

March 23, 2010
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, March 23, 2010 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 (absent)
Jack W. Gardner
J. Philip Gerber

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

OTHERS PRESENT

Edward J. Arnold, Borough Manager
John Rochat, Millersville Borough Chief of Police
Jessie L. Ebersole, Millersville Borough Staff
Gary G. Hess, Planning Commission Secretary
Steven A. DiGuseppe, Millersville University
James Buescher, Lancaster Intelligencer Journal / New Era
James A. Kirk, Jr., 436 Herr Ave., Millersville
Jill Gilbert, Trout, Ebersole and Groff, Borough Auditors
Nicole Manyko, Trout, Ebersole and Groff, Borough Auditors
Harold S. Rhoades Jr., Park Commission Chairman
Mike & Maggie Weidinger, 146 Victoria Rd., Millersville
Marilyn Sachs, 109 E. Charlotte St., Millersville
Terry Hummel, Student Lodging Inc.
Bob Slabinski, Student Lodging Inc.
Geoff Beers, Student Lodging Inc.
Bony R. Dawood, Dawood Engineering Inc. – Student Lodging Inc.
Jennifer Garcia, Dawood Engineering Inc. – Student Lodging Inc.
Carrol Ehrhart, Plan B – Highfield Farm
Carol Diller, 67 W. Frederick St., Millersville

MINUTES

None

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CITIZEN'S REQUESTS OR CONCERNS

Maggie Weidinger of 146 Victoria Road gave comment on a newspaper article that stated the Managers of the Borough had not received a salary increase in twenty-four months. She referenced the Council minutes in January, 2010 that stated a 3.4% increase to the salaries and in November 2009 there was a 3% bonus given. She continued to note that the bonus was not an increase to their annual salary but it was a cost to the taxpayers. She is sure the employees deserved it and are sure they appreciated it but from the taxpayers perspective the newspaper article looked as though we had not given anything for two years.

Carol Miller of 67 West Frederick Street voiced her concern for the condition of the rental unit at 65 West Frederick Street. In her opinion the property is not being maintained. The leaves have not been picked up from last fall, there are trash cans with no lids, and there is not adequate parking so the college students park on the grass, creating mud ruts. She asked that we take a look at these issues and inspect other rental properties. Mr. Gerber informed her that the Planning and Betterment Committee is currently working on these issues.

Mr. Skip Rhoades, Chairman of the Park Commission asked for Council support of two events scheduled, the second annual yard sale at the Park on Saturday, May 15th and a chicken barbeque set for August 28th to be held at Lebzelters. Mr. Gerber made a motion to support the yard sale on May 15th if there is nothing else on the calendar for that day and the August 28th for the chicken barbeque. Ms. Ridley seconded the motion. With no further discussions the motion passed with an unanimous voice vote.

Mr. Rhoades gave a quick status on the skatepark which hopes to open toward the end of April.

MAYOR'S REPORT

Mayor Moriarty gave comments on the police report, stating the 2009 totals show some of the lowest numbers in nine years. He will hold his detail presentation until the next Council meeting.

Mayor read a proposal for Council's consideration for the disposition of the RACP grant funds received. To summarize his request is that Council set aside a certain dollar amount, perhaps \$200,000 - \$250,000 and earmark it for "Economic Development", whether it be in the form of grant matching or a business incubator. Council will still need to approve the uses but with a specified earmarked amount the Borough can begin the process to lead to a plan and coordinate economic development that our community needs to reduce the tax burden on the home owner. Mr. Moriarty respectfully asked to lead the endeavor and to work with our Zoning Hearing Board, Planning Commission, Council Committees, Millersville Area Business Association and Millersville University.

Mr. Lastowski agrees that the funds should be used to benefit the citizens of the Borough. He pointed out that the Finance Committee is open to all suggestions and ideas.

Mr. Rhoades, as a business owner, voiced support for funds to be used to encourage small businesses to come to Millersville, as he once did many years ago.

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MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuseppe introduced two students from Student Senate that will fill-in for the Student Advisor position thru May; Ms. Kelly Madison and Ms. Emma Stanton. Each of the ladies gave a brief personal background on themselves and answered questions from Council. They announced the promotion through the Student Senate, for the Community Yard Sale set for April 24th and the 2010 Census.

