

**March 27, 2012**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, March 27, 2012 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 Vice President, Philip A. Lastowski followed by the pledge to the flag. A moment of silence was then observed.

**COUNCIL MEMBERS**

Michael C. Kirkham (absent)  
Philip A. Lastowski  
Linda J. Deal  
J. Philip Gerber

Richard M. Moriarty, Mayor  
Thomas R. Keller  
Lynn M. Miller (conference call connection)  
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  
Edward R. Saylor, Planning Commission Vice Chairman  
Steven A. DiGuseppe, Millersville University  
Kaitlyn Rodgers, Millersville University Student Advisor  
Jill Gilbert, Trout, Ebersole & Groff, LLP, Borough Auditor  
Nicole Manyko, Trout, Ebersole & Groff, LLP, Borough Auditor  
Elaine Jones, Lancaster Intelligencer Journal / New Era  
Reverend David R. Fisher, 510 Thorngate Pl., Millersville

Mr. Lastowski announced the results of the executive session held February 28, 2012. A motion was made to take disciplinary action against a police officer for reasons addressed in executive session. The Police Officer will be suspended for three (3) – 12 hour days at the discretion of the Chief of Police and will be placed on a one-year probationary period that takes effect immediately.

**FINANCE COMMITTEE – 2011 FINANCIAL STATEMENTS AUDITOR’S REPORT**

Mr. Lastowski introduced Mrs. Jill Gilbert and Ms. Nicole Manyko from Trout, Ebersole & Groff, LLP, the borough’s financial auditors. Ms. Manyko explained that a detailed presentation of the 2011 Borough of Millersville Financial Statements was given at the March 21<sup>st</sup> Finance Committee meeting. Her presentation to Council referenced specific pages within the 2011 Financial Statements and provided brief highlights on each. She started by pointing out the Borough has again received an unqualified opinion which is the highest opinion you can receive. She explained the beginning section of the financial report is written by Edward Arnold, Borough Manager and provides an overview and analysis of the financial activities for the year ending December 31, 2011. The financial statements themselves comprise

**March 27, 2012**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

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 to the financial statements. The last financial statement Ms. Manyko summarized was the budget to actual figures of the General Fund. She thanked Ed and Jessie for their help and support during the audit. Mr. Lastowski commented that the Borough is in a favorable financial condition thanks to all the department heads, Ed Arnold, Jessie Ebersole, Chief Rochat, Andy Boxleitner, and Les McMullen. Mayor Moriarty asked how the Borough's net income compared to last year and prior years. Ms. Manyko stated the trend has been stable across the funds, however this year in the Sewer fund the positive trend is slightly lower than what has been seen in the past due to the additional expenses incurred for the West Frederick Street infrastructure project. Mr. Lastowski thanked Mrs. Gilbert and Ms. Manyko for their work and the fantastic report and hopes we can do it again next year. On behalf of Nicole and herself, Ms. Gilbert thanked all of Council. Mr. Arnold commented that in his over 30 years serving in the municipal accounting field he has never seen a management report put out by the Auditors that did not have something mentioned. This is the first year he has seen a clean management report and stated that credit goes to Jessie Ebersole.

**MINUTES**

A motion to approve the minutes for February 28, 2012 Council Meeting was made by Mr. Gerber and seconded by Mr. Stager. With no discussions the motion passed by a unanimous voice vote.

**CITIZEN'S REQUESTS OR CONCERNS**

None

**REPORTS OF COMMITTEES OR BOARDS**

Mr. Lastowski reported on the March's Blue Rock Regional Fire Commission meeting. He stated a separate capital budget account has been set with the remaining money from the merger of the four fire companies. He stated they will be applying for another grant which will potentially cover up to half of the Fire Commissioners salary for the next three years. He announced the next Blue Rock Regional Fire Commission meeting is scheduled for Thursday, April 5<sup>th</sup> at 6 PM.

**MAYOR'S REPORT**

The Mayor stated the monthly Police report is average in comparison to the same month in the last ten years. Chief Rochat reported on a recent purse snatching in the borough and recovery of items. Also he stated within the next two or three weeks there will be a press release on a significant investigation they have been working on with other agencies.

