

**March 22, 2011**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, March 22, 2011 in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:01 PM by the Council Vice President, Michael Kirkham, followed by the pledge to the flag. A moment of silence was then observed.

**COUNCIL MEMBERS**

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

Richard M. Moriarty, Mayor  
Philip A. Lastowski  
Linda J. Deal  
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  
William Nace, Millersville Borough Zoning & Code Enforcement Officer  
Steven A. DiGuiseppe, Millersville University  
Amanda Reilly, Millersville University Student Advisor  
Michael J. Weidinger, Planning Commission Chairman  
Edward R. Saylor, Planning Commission Vice Chairman  
Nicol C. Taylor, Civil Service Commission Chairman  
Kevin F. Weber, Park Committee  
James A. Kirk Jr., 436 Herr Ave., Millersville  
Matthew & Alana Arment, 492 Letort Rd., SK8MLVL  
Michael F. Ribecca, 158 W. Frederick St., SK8MLVL  
Dillon M. Swisher, 112 University Dr., SK8MLVL  
Jaime & Dan Eby, 10 Hillcrest Dr., SK8MLVL  
Kyle Keagy, SK8MLVL  
Rebecca Jenkins, Student Services Inc.  
Josh Scholtes, 41 Shenks Ln., Student Services Inc.  
Sara Bowman, Millersville University Student Senate  
Randy & Preston Spahr, 671 Donerville Rd., Troop 88 BSA  
Lynn Miller, 10 Pilgrim Dr., Millersville  
Maggie & Scott Cantrell, 173 Elizabeth St., Millersville  
Bob Vaillan-Court, 165 Elizabeth St., Millersville  
Joel Washok, 119 N. Prince St., Millersville  
Erin Wesser, 636 Patriot Dr., MU  
Nora Popova, 206 Diehm Hall, MU  
Nate Trimmer, MU  
Beth Anne Heesen, MU  
Adam Walker, MU  
Sarah Neiman, MU  
Kyle Byerts, MU  
Brian Carrigen, MU  
Chelsea Shank, MU  
Charles Hackett, MU

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**OTHERS PRESENT (Continued)**

Erin Donovan, MU  
Jim Stager  
Siyu Chen  
Becky Palmisen  
Heid Bend

John Trimble, MU  
MaryBeth Mostun  
Kristen Reinhold  
Jacob Gehman  
Jessica Davies

**MINUTES**

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

**CITIZEN'S REQUESTS OR CONCERNS**

Mr. Matt Arment representing SK8MLVL stated the two obstacles that needed to be completed for re-opening the skate park April 1<sup>st</sup> will be completed this weekend. He acknowledged the damages that were done to the walkway and agreed to repair that section as well as the ruts in the grass area that was caused by the construction vehicles. He stated they have a good team right now that is commitment to making it a good facility for a lot of young skaters. This weekend the crew did a lot of work and there seems to be excitement with the new members. Everyone is looking forward to opening the skate park as it is advertised for April 1<sup>st</sup>. The SK8MLVL Committee would like to hold a fundraising event this opening weekend and additional weekends throughout the season to raise money to re-pay for the construction and continue improvements to the fence and park area. Mr. Gerber asked Mr. Arment to elaborate on the self-policing of the park. Mr. Arment stated that the organization could not monitor the skate park. A monitored park puts more of a liability on the individual acting as the monitor. Mr. Gerber reiterated the problems which closed the skate park last season. The skateboarders were totally disrespectful and did not obey by the rules and regulations as established specifically for the skate park area. Mr. Kirkham stated the skate park would open April 1<sup>st</sup> with a fresh start; however, if they do not abide by the rules and regulations, the park will be closed down.

