

**January 22, 2013**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, January 22, 2013 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 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  
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  
Steven A. DiGuseppe, Millersville University  
Dr. Francine G. McNairy, Millersville University  
James A. Kirk, Jr., Zoning Hearing Board Vice Chairman  
Marilyn W. Sachs, Planning Commission  
Lucie Baldwin, Historic Commission  
Keith Eshleman, Blue Rock Fire Rescue  
Dean Evans, Lancaster Intelligencer Journal / New Era  
Marna Kirkham, 505 Thorngate Pl., Millersville  
Jack Gardner, 29 Fresh Meadow Dr., Millersville  
Dorothy Imel, 1902 Blue Ridge Dr., Millersville  
Bill & Gogi Hess, 33 Pilgrim Dr., Millersville  
Bruce King, 209 W. Frederick St., Millersville

President Kirkham mentioned an executive session that was held on January 8<sup>th</sup> to discuss the content of the new Borough Code with our Solicitor, Ms. Cleary, specifically on absentee voting. Mr. Kirkham further commented that when Council takes the oath of office they swear to support, obey and defend the Constitution of the Commonwealth and whereas the Constitution of the Commonwealth states specifically that Council be present to vote at a committee or council meeting. Therefore, unless there are changes, the Borough will continue to obey the Constitution of the Commonwealth.

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**MINUTES**

A motion to approve the minutes for the November 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.

A motion to approve the minutes for the December 11, 2012 Council Meeting was made by Mr. Gerber and seconded by Mrs. Miller. With no discussions the motion passed by a unanimous voice vote.

**CITIZEN'S REQUESTS OR CONCERNS**

Mr. Bruce King, property owner of 209 West Frederick Street asked Council to consider changes to the Borough Code of Ordinances, specifically the three violations within a twelve month period that shall require eviction of all tenants. He feels it is a huge penalty to a landlord when he has little to no control over what his tenants do. Recently his tenants filed an appeal to a second disruptive conduct report. Mr. Arnold further explained the provision in the rental license and as a historical note stated that this is only the second appeal in the last five years. In light of that statistic commented, "It must be working as the Borough has hundreds of rental properties." Mrs. Miller, Safety Committee Chair mentioned the appeal did come before the Safety Committee and the members listened to both the tenants as well as the Borough's Police Officer. There was much detail discussion that resulted in the Committee not being able to support the tenants.

**REPORTS OF COMMITTEES OR BOARDS**

Mr. Lastowski, Borough Council's representative reported on the January 3<sup>rd</sup> Blue Rock Regional Fire Commission meeting. The Commission reorganized and selected Scott Bailey as Chair, Jay Breneman as Vice Chair, himself (Phil Lastowski) as Treasurer, John May as Assistant Treasurer and Dan Bezek as Assistant Secretary. Duane Hagelgans, as stated in his job description is the Secretary.

**MAYOR'S REPORT**

Mayor Moriarty presented Millersville University's retiring President, Dr. Francine G. McNairy with a Certificate of Recognition for her many years of outstanding community service. His citation spoke of many numbers that tell her story but that the numbers only tell a part of her story. He commented on how he first met Francine, a fire call to her home for a furnace malfunction. He also commented on the privilege to have worked with her, to be benefactors of her wit and wisdom that has resulted in so many accomplishments which has made us a better community. Mr. Kirkham on behalf of the Borough honored her with a brass key engraved with her name and the Borough's logo. Also in recognition of her being a Steelers fan, gave her a #13 McNairy Steeler's jersey.

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Mr. Keith Eshleman, representing the Blue Rock Fire Companies, recalled the incident sixteen years ago as well, which introduced them for the first time. He joked about the things they shared over the years but then on a serious note, agreed with the comments of the Mayor on her being a true friend to a lot of people in Millersville. On behalf of the Fire Department, he presented her as an honorary member of the Fire Department.

Dr. McNairy replied "I am so honored and so humbled by this. Millersville has opened their heart and arms to me." She continued by stating the University has been a part of this community for over 150 years and that we are stronger together than apart. She thanked us for this relationship and stated her heart is full of love and respect for all of us.

Mayor Moriarty reported on the December monthly Police Report as being an average month with the exception of the Calls For Service being a new December high with 186 calls.