Mr. DiGuseppe announced upcoming events and lectures and noted details can be found on their website. He confirmed the news that the Millersville University has moved forward with the major purchase of the building on 42 North Prince Street, downtown Lancaster. Money for the building, renovations, furniture and equipment will come from the Pennsylvania State System of Higher Education (PASSHE) and the Capital Construction Fund.

WASTE WATER COMMITTEE REPORT

None

FINANCE COMMITTEE REPORT

Mr. Lastowski introduced Jill Gilbert and Nicole Manyko from the accounting firm of Trout, Ebersole & Groff, the Borough's auditors. A detailed presentation was given to the Finance Committee at their March 17, 2010 meeting. Ms. Manyko presented to Council a brief overview of the 2009 Borough's Audited Financial Reports highlighting areas on each financial statement, the government-wide financial statements, the fund financial statements and the notes to the financial statements, as well as the supplementary information required by the Governmental Accounting Standards Board (GASB). She made reference to the letter stating the independent auditor's report that issued the Borough an unqualified opinion. Mr. Lastowski inquired to

Ms. Manyko if the Borough's finances were in good shape. Ms. Manyko replied that a general rule of thumb is to have a fund balance equal to 25% of the actual expenditures. Considering that rule of thumb the Borough's General Fund is in a very healthy condition. She continued to express that with the current economic conditions reserve balances have become very important. They are seeing fund balance recommendations being set at a higher 30% level. Mr. Bailey asked if there are key performance indicators that Council should be looking at for municipal fund health. Ms. Gilbert stated our reserve fund balances are the primary key indicator. She also stated that collections should be watched and that the Borough's tax collections are strong. Mr. Lastowski thanked Ms. Manyko and Ms. Gilbert for their report. On behalf of the Finance Committee, he commended Mr. Arnold, his staff, Police Chief John Rochat and all Department Managers along with their staff, for a job well done with managing the Borough's finances during 2009. He made a motion out of committee to accept the 2009 Borough Finance Audit as presented by Trout, Ebersole & Groff, Certified Public Accountants. With no further discussions the motion passed with an unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the budget adjustment to purchase a new dump truck with a plow to replace the existing truck that is in need of major repairs. Mr. Bailey asked to clarify where the funds are coming from for the difference of the vehicle that is not being purchased this year which was budgeted at \$35,000 and this new dump truck which has a budget amount of \$135,800. Mr. Arnold confirmed the funds are in the

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Highway Aid Fund. With no further discussions the motion passed with an unanimous voice vote.

PLANNING AND BETTERMENT COMMITTEE

Mr. Gerber made a motion to approve the time extension to April 30, 2010 for the Highfield Farm preliminary plan, a residential development at 240 East Cottage Avenue. Mr. Lastowski seconded the motion. Ms. Ehrhart, from Plan B briefly went over the discussions from the March 3rd Planning Commission meeting. Mr. Arnold asked if the Homeowner Association draft document could be changed and re-circulated to incorporate the feedback from Council. Ms. Ehrhart asked to receive any further comments within a week and would request the Attorney to provide a bullet revision for inclusion of Council's concerns. With no further discussions the motion passed with a majority voice vote, Mr. Gardner opposed.

Mr. Gerber made a motion to approve the Stormwater Management Plan with waivers for Student Lodging Inc. - Brookwood Apartments Units 15 & 18 including the adoption of the Stormwater Management Agreement and Declaration of Easement. Mr. Gardner seconded the motion. A question was asked and answered on the conditional approval of the modification for the submission of an abbreviated preliminary geologic assessment. The weather and time of year prohibits the testing in required details. With no further discussions the motion passed with an unanimous voice vote.

STREET COMMITTEE

Mr. Arnold mentioned the April 8th Streets Committee meeting with the neighborhood affected by the proposed West Frederick and Duke Streets traffic control improvements. Letters to the homeowners with a potential impact will be hand delivered and/or mailed at the end of this week.

