

June 24, 2014
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, June 24, 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
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
Edward R. Saylor, Planning Commission Vice Chairman
Lucie M. Lehr, Historic Commission
Steven A. DiGuseppe, Millersville University
Elaine J. Jones, Lancaster Intelligencer Journal / New Era
Ron Frisbie Jr., Project Manager, Millersville University
Ray Huber, 321 Manor Ave., Millersville
Sam Bigler, 17 Wabank Rd., Millersville
Owen Sechrist, 440 Hostetter Dr., Millersville

MINUTES

A motion to approve the minutes for the May 27, 2014 Council Meeting was made by Mr. Stager and seconded by Mr. Aichele. With no discussions the motion passed by a unanimous voice vote.

CITIZEN'S REQUESTS OR CONCERNS

Mr. Ray Huber of 321 Manor Avenue offered to have members of the Millersville Ministerium take turns saying an opening prayer at the Council meetings, in light of the recent ruling by the U.S. Supreme Court. Mr. Huber stated that the prayer would be for the town, for Council members as individuals, and for the creator of the world to give you wisdom, vision, and unity as you work on issues that are for the benefit of the community. President Kirkham noted that Mayor Moriarty had made a request at last month's meeting and that the Personnel Committee has discussed this matter and will bring forth their recommendation later in tonight's agenda. He thanked Mr. Huber for the generous offer of services.

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Owen Sechrist of 440 Hostetter Drive voiced his concern with the notice he received for an increase in his water rates. It was explained that the water system is owned and operated by the City of Lancaster and that the Borough had sold the water system in 1999.

REPORTS OF COMMITTEES OR BOARDS

Mr. Lastowski reported that the Blue Rock Regional Fire District did not meet this month however he did mention that they have finally received the \$25,000 DCED grant money for the consolidation of the West Lancaster, Millersville, Highville and Washington Boro Volunteer Fire Companies.

MAYOR'S REPORT

Mayor Moriarty reported on the May Monthly Police Report stating it was busy with 235 Calls for Service. Chief mentioned that near the end of the month they picked up three major crimes; two of which have since been cleared. He also noted patrolman utilized the bicycle during graduation and reported a total of 53.7 bicycle miles in May.

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuseppe announced the new residence halls will be known as the 'Villages of Millersville University' and that the first new residence halls, 'South Village' will open its doors in August with the return of students. He stated Burrowes Hall and Lenhardt Hall are almost completely demolished. He also announced parent and family orientation will be Friday and Saturday, July 18th and 19th. Mr. DiGuseppe mentioned a special rain garden opened on campus in the beginning of June. This rain garden is an example of an effective storm water management practice. The downspouts from the roof of Cambria House were redirected to divert rainwater into the garden. The garden is filled with native plants.

PENN MANOR SCHOOL REPORT

None

FINANCE COMMITTEE

None

WASTE WATER COMMITTEE REPORT

Mr. Ostrowski made a motion to award the Waste Water Treatment Plant Stream Bank Rehabilitation Retaining Wall project to the lowest qualified bid, Flyway Excavation in the amount of \$202,900. Mr. Lastowski seconded the motion. With no discussions the motion passed with a unanimous voice vote.

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PLANNING AND BETTERMENT COMMITTEE

Mrs. Deal made a motion out of committee to approve the waiver of a subdivision and land development plan for the land transfer between Millersville University and Penn Manor School District. She explained there are two areas of land being proposed for a swap, one area is owned by the school district and used by Millersville University (athletic field) and another area is owned by the General State Authority/Millersville University and used by the Penn Manor School District (parking lot). Mr. Arnold explained that in communications with our Solicitor the properties will have to be deeded in a certain fashion that doesn't conflict with our existing zoning ordinance. The School District and Millersville University have agreed to follow her stipulation on how to craft those deeds. Mr. Arnold also noted the Borough's Planning Commission is in agreement with waiving the subdivision and land development plan. With no further discussion the motion passed with a unanimous voice vote.

