

**April 24, 2012**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, April 24, 2012 in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:02 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 (conference call connection)  
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  
Edward R. Saylor, Planning Commission Vice Chairman  
Steven A. DiGuiseppe, Millersville University  
Elaine Jones, Lancaster Intelligencer Journal / New Era  
James A. Kirk, 436 Herr Ave., Millersville  
Scott A. Bailey, 61 W. Frederick St., Millersville  
Marilyn W. Sachs, 109 E Charlotte St., Millersville  
Grant and Kat Lehman, Millersville University  
Caroline Hoffer, Barley Snyder, HHF Developer Funks Farm

**MINUTES**

A motion to approve the minutes for March 27, 2012 Council Meeting was made by Mr. Gerber and seconded by Mr. Lastowski. With no discussions the motion passed by a unanimous voice vote, with Mr. Kirkham abstained due to his absence.

**CITIZEN'S REQUESTS OR CONCERNS**

None

**REPORTS OF COMMITTEES OR BOARDS**

Mr. Lastowski reported on the April's Blue Rock Regional Fire Commission meeting. He stated the deeds and vehicle titles are in the process of being transferred to the District. He mentioned Chairman Lauriello sent his letter of resignation to Manor Township. Also announced is the next Blue Rock Regional Fire Commission meeting scheduled for Thursday, May 3rd at 6 PM.

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MAYOR'S REPORT

The Mayor stated the monthly Police report is again reaching ten year highs with 171 Calls for Service, 82 speeding violations and 87 other traffic citations.

MILLERSVILLE UNIVERSITY REPORT

Mr. Steven DiGuiseppe announced the honors and awards convocation is Saturday, April 28<sup>th</sup> in the Student Memorial Center beginning at 10 a.m. He also announced the College of Graduate and Professional Studies commencement ceremony is Friday, May 11<sup>th</sup> in Pucillo gym starting at 6:30 p.m. followed by the Spring commencement on Saturday, May 12<sup>th</sup> at Biemesderfer Stadium starting at 10 a.m. If it rains there will be two ceremonies in Pucillo gym. Mr. James Nevels, founder and chairman of the Swarthmore Group will be this year's speaker. In addition to Mr. Nevels, William J. Reuter and Carlos Graupera will be recipients of honorary degrees from Millersville University for their extraordinary service as leaders in business, banking and public service. Millersville grants honorary doctoral degrees to individuals of extraordinary accomplishment. As an academic institution, Millersville confers its highest honor, their symbol of highest achievement, on those individuals who have shown remarkable creativity or distinguished themselves through service or scholarship. Mr. DiGuiseppe announced Millersville University received an award from the Corporation for National and Community Service for its support of volunteering, service learning and civic engagement, as well as its strong institutional commitment to service and compelling campus community partnerships. The total number of all community service hours engaged by MU students for the year was 499,625 hours.

FINANCE COMMITTEE REPORT

Mr. Lastowski made a motion out of committee to accept the March, 2012 Financial Statements. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski proceeded with motions out of committee to approve budget adjustments for 2011 projects that will finish in 2012 and to transfer the 2011 audit results. The first motion made was for the completion of Glen Oaks Drive replacement of sewer lines in the amount of \$26,000, the dust collection system for \$9,000, the waste water treatment plant meter pit upgrade for \$15,000 and a negative adjustment of \$80,000 for the installation of the pre-treatment screening equipment. With no discussions the motion passed by a unanimous voice vote. The second motion out of committee was to transfer the 2011 audit results in the amount of \$300,000 from the General Operating fund to the General Capital Reserve fund. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the resolution to support the modernizing of the state prevailing wage act. With no discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK  
RESOLUTION NO. 2012-5

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Mr. Lastowski made a motion out of committee to recognize, approve and follow the recent enacted Pennsylvania State Legislation amending the Borough Code regarding the procedure for certain borough expenditures. Mr. Arnold explained that previous Council passed a motion that was more stringent than the legislation and that this motion is asking for a return to the procedures of the State legislation. Previously any capital item purchase was to be presented to the responsible standing committee, then to the Finance Committee and then before full Council for final approval. Mr. Bailey voiced his concern on changing the procedures, stating specifically that when Council approves the capital budget there is then no further action on Council necessary before expending those funds. Mr. Lastowski added that when purchases are over the \$18,500 threshold, Council will still need to take action to approve the advertising requirement. Mr. Arnold doesn't feel a concern, with the working relationship of the current Council, to scrutinize each capital purchase. He continued that those items of magnitude that can be purchased from State contract, such as a Police vehicle, where legislation does not require a motion from Council, will continue to be discussed with the appropriate standing committee. With no further discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the amendment to the communications site lease agreement with AT&T Mobility, LLC. This amendment will increase the square footage for the installation of equipment at the base of the water tower. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion to support an agreement with Lancaster Township for the new West Wabank Road. Mr. Gerber seconded the motion. This agreement states that following the acceptance of dedication of the Township section of West Wabank Road by the Township, the Borough shall plow and salt that section until the first of the following occurs: annexation of the West Wabank Road area from the Township to the Borough or the construction of a building, other than a building principally for school district use, on the south side of the road that has an entrance or exit onto either West Wabank Road or Barbara Street. The Borough will also contribute \$15,000 at the time of dedication for the funding of future maintenance costs on the Township section of West Wabank Road. With no further discussions the motion passed by a unanimous voice vote.

