

April 26, 2011

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, April 26, 2011 in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:00 PM by the Council President, Scott Bailey, followed by the pledge to the flag. A moment of silence was then observed.

COUNCIL MEMBERS

Scott A. Bailey  
Michael C. Kirkham  
Jack W. Gardner  
J. Philip Gerber

Richard M. Moriarty, Mayor  
Philip A. Lastowski  
Linda J. Deal (absent)  
Lucinda L. Ridley

OTHERS PRESENT

Edward J. Arnold, Millersville Borough Manager  
Jessie L. Ebersole, Millersville Borough Staff  
John D. Rochat, Millersville Borough Chief of Police  
Steven A. DiGuseppe, Millersville University  
Amanda Reilly, Millersville University Student Advisor  
Kaitlyn Rodgers, Millersville University Student Advisor  
Edward R. Saylor, Planning Commission Vice Chairman  
Jill Gilbert, Trout, Ebersole & Groff, LLP, Borough Auditor  
Brian L. Weaver, 38 S. Prince St., Millersville  
Lonny E. Smith, 333 Windgate Ct., Millersville  
Nickole & Jeremy Nafziger, 201 Manor Ave., Millersville  
Sherman Burkholder, 32 Bender Ave., Millersville  
James A. Stager, 404 Manor View Dr., Millersville  
Lynn M. Miller, 10 Pilgrim Dr., Lancaster  
Jon & Jess Kuzma, 110 Circle Rd., Millersville

MINUTES

A motion to approve the minutes for March 22, 2011 Council Meeting was made by Mr. Gardner and seconded by Mr. Gerber. With no discussions the motion passed by a unanimous voice vote, with Mr. Bailey abstained.

CITIZEN'S REQUESTS OR CONCERNS

Mr. Weaver from 38 S. Prince Street asked for clarification to the illegally parked vehicle notice he received. His vehicle is parked on a stone lane and wants to know if he will be ticketed next month. Similar concerns were asked. The ordinance that was passed was intended to eliminate parking on the grass. Notices were distributed to let the public know that the Borough

April 26, 2011

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

would be issuing tickets sometime after May 31<sup>st</sup>. It may not always be clear whether a vehicle is parked on grass or a stoned area that now has grass growing. Our current zoning ordinance passed in 2003 does not allow stoned parking areas. However, if a stoned area existed before the recently updated zoning ordinance (9/23/2003) then it is considered to be a "grandfathered" condition and is allowed. Another citizen voiced their concern with temporarily parking on the grass, for instance when having a family gathering for a holiday or a special occasion.

Mr. Kirkham stated there will be exceptions to consider. This ordinance was not intended to ticket those types of occurrences but rather the consistent parking on the grass offenders.

Ms. Ridley added that this ordinance was developed after years of consideration and citizens' concerns of property degradation by consistent and long term parking on the grass of properties. Never was it the intent to affect individuals that needed temporary parking relief. The creation of this ordinance was given much thought on how it was to affect individuals and Council was and continues to be sensitive to how this will be interpreted. Ms. Nafziger stated very clearly that she agrees and understands Council's intent but as the ordinance is written it will not help someone twenty years from now when the intent may not be as clear then. Mr. Bailey welcomed the public to submit very clear supplemental language for consideration to change the ordinance. He continued by adding that Council does not feel it is appropriate for parking on the grass in a borough where the proximity of the houses are close together. There are environmental issues as well as direct impacts from one property to another. He believes a property owner's rights exist until they infringe upon others. The Mayor thanked the public for coming tonight and encouraged individuals to address any and all situations to Council.

FINANCE COMMITTEE REPORT

Mr. Lastowski introduced Ms. Jill Gilbert from Trout, Ebersole & Groff, LLP, the borough's financial auditors. Ms. Gilbert explained that a detailed presentation of the 2010 Borough of Millersville Financial Statements with Supplement Information were given at the April 20<sup>th</sup> Finance Committee meeting. Her presentation to Council referenced specific pages within the 2010 Financial Statements and provided brief highlights on each. She started by commenting that the Borough has again received an unqualified opinion which is the highest opinion you can receive. The beginning section of the financial report is written by Ed Arnold, Borough Manager and provides an overview and analysis of the financial activities for the year ending December 31, 2010. The financial statements themselves comprise the Statement of Net Assets, Statement of Activities for both governmental and business type, Proprietary and Fiduciary Fund statements and the required supplemental information with all relative notes. The last financial statement Ms. Gilbert highlighted on was the budget to actual figures of the General Fund. Mr. Lastowski noted the Borough did okay last year by quoting, "We didn't spend as much as we budgeted and took in a little more than anticipated." He gave another note to the outstanding bonds being less as a result of the General Obligation Bonds refinancing. Ms. Gilbert commented the refinancing lowered our interest rate and reduced our long term obligations. The Mayor commended Ed Arnold and Jessie Ebersole for an exceptional job in managing the finances of the borough along with the Finance Committee members and Police Chief, John Rochat. He thanked Ms. Gilbert and Nicole Manyko for their consistent, continued service. On behalf of Nicole and herself, Ms. Gilbert thanked all of Council. Mr. Lastowski spoke for the Finance Committee members by commending Ed Arnold, Jessie Ebersole, Chief Rochat, Andy Boxleitner, Les McMullen, and all their staff for a job well done in managing the finances of the Borough last year. With no further comments, Mr. Lastowski made a motion to