The Mayor shared a letter from the West Hempfield Township police department recognizing the assistance Sergeant Bauman provided to them during a long and tedious investigation. The Mayor commented that crime doesn't always stop at our municipal borders and that we sometimes take for granted the mutual assistance provided.

March 27, 2012

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

MILLERSVILLE UNIVERSITY REPORT

Mr. Steven DiGuseppe reported on current and upcoming events. There are numerous speakers coming to the campus as well as walks, marches and rallies. There is also a Teacher Recruitment Day scheduled for March 29. This event typically brings more than 700 teacher candidates and more than 100 school districts together to discuss employment opportunities.

Mr. Gerber briefly mentioned the newly formed committee of which he and Mr. DiGuseppe are co-chairs. This committee of about thirteen individuals is discussing the idea of a Millersville Veterans Memorial with a possible Borough gazebo located in Freedom Memorial Park. The Historical Society has money from the sale of the books last year and there are funds available from the 250<sup>th</sup> anniversary celebration. The Mayor commended Mr. Gerber's efforts and for continually being involved in such projects.

FINANCE COMMITTEE REPORT

Mr. Lastowski passed the gavel to Assistant Secretary, Linda Deal in order for him to proceed with the motions out of the Finance Committee.

Mr. Lastowski made a motion out of committee to accept the 2011 Borough Finance Audit as presented by Trout, Ebersole & Groff, Certified Public Accounts. With no discussions the motion passed with a unanimous roll call vote.

Mr. Lastowski, seconded by Mr. Gerber made a motion to accept the November Financial Statements. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski, seconded by Mr. Gerber made a motion to accept the December Financial Statements. With no discussions the motion passed by a unanimous voice vote.

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

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

Mr. Lastowski mentioned the committee discussed a 2012 budgeted Police Department purchase of a new Police vehicle to replace an older Crown Victoria cruiser.

Mrs. Deal returned the gavel to Vice President, Lastowski.

WASTEWATER COMMITTEE REPORT

Mr. Keller made a motion to advertise an ordinance to allow Manor Township to become a bulk customer of the Borough's sewer system to allow sewer service to the land immediately adjoining the Borough. Mr. Gerber seconded the motion. Mr. Arnold explained that this ordinance along with an inter-municipal agreement with Manor Township and a developer's agreement is for providing sewer service for the currently proposed Funk Development, which is totally in Manor Township. He stated our concern is not with the ability or the capacity to do that but rather the regulations of the Pennsylvania Utility Commission (PUC). It was noted that there will be a need for another pumping station in that area but no additional staffing should be required. Mr. Saylor inquired on the rates that will be charged and whether the arrangement will

**March 27, 2012**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

be the same as the Crossgates Development. Mr. Arnold stated it will be different. The sewer rates will be the same as the borough residents pay and the billing will go to the Association and not each individual. With no further discussions the motion passed by a unanimous voice vote.

Mr. Keller made a motion to allow the Wastewater Committee to decide at their next meeting to enter into an agreement with EnerNOC Inc for an Emergency Load Response Program contingent on our Solicitors review. Mr. Gerber seconded the motion. Mr. Arnold explained that the program will pay the Borough revenue for being available to reduce electricity consumption when the reliability of the electric grid is in jeopardy causing a demand response event. This is accomplished by switching the Waste Water Treatment Plant off the power grid and onto our backup generator. EnerNOC will pay the Borough a stand-by amount during the program period of June 1 through September 31 based on how many kilowatts can be pulled off the grid. In addition they will pay for the actual usage if there is an actual demand response event. With no further discussions the motion passed by a unanimous voice vote.

**PLANNING AND BETTERMENT COMMITTEE**

Mr. Gerber made a motion out of committee to advertise the ordinance to revise the park hours and regulations for use. The hours will be stated as 7 AM until sunset. Mr. Arnold asked Council to also consider changing the terminology of Park Committee to the Park Commission. The Park Committee is an independent body appointed by Council and not a standing committee of Council. Mr. Gerber amended the motion to include the change of the terminology of Park Committee to Park Commission. Mrs. Deal seconded the motion. With no further discussions the motion as amended passed by a unanimous voice vote.

