

August 23, 2011

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, August 23, 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 A. 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  
Marilyn W. Sachs

OTHERS PRESENT

Edward J. Arnold, Millersville Borough Manager  
Jessie L. Ebersole, Millersville Borough Staff  
John D. Rochat, Millersville Borough Chief of Police  
Steven A. DiGuiseppe, Millersville University  
James Kirk, 436 Herr Ave., Millersville  
Elaine Jones, Lancaster Intelligencer Journal / New Era  
Dan Ostrowski, 413 Spring Dr., Millersville  
Gary Chohany, 149 Pickwick Pl., Millersville

MINUTES

A motion to approve the minutes for July 26, 2011 Council Meeting was made by Mr. Gardner and seconded by Mr. Gerber. With no discussions the motion passed with a unanimous voice vote, with Mr. Bailey and Mrs. Deal abstained due to their absence.

CITIZEN'S REQUESTS OR CONCERNS

Mr. Jim Kirk from 436 Herr Avenue voiced his concern on the vehicular speeding that occurs on his street daily. He has heard similar comments from parents living on Landis Avenue. These roads are major routes for Penn Manor High School, Millersville University and Eshleman Elementary School. His primary concern with the excessive speeding is for the safety of the children that walk to these area schools. Mr. Kirk requests Council to have the Police take necessary action to correct the problem and send a clear message that speed limits will be enforced. He also requests feedback and the results to be accomplished in a timely fashion.

**August 23, 2011**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

**REPORTS OF COMMITTEES OR BOARDS**

Mr. Lastowski reported on the Blue Rock Regional Fire Commission meeting. The draft operations agreement between the Fire District and the Blue Rock Fire Rescue is still a work in progress. The Fire Commissioner submitted a budget for the remainder of 2011, which shows the Borough's share as already being paid and a budget for the calendar year 2012. The 2012 budget will be revisited and revised to reflect anticipated revenues. The Commission gave approval for renovations to be made at the Millersville Fire Station for the Fire Commissioner's office. Mr. Bailey attested to a job well done by the Mayor and the Millersville Fire Company on the fiscal responsibility in managing their finances.

**MAYOR'S REPORT**

Mayor Moriarty reported on the monthly Police report as once again having significant high calls for service as compared to previous July months.

The Mayor discussed his annual Mayor's conference as another worthwhile conference and thanked Council for allowing his attendance. Topics addressed were the role of the Mayor in an emergency and an interesting session on what universities studies teach municipalities about governing. It was discussed that next years conference may be held either here in Lancaster or in York.

Mayor is working on a draft agreement with Millersville University to permit the citizens of Millersville to use the parking garage located at Prince Street and Cottage Avenue during emergency situations.

**MILLERSVILLE UNIVERSITY REPORT**

Mr. DiGuseppe announced freshman will be reporting to the University tomorrow and upper classmen will be arriving over the weekend. Classes officially resume for the fall semester on Monday, August 29<sup>th</sup>. He proceeded to announce upcoming events and speakers that will ultimately bring people to Millersville Borough and Campus, i.e. Jesse Jackson in early 2012.

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

Mr. DiGuseppe announced special communities members are planning to participate in the pre-game recognitions being held at the Barnstormers game for the next Millersville 250<sup>th</sup> event on September 3<sup>rd</sup>. New advertising cards were distributed that show the remaining events scheduled for the year, with the Grand Finale being held on November 27<sup>th</sup>. Millersville's Got Talent tryouts will be in September with the event being held on October 16<sup>th</sup> in Pucillo Gym. Mr. DiGuseppe announced the Millersville Area Historical Society book on Millersville is a big success. More copies are being printed due to the high demand.

**WASTE WATER COMMITTEE REPORT**

None

August 23, 2011

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

FINANCE COMMITTEE REPORT

Mr. Lastowski made a motion out of committee to approve the July, 2011 Financial Reports. With no discussions the motion passed with a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the Capital Fund budget adjustment in the amount of \$23,000 for the Borough's ten year comprehensive plan. The money will be moved from the 2011 budgeted gazebo project that has been put on hold. With no discussions the motion passed with a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the advertisement for the Earned Income Tax Ordinance that will include taxing earnings at 1% from non-residents who work in the Borough and whose State does not have a reciprocal tax agreement with Pennsylvania. With no discussions the motion passed with a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the purchase of a replacement fine screen grinder for the Waste Water Treatment Plant and award the bid to the lowest qualified bidder, Lakeside Equipment Corporation in the amount of \$78,670. The other bidder was Huber Technology in the amount of \$92,748. With no discussions the motion passed with a unanimous voice vote.

Mr. Lastowski made a motion to approve participation in the Lancaster County's annual public auction to dispose of excess property. This year's entry will be for sixteen bicycles. Mr. Gardner seconded the motion. Mr. Arnold discussed the original request was to take the 1995 Chevy Van to the auction as well but the van is not operable. He further stated that this van can be disposed by the procedures stated in Resolution 2005-2. With no discussions the motion passed with a unanimous voice vote.