Mrs. Deal introduced Mr. Ron Frisbie to discuss consideration of support for swapping a partial section of East Frederick Street and a partial section of Creek Drive with Centennial Drive. Mr. Frisbie stated this swap of roadways would be beneficial to both parties. He presented a little history, referencing Millersville University Campus Facilities Master Plan showing a conceptual plan of a pedestrian walkway where East Frederick Street currently lays between High School Avenue and Creek Drive. The conceptual plan also shows the heart of the Campus being located at the intersection of Frederick and George Streets, the Academic Core being primarily located on the north side of East Frederick Street, and the new residential housing project south of East Frederick Street. The proposed swapping of these roadways, specifically the giving of the section of East Frederick Street to the University will allow a much safer movement of pedestrian traffic between their housing and main academic core buildings. Mr. Frisbie proceeded to explain the current roadway ownerships and the proposed swapping of roadway ownerships. Millersville Borough currently owns East Frederick Street and Creek Drive. Millersville University currently owns Centennial Drive. The proposal would give Millersville University East Frederick Street from High School Avenue travelling east and becoming Creek Drive, to the point of the intersection with Centennial Drive. The Borough would then take ownership of Centennial Drive allowing public access on the section of Creek Drive that heads east toward the pumping station and beyond to the municipal boundary line. Mrs. Deal made a motion to support the conceptual public streets swap of partial East Frederick Street and partial Creek Drive with Centennial Drive with the condition that the University reimburses the Borough for all legal and engineering costs. Mrs. Miller seconded the motion. Mr. Arnold mentioned that before the dedication of Centennial Drive to the Borough, it would need to meet specification requirements of PennDOT. Mr. Arnold stated the Borough's Planning Commission is in support of the conceptual streets swap. With no further discussions the motion passed with a unanimous voice vote.

Mrs. Deal decided to postpone discussions of the Official Map based on further information forthcoming from the Local Economic Development work sessions.

STREET COMMITTEE

Mr. Aichele made a motion to allow the use of public streets for the annual Millersville Turkey Trot to be held on Thursday, November 27, 2014 starting at 9 a.m. It was noted that the street route remains the same. Mrs. Miller seconded the motion. With no discussion the motion passed with a unanimous voice vote.

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Mr. Aichele made a motion out of committee to advertise the amendment to Millersville Borough ordinance 350.55 Snow Emergency Routes that are not currently signed and to add additional routes and signage as suggested by Andy Boxleitner, Streets Superintendent. The motion was tabled to have more time to review the details. Mayor Moriarty asked if this is a good time to take a broader look at the guidelines of a snow emergency. He asked for consideration to how we communicate with the public and whether the police are to tow vehicles.

Mr. Aichele made a motion out of committee to advertise the amendment to Millersville Borough ordinance 350.33 Parking Prohibited at all times in certain locations. Mr. Arnold mentions this section of the ordinance amendment is included with the previous tabled motion and suggests tabling as well. The motion out of committee was tabled.

Mr. Aichele mentioned the request from a borough resident to require removal of snow around hydrants within 24 hours after a storm was discussed by the Committee. The Committee recommends notices are placed on the sewer/trash collection and recycling services quarterly billings and the borough's newsletter.

Mr. Aichele made a motion to adopt the resolution reestablishing and amending fees to be charged in connection with the administration and enforcement of the Borough's Storm Water Management Ordinance. Mrs. Deal seconded the motion. Mr. Arnold explained the new filing and inspection fees for the two types of small projects. He also noted the revisions to the Residential and Commercial Land Development Plans and Others category. Upon the request of Mr. Stager to clarify, Mr. Arnold stated these fees do not include the reimbursement of the Borough's Solicitor or the Borough's Engineer services when applicable. With no further discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2014-16

SAFETY COMMITTEE REPORT

Mrs. Miller mentioned the committee discussed and agreed to use the drop off site at the University's Police Station and asked that information be sent to residents via the website, in the Borough's recycling newsletter, posting in the lobby and dissemination to Wiley's Pharmacy and Oak Leaf Manor.

