

August 25, 2015
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, August 25, 2015 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 and a moment of silence.

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 Finance Officer
Michael J. Weidinger, Planning Commission Chairman
Edward R. Saylor, Planning Commission Vice Chairman
James A. Kirk, Jr., Zoning Hearing Board Vice Chairman
Kevin F. Weber, Park Commission Member
Emma Weber, 11 Kready Avenue, Millersville
Steven A. DiGuiseppe, Millersville University
Olivia Hertzler, Penn Manor High School Student Advisor
William Torres, Penn Manor High School Student Advisor
Elaine J. Jones, LNP Media Group
Sam Bigler, 17 Wabank Road, Millersville
Gregory A. Szallar, Flaherty & O'Hara Attorneys at Law, Bert's Bottle Shop LLC
Alberto Flores, 341 Valley Road, Millersville, Bert's Bottle Shop LLC
Richard W. Huber, 341 Valley Road, Millersville
Chris Sugra, 126 Scarborough Lane, Millersville
Deeann Hertzler, 502 Long Lane, Millersville
Eric Pettis, 148 E. Cottage Avenue, Millersville

MINUTES

A motion to approve the minutes for the July 28, 2015 Council Meeting was made by Mr. Lastowski and seconded by Mr. Stager. With no discussions the motion passed by a unanimous voice vote.

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CITIZEN'S REQUESTS OR CONCERNS

Mr. Edward Saylor asked if a utility company opening a street has a certain amount of time to close up the street and does the borough inspect the closing to see if it is suitable for traffic. Mr. Arnold responded that utility companies are required to take out a permit. They have 30 days, unless it is winter then they may do a cold patch and come back in the spring to re-do and the Streets Superintendent performs the work inspection of adequacy.

PUBLIC HEARING FOR LIQUOR LICENSE TRANSFER TO THE BOROUGH

President Kirkham opened the public hearing for a restaurant liquor license transfer to the Borough and invited the applicant to give a presentation for the liquor license transfer request to 369 Comet Drive location in Millersville.

Mr. Gregory Szallar introduced himself from Flaherty & O'Hara Attorneys at Law and legal representative of Bert's Bottle Shop, LLC. He then introduced Alberto Flores, the sole owner of the newly formed Bert's Bottle Shop, LLC. Together they requested Council's approval by resolution for the intermunicipal transfer of a liquor license according to Section 461 (b.3) of the Liquor Code. Mr. Szallar proceeded to provide background information on Bert's Bottle Shop, LLC including that Mr. Flores is a long time resident of the Borough. He continued by mentioning Bert's Bottle Shop will provide unique, interactive dining and upscale craft beer. The menu will be comprised of traditional and classic, English and Spanish dishes. Customers will be provided iPads when they enter the restaurant which will help them select a craft beer based on their own preferences, locate beers in its' inventory, and educate customers on not only the various styles of craft beers but about the brewing process itself. Mr. Flores has also developed his own app that will allow patrons to do the same thing on their personal electronic devices when away from the restaurant. The beer selections will focus on upscale regional and national craft beers. He noted that there will be wine available for those that do not prefer beer. Mr. Szallar stated there will be a 100% carding process with an electronic scanner no matter what your age. He further stated that there will be no live entertainment and that service will not flow outside the unit.

President Kirkham then opened the hearing up for public comments. There being none, President Kirkham closed the public hearing.

PLANNING AND BETTERMENT COMMITTEE REPORT

Mrs. Deal made a motion out of committee to approve the resolution allowing the request of Bert's Bottle Shop, LLC for the intermunicipal transfer of a liquor license to 369 Comet Drive, Millersville, Pennsylvania. With no further discussions the motion passed by a unanimous voice vote.

REPORTS OF COMMITTEES OR BOARDS

None

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MAYOR'S REPORT

Mayor Moriarty reported that the monthly police report for July was a very busy month. Everything was on the high side or the third or fourth highest in the last twelve years. No specific details were given.

Chief Rochat commented on a recent newspaper article that out of 27 municipalities ranked by police calls for service, Millersville Borough was ranked 14th.

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuiseppe reported that yesterday over 1300 freshmen joining MU for the first day of class for the Fall semester. Many are now in the new East Village residence hall, the second completed phase with 601 beds. Mr. DiGuiseppe stated the West Village is underway for 2016 and that they are in the planning stages for the Net Zero Energy building. This new building will be located near the residence halls and serve as the new Admissions Welcome Center and Housing/Residence Life staff. He announced some upcoming events such as the first home football game will be on September 3rd and the season opening for the Performing Arts at the Winter Center will be on September 19th both events starting at 7 p.m. There will be an Admissions Open House, which he noted brings a lot of folks to the Borough, is scheduled for Saturday, September 26th and the 2nd Annual American Dream Scholarship Ride is schedule to occur in the Millersville area on Saturday, September 19th. The American Dream Scholarship Ride has riding routes ranging from 5 to 30 miles or more, as well as a walking route in the Borough and on Campus. Mr. DiGuiseppe further announced this fall that Millersville University is implementing a "Common Hour" from 12:05 p.m. to 1:10 p.m. on Tuesdays and Thursdays. The purpose of this Common Hour is to create a time when students, faculty, staff and others can schedule meetings and events with confidence that the vast majority of the Millersville community will not have a scheduled class.

Mr. DiGuiseppe reported that the Millersville Community Parade plans are moving along for the big day, Saturday, October 24th with over 20 bands already booked. His is pleased to announce that a former Council member, Millersville resident and veteran, Dr. William McIlwaine, has been named the 2015 Parade Grand Marshal.