Mr. Kirkham made a motion to advertise the sale of the 1995 Chevy Van, in its present condition, for a minimum amount to be set as the salvage value. Mr. Gardner seconded the motion. With no discussions the motion passed with a unanimous voice vote.

PLANNING AND BETTERMENT COMMITTEE

None

STREET COMMITTEE

Mr. Kirkham made a motion out of committee to award the Snow Removal Contract to the only bidder, Your Estate Services Inc. in the amount of \$102 per hour. Your Estate Services Inc. is our current contractor for snow removal services. Discussions were made on the substantial difference from the original bid. Mr. Arnold explained Your Estate Services Inc's equipment was tested immensely doing municipal snow removal. Council requested further contact with the contractor to inquire on the increase. Based on these discussions, Mr. Kirkham made a motion, seconded by Mr. Gerber to table the motion awarding the bid. The motion to table passed by a unanimous voice vote.

Mr. Arnold reported on the safety concern with the ongoing West Frederick Street project. He had met with the Borough Engineer, Street Department Superintendent and Millersville University representatives to review pedestrian access. They concluded that the area should be closed to all pedestrians despite the initial intention on having at least one side accessible while the contractor and the utility pole contractors work simultaneously on both sidewalks. Mr. Bailey voiced his concern for the children not having any place to walk to the

August 23, 2011

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

front of their houses. He stated this is one of the highest pedestrian areas and not having a designated access path to navigate thru this area is going to cause more safety problems. Mr. Kirkham suggested the Contractor consider a higher restrictive fencing. After further discussions Mr. Arnold agreed to revisit the issue.

SAFETY COMMITTEE REPORT

Mrs. Deal discussed the joint meeting held between Millersville Borough Safety Committee, Millersville University and Borough Landlords with student tenants. This meeting was intended to share information among all parties involved with and have concerns about improving conditions for the housing of off-campus students. Mrs. Deal stated the open communication was welcomed by all parties. Mr. Bailey agreed there appeared to be a genuine willingness to improve the situation from everyone in attendance. Mrs. Deal asked for Council's agreement to move forward with reviewing the rental unit ordinance code and licensing forms for revisions. Mr. Gerber requested our Code Officer be a significant part of that process. With no further discussions, Council agreed.

PERSONNEL COMMITTEE

Mrs. Sachs made a motion out of committee to hire Emily Bachman to fill the vacancy of the part-time, year round Streets Department/Park Laborer at the rate of \$12 per hour. With no discussions the motion passed with a unanimous voice vote.

Mrs. Sachs announced they had their first non-uniform labor negotiations meeting with the AFSCME union and the next one is scheduled for August 29<sup>th</sup>.

Mrs. Sachs reported there are four Boards and Commissions vacancies and requests any letters of interest be submitted prior to September 9<sup>th</sup>.

Mrs. Sachs made a motion to hire a substitute Crossing Guard at the rate of \$10.00 per hour. Mr. Gerber seconded the motion. Chief Rochat explained the need for filling the vacancy. With no discussions the motion passed with a unanimous voice vote.

Mr. Gardner made a motion to accept the resignation of Mary Ann Gerber as Millersville Borough's LIMC Greenway and Park Advisory Board member with regret. Mrs. Sachs seconded the motion. With no discussions the motion passed with a unanimous voice vote.

Mrs. Sachs made a motion to accept the resignation of Jack Gardner from the Park Committee with regret. Mr. Kirkham seconded the motion. With no discussions the motion passed with a unanimous voice vote.

PRESIDENT'S REPORT

None

**August 23, 2011**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

**BOROUGH MANAGER'S REPORT**

Mr. Arnold continued his status report on the progress of West Frederick Street Infrastructure project stating the project on a whole is approximately two weeks behind schedule due to the moving of the PP&L utility poles.

Mr. Arnold announced the Glen Oaks Drive project has started and the intersection is temporary closed.

Mr. Arnold mentioned the Humane League has submitted a renewal contract for 2012 services of stray dogs and cats apprehended in our municipality. This contract is based on a per capita fee of \$.85 which calculates to the sum of \$6239.85, an increase from \$2600 in 2011 when the calculation was computed on a per-animal fee. Many municipalities are being hit with the same substantial increase and will be meeting to discuss alternative options.

**EXECUTIVE SESSION**

After a brief recess, Council broke for an executive session at 8:47 PM to discuss the legal issue of the property tax assessment appeals received from Student Lodging Inc.

**ADJOURNMENT**

With no action necessary out of the executive session; Mr. Gardner made a motion, seconded by Mr. Kirkham to adjourn the meeting at 9:08 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Secretary

EJA/jle