Mr. Gardner made a motion to advertise for the 22,775 square yard micro-surfacing bids for Green Hills Drive (end to end), Fresh Meadow Drive (end to end) and Pilgrim Drive (from Route 999 to Fresh Meadow Drive. Mr. Gerber seconded the motion. Mr. Arnold pointed out the funds for this project was set at \$70,000 in the 2010 budget. With no further discussions the motion passed with an unanimous voice vote.

PERSONNEL COMMITTEE

Ms. Ridley made a motion out of committee to approve the request from the AFSCME labor union members to change the paid Christmas Holiday from Thursday, December 23, 2010 to Monday, December 27th. With no discussion the motion passed with an unanimous voice vote.

Ms. Ridley requested Council's feedback on the circulated job descriptions and the new guidelines for the MU Student Representative before the next Personnel Committee meeting. She gave a brief discussion on the consideration of the format for the Penn Manor High School Student Representative to follow the MU process only after the revisions have been accepted.

She updated Council on other items discussed such as Personnel will provide a thank you and recognition to letters of interest for membership on the Borough Committees and the development of a process to interview applicants and make recommendations for appointment based on the interview outcome, references and abilities in a non-discriminatory manner.

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Mr. Gerber gave his opinion that a Council member should not apply for a position on a Board or Commission if another applicant comes forward.

SAFETY COMMITTEE REPORT

Mrs. Deal gave comments from the last Safety Committee meeting. In regards to house numbering for Emergency Services, it was determined that before they can move forward changes may be required to our ordinance to reflect the size of the numbers as stated in the International Property Maintenance Code.

The Committee discussed that at the time a rental property is inspected for their rental license; at least one '2A10BC' type fire extinguisher will be required. The placement of the fire extinguisher will be determined by the Zoning Officer.

Chief Rochat asked for Council's approval to apply for a tech grant up to \$10,000 under the PA Commission on Crime and Delinquency Grant for the purchase of new laptop computers in order to stay compatible with the County's Police Management systems. Mrs. Deal made such motion, seconded by Mr. Gerber. With no discussions the motion passed with an unanimous voice vote.

Mrs. Deal made a motion out of committee to approve the Emergency Services Task Force continue their services for six month to answer municipal questions as the parameters for the Blue Rock Fire Company are discussed and finalized. She mentioned the Millersville Fire Chief is in approval of the extension. Mr. Bailey questioned the next step. Mrs. Deal stated that Manor Township hasn't voted yet and if they determine they want to continue then the Street's Committee would work on setting up meetings with Manor Township to compose questions for the Task Force and creating the overseeing committee. Mr. Bailey doesn't want to downplay the importance of the logistical questions; however his concern is the potential financial impact. With no further discussions the motion passed with an unanimous voice vote.

Mrs. Deal made a motion out of committee to file the ordinance to require installation of key lock boxes with the PA Department of Labor and Industry for review as required by the PA Construction Code Act. Mr. Arnold, per the Borough Solicitor, asked for Council to review the "use groups" indentified in the proposed ordinance. The "use groups" have exemptions specified in the ordinance but noted that Council may wish to consider adding a minimum square footage exemption within the business use group. Mr. Gerber requested adding "or his designee" to page 3 Section 1, number 3, paragraph (f) after "The Borough Fire Chief". The complete sentence to read: "The Borough Fire Chief or his designee must approve any changes in the installation." Considering the changes being discussed Mr. Gardner, seconded by Mr. Lastowski made a motion to table the motion out of committee. The motion to table was passed with an unanimous voice vote.

PRESIDENT'S REPORT

None

EXECUTIVE SESSION

None

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BOROUGH MANAGER'S REPORT

Mr. Arnold asked for Council's consideration to designate him as the official voting delegate of Millersville Borough to the PA State Association of Boroughs. This will allow Mr. Arnold to vote on behalf of Council for any Resolution or other action that comes up during their conference meeting scheduled for the end of April. Mr. Gardner made such a motion, seconded by Ms. Ridley. With no discussion the motion passed with an unanimous voice vote.

ADJOURNMENT

Mr. Gerber made a motion seconded by Mr. Gardner, to adjourn the meeting at 9:25 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,

Edward J. Arnold
Borough Manager

EJA/jle