Mr. & Mrs. Cantrell of 173 Elizabeth Street addressed Council with the witnessed behavior by the residents at E-Court. She went on to describe the uncontrolled litter consisting of a lot of drinking cups, broken glass and smashed furniture on not just the lawns but the sidewalks and roads. She had reported other issues to the Police which were passed on to our Zoning Officer, Mr. Nace, as they were violations to the Borough's Zoning Code. Mr. Nace admits this is one of the worst years he has seen at Windsor Court. Mr. Nace has a meeting scheduled with the owner who owns approximately fifty percent of those units next week. This owner has already been served his last notice of violation and therefore anything else that happens will cause a citation to be issued immediately. Mr. Arnold gave note that one of issues Mrs. Cantrell addressed, parking on the lawn, is actually an ordinance that Council is considering tonight for adoption. This ordinance will prohibit parking on the grass. He also noted the Borough is aware of the trash issue and is actually in discussions to have a dumpster installed at that location in the attempt to get that situation under control. The majority of Mrs. Cantrell's issues are zoning and code violations and Council advises her to continue communications with

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Mr. Nace. Chief Rochat reported the Police are aware of the actions going on at Windsor Court. He has meet with Millersville University's Police Chief and together they have some things they are working on under the Liquor Control Grant. He stated there have been citations issued for disorderly conduct. Mrs. Cantrell asked Chief Rochat for clarification of drinking openly in public and acting in a disorderly fashion. He rephrased her question: "If you are asking if someone is 21 years of age can you drink on your front lawn? The answer is yes. But public drunkenness is a different story." Mr. Kirkham publicly stated his appreciation for the Cantrell's coming forward tonight and invited them back if they do not see results or even come back if they do see some results.

Mr. Bob Vaillan-Court of 165 Elizabeth Street wanted to express the same complaints as the Cantrell's. He realizes a lot of the problems are with the Students, however he believes the Borough should attack the issues at the Landlord level. The Landlord should demand some order and proper adult behavior from his tenants. Again Mr. Kirkham thank him for coming forward to express concern for his street and invited him back as a follow-up to the situation, good or bad.

**REPORTS OF COMMITTEES OR BOARDS**

Ms. Rebecca Jenkins, Operations Manager of Student Memorial Center presented information for the second annual Community Yard Sale to be held Saturday, April 30<sup>th</sup> from 8AM to Noon. The purpose of this event is to promote the reduction of waste that is generated when the students leave at the completion of the spring semester. The event is structured very similar to last year. Ms. Sara Bowman, Student Senate and Green Committee Chair, described the advertising and applications. The yard sale vendor spaces will be \$10 each for a 16' x 16' area, which is the equivalent of two parking spaces. All proceeds will go to the Student Senate Green Committee. Mr. Josh Scholtes, Evening Operations Manager for the SMC, explained the plans for traffic and parking. In event of rain the location will be in the Open Recreation Area of the fitness center. Mayor Moriarty commended the Committee for their efforts in making this an event the community can also participate. Mr. Gerber made a motion, seconded by Mr. Gardner to recognize the Student Lodging Inc. Community Yard Sale event. With no further discussions the motion passed with an unanimous voice vote.

Mr. Weber, Park Committee member reported that the Millersville Market Coordinators are considering other locations within the Borough for Market night but nothing has been finalized at this time.

Mr. Gardner announced the Millersville 250th event the Borough is having at the Park on June 26<sup>th</sup> from 3-8 PM. There will be exhibitors, food vendors, children games, a moon bounce, the serving of a decorated cake and cupcakes and music from the Malta Band. Steven Courtney will provide both a family orientated program and the final evening entertainment.

Mr. Lastowski reported on the Blue Rock Regional Fire Commission's recent meetings. He announced the Commission had interviewed six applications for the Fire Commissioner position. Of the six candidates, two were asked to return and provide a presentation for the public at a meeting held at the Millersville Fire Company. The Blue Rock Regional Fire Commission anticipates hiring the Fire Commissioner by the end of April.