**April 26, 2011**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

accept the 2010 Borough Finance Audit as presented by Trout, Ebersole & Groff. With no discussions the motion passed with an unanimous voice vote.

**REPORTS OF COMMITTEES OR BOARDS**

Mr. Lastowski reported on the Blue Rock Regional Fire Commission. He announced the Commission has hired Duane E. Hagelgans as the first Fire Commissioner. His official start date is May 2, 2011. Mr. Hagelgans' professional background includes over 20 years working for the Lancaster City Bureau of Fire as a Battalion Chief, Deputy Chief and is also an Attorney. He is a 1998 Millersville University graduate. The Commission agreed to have Fulton Bank provide their banking services and open a checking account. Officers Mr. Mark P. Lauriello, Mr. James R. Knapp, Sr. and Mr. Philip A. Lastowski are the designated signers for that account. There will be a transition period starting July 1<sup>st</sup> to merge the monies and assets. Mr. Bailey explained that there will be multiple entities created to continue certain aspects for the Fire Companies. Beside the Blue Rock Regional Fire District and the Blue Rock Fire Rescue there will be a Blue Rock Fire Rescue Auxiliary and a Blue Rock Fire Rescue Relief Association.

**MAYOR'S REPORT**

Mr. Moriarty reported on the monthly police report as being high in almost every category. It has been a very active month.

Mayor stated his attendance of the monthly Millersville Business Association meeting and credits Mr. Dave Patterson for the work that is being done with that group. He also attended the annual Student Services event and witnessed the presentation of a check in the amount of \$50,000 for the contribution toward the Fire Company's vehicle.

Chief Rochat presented Council his 2010 Annual Police Report. There were no questions or concerns voiced. Chief Rochat informed Council of an application request from the Penn Manor High School for a 'Secure Our School' grant.

**MILLERSVILLE UNIVERSITY REPORT**

Mr. DiGuiseppe reported Spring graduate ceremony will be Friday, May 6<sup>th</sup> at 6:30 p.m. in Pucillo Gymnasium for students graduating with a master's degree and for post-bachelor's teacher certificate. Commencement will be Saturday, May 7<sup>th</sup> at 10 a.m. at Biemesderfer Stadium. If it rains, there will be two ceremonies, one at 10 a.m. and another at 2 p.m. He also mentioned that five National Broadcasting Society students were recognized at the 69<sup>th</sup> convention in Los Angeles with one MU student being named national student of the year. The spring edition of 'Millersville: Student and the Community' has recently been mailed to borough citizens. Mr. DiGuiseppe announced the building closure of Ganser Library is coming up. The library services will still be available with some operations resuming in Gerhart Hall. The major task of clearing the building will be done some time over the summer, with some 9,000 crates of materials being moved out.

Ms. Reilly reported the yard sale event that was to be held this Saturday is cancelled due to a lack of interest. The students are forming a new organization, Marauder Watch, to help make campus life a safer environment. With the new students coming to Millersville requiring

**April 26, 2011**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

housing, Ms. Reilly inquired on the reason for the ordinance that limits occupancy to three unrelated persons of a residential rental unit. Mr. Arnold explained some of the reasons as being the need to minimize the effects on neighboring properties, parking issues, and housing safety issues when you put too many individuals in one single dwelling home. Mr. Bailey added that there are some places in the Borough that were in place prior to the passing of that ordinance, again being considered a “grandfathered” condition.