Chief Rochat asked Council to consider entering into an agreement with the Lancaster County Society for the Prevention of Cruelty to Animals (SPCA) for the use of its facility in receiving, housing, care and disposal of stray dogs. He explained the cost will be on a per-dog-fee of \$300 with a one-time initial setup fee of \$500. Signing this agreement does not mean we must cancel the contract with Berks but will allow us another, closer facility.

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuiseppe reported the new University President has been named, Dr. John Anderson, who will begin his new position on April 1<sup>st</sup>. Dr. Anderson is currently the President of Alfred State College in New York. He has more than 20 years of senior level administrative experience and 15 years as an instructor and professor of chemistry and physics. He noted that for the period of January 26<sup>th</sup> through April 1<sup>st</sup>, Dr. James McCollum will be acting President of Millersville University. Spring semester will begin on Monday, January 28<sup>th</sup>. Mr. DiGuiseppe announced the renaming of the Millersville University Library. The library will be renamed the "Francine G. McNairy Library and Learning Forum" in honor of President McNairy. He noted the name of the Ganser Hall will be retained on the high-rise structure. The facility is expected to open officially in the fall of 2013.

FINANCE COMMITTEE REPORT

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

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WASTE WATER COMMITTEE REPORT

Mr. Keller made a motion out of committee to not accept the bids for the Sewer Plant Screen Enclosure Project. Mr. Keller explained the two bids received were significantly higher than expected. We anticipate re-bidding this project in the Spring. With no further discussions the motion passed by a unanimous voice vote.

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PLANNING AND BETTERMENT COMMITTEE

None

STREET COMMITTEE

None

SAFETY COMMITTEE REPORT

Mrs. Miller made a motion out of committee to deny the appeal of a Disruptive Conduct Report (DCR) requested by the tenants residing at 209 West Frederick Street. (See additional public comments as noted in the above "Citizens Request or Concerns"). Mr. Lastowski asked if this was the same residence as the last time Council saw a request for an appeal to a DCR. Mrs. Deal noted this is the same residence but with different kids/tenants. As part of the hearing process, Mr. Arnold asked Council to be certain there is no one else wishing to speak on behalf of the tenants. Council President inquired to the audience and hearing none; the motion passed by a unanimous voice vote.

PERSONNEL COMMITTEE

Mrs. Deal made a motion out of committee to approve the Resolution to appoint Manor Township Assistant Manager, Ryan Strohecker as the Borough's delegate and Millersville Borough Manager, Edward Arnold as the alternate delegate to the Lancaster County Tax Collection Bureau Executive Committee. With no discussions the motion passed with a unanimous voice vote.

**RESOLUTION BOOK**  
**RESOLUTION NO. 2013-1**

Mrs. Deal commented on a motion that was made in Committee to adjust Management salaries, however due to the executive session held at 6:45 pm tonight that motion will not be brought forth. Mrs. Deal, seconded by Mr. Keller made a motion to table this issue until a later date. With no further discussions the motion passed with a unanimous voice vote.

PRESIDENT'S REPORT

Mr. Kirkham announced the newly formed Local Economic Development Committee members: from Council, himself, Mr. Lastowski, and Mrs. Deal, the Mayor, Marilyn Sachs from Planning, Roger Bruszewski from Millersville University and Dave Patterson from Wiley's Pharmacy. He thanked them for their willingness to serve on this special committee and noted the meetings will be held the first Wednesday of every month starting at 6 pm. (before the Borough's Planning Commission meetings).

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**BOROUGH MANAGER'S REPORT**

Mr. Arnold mentioned our Auditors, Trout, Ebersole & Groff will soon be visiting to perform the annual audit. Preliminary numbers show an increase to the projection of the Earned Income Tax revenue. We had anticipated a deficient of \$115,000 due to the change in collection and disbursement. However, we will not show a deficient but rather a slight increase in our revenue. Mr. Arnold quoted "Kudos" to the Director and the Board members of that organization who have worked hard during this transition. He also noted the employee turnover in the Police Department, Streets Department and our Code Enforcement Officer will add to the prediction of a surplus this year.

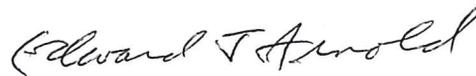
**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Mr. Gerber made a motion seconded by Mr. Lastowski, to adjourn the meeting at 8:00 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Secretary

EJA/jle