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The Commission at their normal scheduled meeting adopted the by-laws for the Blue Rock Regional Fire Commission and appointed the following Officers: Mr. Mark P. Lauriello as Chairman, Mr. James R. Knapp, Sr. as Vice Chairman, the Fire Commissioner will hold the Secretary position, Mr. Jay C. Breneman as Assistant Secretary, Mr. Philip A. Lastowski as Treasurer and Mr. Scott A. Bailey as Assistant Treasurer. The next meeting is scheduled for April 7<sup>th</sup> here at the Borough Office. Mr. Lastowski thanked Ed Arnold, Sue McCullough and the other Office Staff members that worked on the process for the Fire Commissioner position. He appreciates their hard work and was pleased that the interviews all ran smoothly.

**MAYOR'S REPORT**

Mr. Moriarty reported on the monthly police report as being an average month.

In light of the serious gas leak that took place recently in the Borough, Mayor Moriarty awarded commendations to two Street Department men, Mr. Glenn Creasy and Mr. Robert Fry for their high level of attention and professionalism. Mayor quoted, "It was obviously a very dangerous situation and had it not been for their early intervention it is very probable that a disaster would have occurred."

Mayor Moriarty represented the Borough of Millersville in a conference call with State Representatives and other PLCM member municipalities on the Federal budget cuts, specifically to the Community Development Block Grant funds. Senator Bob Casey, Jr. is lobbying very hard to restore funding to those programs. Mayor Moriarty encouraged Council to consider a Resolution for the purpose of opposing the proposed cuts.

Mayor discussed the need to revisit the Borough's Comprehensive Plan written ten years ago. He proposes, "there is segment of the community that feels we need to look at our zoning in order to give more consideration to businesses to thus improve our service needs to our community members as well as improving our tax base and reducing the tax burden on our citizens." He further discussed his discovery of a potential economic benefit due to him being approached by a business owner that informed him the Borough was designated by the Small Business Administration as being a "HUB" zone. He is in the process of ascertaining the details on this HUB zone designation and benefits it may have for the Borough.

**MILLERSVILLE UNIVERSITY REPORT**

Mr. DiGuiseppe reported on some of the upcoming events at Millersville University. They are very busy this spring before the hosting of graduation ceremonies which will be held on May 6 and 7<sup>th</sup>. On March 30<sup>th</sup> from 9 AM – 3 PM in Pucillo Gymnasium there will be an annual Teacher Recruitment Day which will bring over 700 teacher candidates and over 100 school districts together. Also coming to Pucillo Gym on April 11<sup>th</sup> at 7:30 PM is actor Hill Harper from CSI: New York who will give a lecture entitled "Motivating Young Men to be the Architect of Their Life".

Mr. DiGuiseppe announced the University's concern with Governor Corbett's proposed budget cuts to the public higher education system. They are the deepest cuts being proposed among all the states in the country, a 50% reduction. Many meetings, budget sessions, on-line talking points and reaching out to Alumni's across Pennsylvania have already begun to "make a voice" on the economic impact this will have on the Commonwealth. He asked for the Community's help by contacting our legislators.

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Ms. Reilly added to Mr. DiGuiseppe's report on the open forum Student Senate held this afternoon on the budget cuts.

Mayor Moriarty asked Ms. Reilly for any suggestions on how the Borough can remedy the situation with the Millersville University students living at Windsor Court Apartments. She at the present time has no other recommendations and admits it is hard to control. She will take this issue back to Student Senate for their thoughts and ideas.

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

Mr. DiGuiseppe presented a dated picture of Millersville from 1894 that was donated by Representative Scott Boyd at the opening event for the Millersville 250<sup>th</sup> anniversary. Also received that evening were proclamations from Governor Corbett, Senator Smucker, Representative Boyd and the Lancaster County Commissioners. These will be displayed at the Borough Offices. Steve discussed the next big event coming up in April; the grand opening of the Millersville exhibit at the Conestoga Area Historical Society. This display of a few hundred items will be open to the public on the weekends from 1 PM - 4 PM thru December, 2011.