Mrs. Miller made a motion out of committee to support the changes made to the Police Department's Rules and Regulations of Patrol Rifles. Chief Rochat noted the change was primarily for personally owned rifles, which he stated must be approved by the department. He also noted other minor changes made based on some civil court cases rulings. With no further discussions the motion passed by a unanimous voice vote.

PERSONNEL COMMITTEE

Mr. Stager made a motion out of committee to create a new Police Sergeant position. Mr. Stager explained with the hiring of the additional 13th Officer last year, it was understood that this new position would allow one of the other Officers to become an Investigator. There has been only one Officer, a Sergeant that has applied for the Investigator position. If this Sergeant takes the Investigator position then that creates a void in the Sergeants staffing.

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Mr. Stager continued to explain that the Investigator position pays an additional \$2500 above a patrolman's base salary while a Sergeant is paid \$4000 above their base pay and one cannot receive both. The Officer that is already making \$4000 is not willing to give up their Sergeant pay for the \$2500 position so he will remain as a Sergeant in the Investigator position. With no further discussions the motion passed by a unanimous roll call vote.

Mr. Stager made a motion out of committee to notify the Civil Service Commission to fill the new Sergeant position. With no discussions the motion passed by a unanimous voice vote.

Mr. Stager mentioned the Committee met with representatives from the Police Association to discuss the ongoing issue of discrepancies between the Police Pension Plan, the Borough Ordinance on Police Pensions and the Police Contract. The Committee asked for them to review the discrepancies and make suggestions on how to rectify this issue to everyone's satisfaction.

Mr. Stager mentioned it was the consensus of the Committee to continue with the practice of opening the Council meetings without prayer.

PRESIDENT'S REPORT

President Kirkham read our Solicitors interruption of whether the Council President can make a motion. "If the president is a member of the voting body, he or she has exactly the same rights and privileges as all other members have, including the right to make motions, to speak in debate, and to vote on all questions. Meetings of small boards, fewer than 12 members and in meetings of a committee, the presiding officer may exercise these rights and privileges as fully as any other member. However, the impartiality required of the presiding officer of any other type of assembly (especially a large one) precludes exercising the rights to make motions or speak in debate while presiding, and also requires refraining from voting except when the vote is by ballot or whenever his or her vote will affect the result." Our Solicitor believes that Council is a small board and therefore the President of Council has the same rights and privileges as all other members. Mr. Kirkham further stated he is not comfortable making a motion or seconding a motion due to the power associated with the position of presidency.

President Kirkham announced the American Dream Scholarship Ride has requested access to the Borough building to view the 9/11 display in the lobby on Saturday, September 20th. 'Team Millersville' bicyclists plan to depart at 8 a.m. at the Community Bible Church in Marietta.

EXECUTIVE SESSION

None

BOROUGH MANAGER REPORT

Mr. Arnold mentioned the pre-construction meeting for the West Frederick Street Infrastructure Phase 3 project will be held on July 10th, 2014 starting at 6 p.m. He then asked Council to consider making a motion to move forward with advertising the project after PennDOT approves the plan in order to get started yet this year. Mr. Aichele made a motion, seconded by Mrs. Deal to advertise the West Frederick Street Phase 3 project located from 165 West Frederick Street to 1 South Duke Street. With no discussions the motion passed by a unanimous voice vote.

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Mr. Arnold announced the deadline for submitting an application for the 2014 Automated Red Light Enforcement (ARLE) Funding Program is the end of this month. This is a Pennsylvania grant for installing traffic signals which the Borough is intending with the North/South Duke Street Corridor project. Mr. Arnold is estimating this grant to be between \$175,000 and \$200,000. The total corridor project is estimated at two million. Mr. Stager, seconded by Mrs. Deal made a motion to approve the submittal of the ARLE application. With no discussions the motion passed by a unanimous voice vote.

ADJOURNMENT

There being no further business to discuss, Mr. Lastowski made a motion, seconded by Mrs. Miller to adjourn the meeting at 9:15 p.m. The motion passed by unanimous voice vote.

Respectfully submitted,



Edward J. Arnold
Borough Manager

EJA/jle