WASTEWATER COMMITTEE REPORT

Mr. Keller made a motion to adopt the agreement and ordinance to allow Manor Township to become a bulk customer of the Borough's sewer system to allow sewer service to the land immediately adjoining the Borough. Mrs. Deal seconded the motion. Ms. Caroline Hoffer, counsel for the developer, explained the agreement for sewer service between the Borough, Manor Township and the developer, HHF Real Estate Development LLC, for the Funk's farm development. With no further discussions the motion passed by a unanimous voice vote.

ORDINANCE BOOK  
ORDINANCE NO. 2012-5

Mr. Keller made a motion to approve the agreement with HHF Real Estate Development LLC, the developer, for the Village at Funk's Farm sewer service. Mr. Gerber seconded the motion. With no discussions the motion passed by a unanimous voice vote.

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Mr. Keller made a motion to approve the deed for the sewer pump station lot and an easement agreement with Murry Development Corporation and Crossgates Homeowners Association for the use of the access drive for the Crossgates sewer pumping station located off Murrycross Way. With no discussions the motion passed by a unanimous voice vote.

PLANNING AND BETTERMENT COMMITTEE

Mr. Gerber made a motion out of committee to adopt the ordinance to revise the park hours and regulations for use and to change references from the Park Committee to the Park Commission. The hours will be stated as 7 a.m. until sunset. With no discussions the motion passed by a unanimous voice vote.

ORDINANCE BOOK  
ORDINANCE NO. 2015-6

Mr. Gerber asked for Council's support for a Veterans Memorial to be placed in Freedom Memorial Park. He mentioned briefly the design being considered that would include a gazebo with a brick patio and a stone wall approximately five foot high by thirty-one feet long with a plaque and our six military seals. Mr. Arnold explained that the park master plan has included an area for a memorial at the park. The Veterans Committee presented a recommendation to the Park Commission to locate this memorial in the area slightly forward/inland from the original gazebo location. The Park Commission is in agreement with the location even though it is not the area in the master plan. Mr. Lastowski mentioned that the remaining funds from the Millersville 250<sup>th</sup> celebration will be used for this Veterans Memorial. Mr. Gerber added there are funds from the sale of books from the Historical Society that may also be used. With no further discussions Council showed a unanimous motion of support.

STREET COMMITTEE

Mr. Stager made a motion to allow the use of the public streets for the Millersville Mile event schedule for Sunday, May 20<sup>th</sup>. This annual event contributes any profits to the Millersville Fire Company, now Blue Rock Fire Rescue. With no discussions the motion passed by a unanimous voice vote.

SAFETY COMMITTEE REPORT

Mrs. Miller via telephone conferencing, asked Council to consider a motion out of committee to advertise the ordinance to add a new chapter 276, sale of property, to require a person who sells property (real estate) within the Borough to obtain a certificate demonstrating compliance with borough ordinances. Mr. Arnold explained this compliance certificate is looking at external compliance issues only. The main reasons for the creation of this ordinance are the zoning requirements, specifically curb and sidewalks and stone parking areas, which have been a recurring discussion for many years. With no further discussions the motion passed by a unanimous voice vote.

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PERSONNEL COMMITTEE

Mrs. Deal made a motion out of committee to accept the agreement between Millersville Borough and the AFSCME (American Federation of State, County, and Municipal Employees) for the years 2012, 2013, 2014 and 2015. Mr. Bailey questioned the procedure of not allowing public questions before the vote. Mrs. Deal read from Act 125 that revealing confidential information from negotiations must be after the agreement is accepted or ratified. With no further discussions the motion passed with a unanimous roll call vote. Mrs. Sachs asked to disclose the results of the health care and the salary increases. Mrs. Deal indicated the health plan is switching to a deductible plan with a 10% co-insurance and that the maximum borough exposure for future health care premiums is capped at 16%. The salary increases are zero for 2012, two percent for 2013, three percent for 2014 and three percent for 2015. Mr. Keller extended comments on other details that will benefit the borough on a long-term basis.

PRESIDENT'S REPORT

Mr. Kirkham having been absent from the last council meeting wanted to personally acknowledged the borough's financial stability that was disclosed in the presentation of the 2011 audited financial statements. He complimented Mr. Arnold and Mrs. Ebersole for their hard work and for having a clean audit.

EXECUTIVE SESSION

None

BOROUGH MANAGER'S REPORT

Mr. Arnold mentioned the Borough Comprehensive Plan's progress. The hearing for the Comprehensive Plan will be scheduled for the June's council meeting in order to hold the hearing for the historic district overlay in May. This also gives the Planning Commission time to meet and discuss the final draft version.

Mr. Arnold announced we will be circulating a detour map approved by PennDOT which includes a local detour as well for the conclusion of the West Frederick Street Infrastructure project. Weather permitting; the contractor expects to resume work on Monday, June 11<sup>th</sup>. The Borough anticipates this phase to be completed in about a month and will require the intersection of North and South Prince Street to be closed intermittently during the first week.

ADJOURNMENT

Mr. Lastowski made a motion seconded by Mrs. Deal, to adjourn the meeting at 8:46 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Manager

EJA/jle