motion passed by a unanimous voice vote.

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Mr. Aichele made a motion out of committee to approve the use of public streets for the 5th Annual Recreation Alliance Bike Ride on Sunday, June 22, 2014. It was noted that a small portion of the route will come through the Borough; North Duke Street, West Frederick Street and South Duke Street. With no discussions the motion passed by a unanimous voice vote.

Mr. Aichele introduced Street Department Superintendent, Mr. Andy Boxleitner to present his annual MS4 stormwater permitting report for DEP's requirement for the year 2013. Mr. Boxleitner stated each year they inspect 25% of the outfalls for illicit discharge, both public and private. They are also required to educate the public and staff on DEP's good housing keeping and record keeping. This is partially done by a pamphlet entitled "When it Rains, It Drains" being distributed through the Penn Manor High School, on the Borough's website, and in the Borough's lobby. He discussed liability issues and his concerns with having volunteers participate in the Borough and noted there were no volunteer programs performed in 2013. He stated for 2013 there was one storm water complaint received that was thoroughly investigated and that no enforcement action was necessary. He also stated there were two complaints to the Lancaster County Conservation District that were investigated and again no action taken.

SAFETY COMMITTEE REPORT

Mrs. Miller made a motion out of committee to adopt the revised Rules and Regulations of the Police Standard Operating Procedures specifically regarding Body Art and Grooming Standards. She noted a letter was received from the Millersville Borough Police Association stating they have been advised of the proposed changes and that they understand there has been a change in the regulations for the display of tattoos and that the Association has no concerns or objections. With no discussions the motion passed by a unanimous voice vote.

Mrs. Miller mentioned that the Mayor and Chief Roach gave a presentation on the 2013 Annual Police Report.

Mrs. Miller also mentioned they have been taking action to get a Spring Landlord meeting organized. They are working with the University on setting a date for this Spring and a Fall date as well.

PERSONNEL COMMITTEE

Mr. Lastowski made a motion out of committee to approve a 2.1% increase to the Managerial Staff retroactive to January 1, 2014. Mr. Lastowski noted that after much discussion, consideration and analysis by the Personnel Committee a compromise was reached for the management pay increases for 2014. Mayor Moriarty asked Council to consider in future years to "piggy back" on the union contract and give Management personnel, at minimum the same amount. In his opinion giving the Managers less creates all sorts of problems with morale and with the salary scale. He further voiced that this lesser salary increase impact to the people that run our Borough is significant and demoralizing and that from a policy perspective you could simply follow the practice already put in place with the Unions. With no further discussions the motion passed by a unanimous voice vote.

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Mr. Lastowski made a motion out of committee to approve the Resolution to appoint Mrs. Lucie M. Lehr to the Blue Rock Regional Fire Commission to serve the remainder of the two year term which ends December 31, 2014. With no discussion the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2014-11

PRESIDENT'S REPORT

President Kirkham congratulated Chief John Rochat; as today is his 16th year anniversary working for the Borough.

EXECUTIVE SESSION

None

BOROUGH MANAGER REPORT

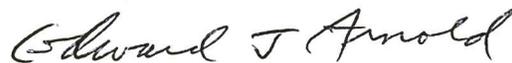
Mr. Arnold mentioned the Zoning Ordinance amendment will be advertised next month for a public hearing to be held at the April Council meeting. He noted there are a few changes proposed to the Historic District inventory; the most notable is the removal of the property that is in conflict with the connection of North and South Duke Street in the upcoming transportation project.

Mr. Arnold asked Council to consider making a motion to appoint the Borough Manager to serve as the voting delegate for the purpose of electing officers of the PSAB and voting on proposed resolutions and policies at the annual meeting. Mr. Lastowski made such a motion, seconded by Mrs. Miller. With no further discussions the motion passed by a unanimous voice vote.

ADJOURNMENT

There being no further business to discuss, Mr. Ostrowski made a motion, seconded by Mr. Lastowski to adjourn the meeting at 8:50 p.m. The motion passed by unanimous voice vote.

Respectfully submitted,



Edward J. Arnold
Borough Manager

EJA/jle