Mr. Gerber made a motion to advertise a public hearing for an amendment to the Zoning Ordinance regarding the Historic Overlay District. Mrs. Deal seconded the motion. Mr. Gerber explained this has been a work in progress for a number of years. It has been reviewed by the Planning Commission, the Lancaster County Planning Commission and the Lancaster Inter-Municipal Committee (LIMC). Mr. Arnold stated Council could wait another month until the ordinance is its final draft, which may be after the next Planning Commission meeting. With no further discussions the motion passed by a majority voice vote, with Mr. Stager opposed.

**STREET COMMITTEE**

Mr. Stager made a motion to adopt the ordinance to revise the regulations establishing one-way streets and parking prohibitions within the Borough. Mr. Gerber seconded the motion. With no discussions the motion passed by a unanimous voice vote.

ORDINANCE BOOK  
ORDINANCE NO. 2012-3

**March 27, 2012**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

**SAFETY COMMITTEE REPORT**

Mrs. Miller via telephone conferencing, asked Council to consider adopting the amendment to the Residential Rental Unit Regulation Ordinance. Mrs. Deal, seconded by Mr. Gerber made a motion to adopt the ordinance to revise regulations governing residential rental units. With no discussions the motion passed by a unanimous voice vote.

**ORDINANCE BOOK**  
**ORDINANCE NO. 2012-4**

Mrs. Miller via telephone conferencing, asked Council to consider approving the ratification of the authority of the Council President to execute the Pennsylvania Liquor Control Board grant application and contract. Mrs. Deal made such a motion, seconded by Mr. Gerber. With no discussions the motion passed by a unanimous voice vote.

**PERSONNEL COMMITTEE**

Mrs. Deal made a motion to reappoint Mr. J. Philip Gerber to the Historic Commission for another five year term ending February 24, 2017. Mr. Keller seconded the motion. With no discussions the motion passed by a unanimous voice vote, with Mr. Gerber abstained.

Mrs. Deal made a motion out of committee to designate Mr. David R. Keller from Barley Snyder LLC as the Borough's labor counsel effective April 1, 2012. With no discussions the motion passed by a unanimous voice vote.

Mrs. Deal made a motion, second by Mr. Stager to appoint Reverend David Fisher to fill the alternate member position on the Zoning Hearing Board with a term ending date of December 31, 2013. With no discussions the motion passed by a unanimous voice vote.

**RESOLUTION BOOK**  
**RESOLUTION NO. 2012-4**

Mrs. Deal made a motion, second by Mr. Gerber to appoint Reverend David Fisher to the Educational Service Board for a three year term ending January 1, 2014. With no discussions the motion passed by a unanimous voice vote. Mr. Lastowski thanked Mr. Fisher for his willingness to serve.

**PRESIDENT'S REPORT**

None

**EXECUTIVE SESSION**

None

**March 27, 2012**  
**MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES**

**BOROUGH MANAGER'S REPORT**

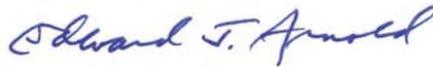
Mr. Arnold asked for Council's consideration for the annual appointment to the PSAB voting delegate. In the past Council has appointed the Borough Manager. Mr. Stager, seconded by Mrs. Deal made a motion to reappoint Edward Arnold as the official voting delegate of the Borough at the annual PSAB conference. With no discussions the motion passed with a unanimous voice vote.

Mr. Arnold announced Phase II of the West Frederick Street Infrastructure project will begin approximately June 9<sup>th</sup>. This phase starts at North Prince Street on West Frederick Street and continues to the barber shop (109 West Frederick Street). He anticipates this phase to be completed in about 4-5 weeks and will require another street closure for a short amount of time, perhaps a week.

**ADJOURNMENT**

Mr. Gerber made a motion seconded by Mr. Keller, to adjourn the meeting at 8:37 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold  
Borough Manager

EJA/jle