PENN MANOR HIGH SCHOOL REPORT

Ms. Olivia Hertzler reported the 2015-2016 school year begins tomorrow for Penn Manor students and that 17 new teachers, nurses and counseling staff members were welcomed during the New Teacher Orientation Day. She mentioned the Penn Manor Marching Unit will perform its new show, "Eastern Enchantment" this year. This program includes about 20 marching unit members outfitted in authentic Indian attire and features classical music, including the Arabian Dance from the Nutcracker.

FINANCE COMMITTEE REPORT

None

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WASTE WATER COMMITTEE REPORT

None

STREET COMMITTEE REPORT

Mr. Aichele made a motion to accept the only bid received for the winter snow removal equipment rental contract for assistance in the Borough to R&H Excavating, LLC. Mrs. Miller seconded the motion. Mr. Arnold mentioned that this is the same vendor we used last year and is stated at the same hourly rate of \$95; however this contract will include, per the Streets Superintendent request, an increase of a third vehicle. With no discussions the motion passed by a unanimous voice vote.

Mr. Aichele made a motion to advertise the amendment to the parking prohibited at all times in certain locations and the parking prohibited in certain locations, certain days and hours ordinance. Mrs. Miller seconded the motion. Mr. Aichele explained that this amendment is for the no parking September 1 to May 31 and no parking any time after sunset on the North side of Creek Drive from a point 370 feet East to a point 775 feet East of the intersection at Pucillo Drive. It was mentioned that currently there is no parking on both sides of Creek Drive. With no further discussions the motion passed by a unanimous voice vote.

Mr. Aichele made a motion to approve the use of public streets on Saturday, October 10th from approximately 9 a.m. to 11 a.m. for a 5K run followed by a 1 mile Fun Run hosted by Immerse contingent on reimbursement of any additional Police services and providing a liability insurance certificate. Mrs. Deal seconded the motion. Mr. Aichele mentioned that there are to be certified traffic control personnel at six intersections of the 5K run and three during the 1 mile Fun Run. Mr. Huber from Immerse anticipates 100-150 participants and mentioned there will need to be a temporary closing of Herr Avenue during the start of the race. With no further discussions the motion passed by a 6 to 1 voice vote, with Mr. Stager voting opposed due to safety concerns.

Mr. Aichele made a motion to approve the use of public streets for the annual Millersville Turkey Trot to be held on Thursday, November 26, 2015 starting at 9 a.m. Mr. Stager seconded the motion. It was noted that there is a minor change to the street route this year; using James Street instead of North George Street. With no discussion the motion passed with a unanimous voice vote.

President Kirkham announced there will be a public meeting held here at the municipal building on September 10th starting at 6 p.m. to discuss Heisey Avenue.

SAFETY COMMITTEE REPORT

Mrs. Miller made a motion out of committee to approve the changes to the Police Department Rules and Regulations, specifically for Records Management for protected information. Chief Rochat noted that the changes were requirements from the State Police on the handling of criminal justice information. With no discussions the motion passed by a unanimous voice vote.

Mrs. Miller made a motion out of committee to approve the changes to the Police Department Rules and Regulations for Domestic Violence/PFA's, SVPO's and PFI's. Chief Rochat noted that there were two new sections added to meet qualifications of the law just made effective August 1st. With no discussion the motion passed by a unanimous voice vote.

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PERSONNEL COMMITTEE REPORT

Mr. Stager made a motion to make an offer to fill the Sewer Plant Operator Apprentice position to Mr. Tyler Muckle at an annual base salary of \$38,399 (step 1) for the 2015 calendar year. Mr. Aichele seconded the motion. With no discussions the motion passed by a unanimous voice vote.

Mr. Stager mentioned that negotiations with the AFSCME union are underway and that progress is being made. Additional meetings are scheduled for September.

PRESIDENT'S REPORT

President Kirkham wished everyone had a wonderful summer and looks forward to a busy September, October and November.

BOROUGH MANAGER REPORT

Mr. Arnold mentioned West Frederick Street Phase 3 is complete. He commented on the remarkable site standing at the South Duke Street intersection and viewing the sidewalks that are open all the way down West Frederick Street to George Street. "What a nice improvement for the entire neighborhood."

Mr. Arnold noted the Borough had its scoping meeting with PennDOT on the North/South Duke Street Corridor project. The new corridor design as we currently have should not change drastically. However with this project being funded by Federal money, there are a number of surveys and studies that must be completed and stated you never know what unusual species or artifact may turn up during these studies that may cause a last minute modification.

Mr. Arnold asked for Council to consider advertising for the Educational Service Agency's annual meeting that is held to discuss the 2016 budget for the Crossing Guards. Mr. Aichele made a motion to advertise the public meeting on Wednesday, September 23, 2015 starting at 9:00 a.m. Mrs. Miller seconded the motion. With no discussions the motion passed by a unanimous voice vote.

Mr. Arnold asked for Council to consider starting the process, including the advertisement for the approval of the Official Map Ordinance subject to the conditions and comments of the Planning Commission and contingent on the Planning and Betterment Committee's approval of the recommendations from the Planning Commission. Mr. Arnold mentioned starting the process involves not just advertising but numerous notifications requirements, such as to the County Planning, the LIMC and adjoining municipalities, all having time limits to make comment on the Official Map Ordinance. He further mentioned that Council will have the opportunity to make comments and change considerations to the Official Map Ordinance as there will need to be a public hearing held as well. Mrs. Deal made such a motion, seconded by Mrs. Miller. With no further discussions the motion passed by a unanimous voice vote.

EXECUTIVE SESSION

None

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ADJOURNMENT

There being no further business to discuss, Mr. Aichele made a motion to adjourn the meeting at 8:35 p.m., seconded by Mrs. Miller.

Respectfully submitted,



Edward J. Arnold
Borough Secretary

EJA/jle