**MILLERSVILLE 250<sup>th</sup> REPORT**

Mr. DiGuseppe announced the upcoming event on April 28<sup>th</sup> for the grand opening of the Millersville exhibit at the Conestoga Area Historical Society. This display of a couple hundred items will run April 30<sup>th</sup> through December 11<sup>th</sup> on the weekends from 1-4 p.m. Millersville Business Days will run from May 2<sup>nd</sup> through 7<sup>th</sup> with approximately 20 businesses offering specials, as well as a fun BINGO game for door prizes. A special commemorative wooden nickel will also be distributed during this period. The Millersville Walking Tour, in conjunction with a Juried Art show, will be on Saturday, May 21<sup>st</sup> at 10 a.m. in Dutcher Hall and also that same day at 2 p.m. will be a ballet, Swan Pond, at the Manor Middle School.

**WASTE WATER COMMITTEE REPORT**

Mr. Gardner made a motion to award the Glen Oaks Drive Sewer and Storm Sewer replacement project to the lowest qualified bidder, Wexcon, Inc in the amount of \$209,026.25. The other bids presented were by Rogele, Inc in the amount of \$228,965.05, Doli Construction in the amount of \$316,921.00 and Marks Contracting, Ltd in the amount of \$333,550.00. Our Solicitor has reviewed the bids. With no discussion the motion passed with a unanimous voice vote.

Mr. Gardner made a motion out of committee to advertise for the BioSolids Management Service Agreement. With no discussion the motion passed with a unanimous voice vote.

Mr. Gardner made a motion to waive the requirements of the Borough Subdivision and Land Development Ordinance to file, obtain approval of, and record a subdivision plan to create the area within Crossgates containing the sewer pumping station as a separate lot and to accept a corrective deed for this land from Murry Development Corporation. Mr. Kirkham seconded the motion. With no discussion the motion passed with a unanimous voice vote.

**PLANNING AND BETTERMENT COMMITTEE**

None

**STREET COMMITTEE**

Mr. Kirkham made a motion to approve the 24<sup>th</sup> annual Millersville Mile event on Sunday, May 22 beginning at 5:45 p.m. Mr. Gerber seconded the motion. With no discussion the motion passed with a unanimous voice vote.

Mr. Kirkham made a motion out of committee to approve the plans submitted by the Borough Manager and Street Department Superintendent for the closer of West Frederick Street starting in June 2011 from Shenks Lane to South Prince Street. All residents and businesses will

April 26, 2011

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

be notified and is subject to the approval of Manor Township and the State. Mr. Bailey added that it will necessary for the Borough staff to be involved to facilitate signage to help those businesses impacted by this project. With no further discussion the motion passed with a unanimous voice vote.

Mr. Kirkham made a motion out of committee to approve the plans submitted by the Borough Manager and Street Department Superintendent for the traffic flow at the intersection of South and North Prince Streets. There would be a one way lane going East on West Frederick Street at this intersection that will allow traffic to detour on North Prince Street. The businesses involved at this intersection would be notified by the Borough Manager as this will have a direct effect on their traffic flow. With no discussion the motion passed with a unanimous voice vote.

Mr. Kirkham discussed the detour plan that was presented and the concerns that the committee had with the possibility of excessive vehicular speeding down Crossland Pass. The detour plan has not been PennDOT approved as of yet.

SAFETY COMMITTEE REPORT

None

PERSONNEL COMMITTEE

Ms. Ridley announced two vacancies on the Boards and Commissions, the continued vacancy for an alternate member to the Zoning Hearing Board and a new vacancy to the Civil Service Commission. Mr. Nicol C. Taylor gave his letter of resignation on April 8<sup>th</sup>. Ms. Ridley mentioned his compliments of the Police Chief and his fellow Civil Service Commission members.

PRESIDENT'S REPORT

Mr. Bailey congratulated our two retirees, Mrs. Linda Deal and Doctor Ridley. They are both retiring from their professions.

BOROUGH MANAGER'S REPORT

Mr. Arnold announced proposals for the Borough's Comprehensive Plan were received from Rettew, RothPlan (the organization that put together our current Comp Plan) and Urban Research and Development Corporation (the organization that put together our current Zoning Ordinance). These three entities will have a presentation at the next Planning Commission meeting to be held on the first Wednesday in May.

Mr. Arnold announced the Lancaster County Boroughs' Association will hold their quarterly meeting tomorrow night at the Lancaster Liederkrantz located in Salunga at 6 p.m.

Mr. Arnold asked for Council to adopt the resolution that shows their support for the Community Development Block Grant program. Mr. Kirkham made a motion to approve the resolution that states its opposition to cuts in the federal Community Development Block Grant program. Mr. Gerber seconded the motion. With no further discussion the motion passed with a unanimous voice vote.

April 26, 2011  
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

EXECUTIVE SESSION

None

ADJOURNMENT

Mr. Kirkham made a motion, seconded by Mr. Gerber to adjourn the meeting at 8:40 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Secretary

EJA/jle