**WASTE WATER COMMITTEE REPORT**

None

**FINANCE COMMITTEE REPORT**

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

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

Mr. Lastowski made a motion out of committee to approve the release of the Request for Proposal (RFP) for the update to the Borough's Comprehensive Plan. Mr. Gerber stated his opposition to the motion. He does not see any particular crisis that requires us to take action right now and believes we could go about this in a different manner resulting in a lesser cost. Mr. Arnold commented that there is a Pennsylvania Municipality Planning Code that states the municipality's Comprehensive Plan shall be reviewed every ten years. The impact of not doing that review is not having feedback from your residents on which direction they want to see the community go forth. You receive that citizens input through public hearings which are part of the Comprehensive Plan procedure. Beyond the information gathering, which Mr. Arnold believes should be done by a professional planner, is the fact that every one of the grants received last year for the Borough, approximately \$850,000, starts by asking if the Borough's Comprehensive Plan is updated. It is a criteria of each one of those grants. The financial impact of investing possibly \$20,000 over ten years is mathematically sound. He looks at it "as an investment in this Community's future from an input perspective, the residents' perspective, the visionary perspective and a monetary perspective." With no further discussions the motion passed by a unanimous roll call vote.

Mr. Lastowski mentioned receiving the draft version of our 2010 Audit report. A formal presentation will be given by the Borough's Auditors at the next Finance Committee meeting to be held on April 20<sup>th</sup> with a follow-up presentation to Council on April 26, 2011.

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**PLANNING AND BETTERMENT COMMITTEE**

Mr. Gerber made a motion out of committee to adopt the ordinance to amend the Code of Ordinances, Chapter 150, Article 1, Property Maintenance, to prohibit parking of vehicles on the grass. With no discussions the motion passed with an unanimous voice vote.

ORDINANCE BOOK  
ORDINANCE 2011-2

**STREET COMMITTEE**

None

**SAFETY COMMITTEE REPORT**

Mrs. Deal made a motion out of committee to adopt the ordinance to amend the Code of Ordinances, Chapter 290, Rental Property, to require owners of rental units to provide fire extinguishers and install smoke detectors. With no discussions the motion passed with an unanimous voice vote.

ORDINANCE BOOK  
ORDINANCE 2011-3

Mrs. Deal made a motion out of committee to adopt the resolution to amend and restate the rules and regulations for the Civil Service Commission of Millersville Borough. With no discussions the motion passed with an unanimous voice vote.

RESOLUTION BOOK  
RESOLUTION 2011-2

**PERSONNEL COMMITTEE**

Ms. Ridley announced the remaining Boards and Commissions vacancy for an alternate member of the Zoning Hearing Board. She also mentioned as the Committee goes through the process of the Supervisors' evaluations, there may need to be revisions or modifications to the format in order to keep it as effective and efficient as possible.

Ms. Ridley made a motion out of committee to appoint Mr. Ted Risser to fill the current Historic Commission vacancy with the term expiring on 2-24-2014. With no discussions the motion passed with an unanimous voice vote.

Ms. Ridley made a motion out of committee to approve the Volunteer Labor Release Form draft with suggested edits. With no discussions the motion passed with an unanimous voice vote.

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PRESIDENT'S REPORT

None

BOROUGH MANAGER'S REPORT

Mr. Arnold gave a quick analysis of the draft Audit reports from the Auditors indicating an approximate \$180,000 surplus for the 2010 year. Details can be obtained by attending either of the April meetings for the Finance Committee or Council.

Mr. Arnold reported on the upcoming Capital projects. The Glen Oaks Drive Sewer/Stormwater replacement project will be advertised on April 7, 2011 with the announcement of the bid award to Council at the April 26<sup>th</sup> meeting. West Frederick Street infrastructure project discussions are ongoing with the Engineers and our Streets Department Supervisor. Another consideration for the efficiency of this project and a sufficient savings potential is to close the street and come up with a detour route to satisfy the residents and the few businesses in the area. Discussions on this possibility will be held at the next Street Department meeting.

EXECUTIVE SESSION

None

ADJOURNMENT

Mr. Gardner made a motion, seconded by Mr. Lastowski to adjourn the meeting at 8:52 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Secretary

EJA/jle