

May 24, 2011
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, May 24, 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 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

OTHERS PRESENT

Edward J. Arnold, Millersville Borough Manager
Jessie L. Ebersole, Millersville Borough Staff
John D. Rochat, Millersville Borough Chief of Police
Janet Kacskos, Millersville University
Edward R. Saylor, Planning Commission Vice Chairman
Kevin F. Weber, Park Committee
Duane E. Hagelgans, Blue Rock Regional Fire Commission
Mr. Chris Ivey, 4th Grade Teacher Eshleman Elementary School
Emma DeBerdine, 4th Grade Student
Ripley Lefever, 4th Grade Student
Michael & Deb DeBerdine, 177 Kready Ave., Millersville
Clint Lefever, 107 Blue Rock Rd., Millersville
Craig Raynor, Pennoni Associates Inc., Millersville University
Greg Petruno, Project Manager, Millersville University
Ron Frisbie Jr., Millersville University
Marilyn Sachs, 109 E. Charlotte St., Millersville
Lonny E. Smith, 333 Windgate Ct., Millersville
James A. Stager, 404 Manor View Dr., Millersville
Lynn M. Miller, 10 Pilgrim Dr., Lancaster
Jim Kirk, 436 Herr Ave., Millersville
Dorothy Imel, 1902 Blue Ridge Dr., Millersville

MINUTES

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

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REPORTS OF COMMITTEES OR BOARDS

Mr. Weber reported on the skateboard park. He admitted to the fact that the children are not 100% compliant to the rules and regulations i.e. wearing helmets. There have been some individual changes within the community skateboarding organization but those individuals are committed to continuing the education of the rules and regulations of the skateboard park. Council's concern remains to be public safety. Mr. Bailey stated that those skaters that use the park inappropriately put themselves at risk and we don't want to see that. Council would like to encourage the organization take a more active role in promoting safe skating since they have the relationship with the citizens of community that use the skate park. Chief Rochat mentioned that incident reports and citations have been issued.

Mr. Bailey introduced Mr. Duane Hagelgans as the new Fire Commissioner for the Blue Rock Regional Fire District. Mr. Hagelgans indicated his appreciation to Mr. Arnold and Mrs. Ebersole for welcoming him and providing assistance in these beginning weeks. He then provided his background knowledge and professional experience. He proceeded to announce the goal of the Fire District is to merge the financial assets of the four fire companies on July 1st and the remainder is to be merged as of January 1, 2012. Mayor asked for his comments to the level of activities he witness within the four fire companies. He stated they have been very active with service calls and if there was anything that has surprised him, it would be the number of hours the volunteers put in. He continued even outside of their normal jobs and running the service calls, there is always someone performing necessary work at the fire houses. It is an aggressive, dedicated group of volunteers. He also mentioned all the fire service individuals and the community have also made him feel welcomed without hesitation and for that he is very thankful. Mr. Bailey stated a lot of effort continues on the consolidation of the four fire companies. He firmly believes they will have a relatively good idea of the operational budget for 2012 prior to the Borough's budget cycle.

MAYOR'S REPORT

Mayor Moriarty is honored to be invited every year to participate in Mr. Chris Ivey's fourth grade governmental unit of study. He welcomed Ms. Ripley Lefever and Ms. Emma DeBerdine for joining him at the Diaz as the winners of this year's project, which was to develop a bumper sticker relating to the 250th anniversary celebration of Millersville Borough. He proudly displayed their work of art. This year Mr. DiGuissepe helped judge the contestants and in return presented both of the winning students with a Millersville 250th designed T-shirt commemorating the anniversary. The Mayor thanked both parents and Mr. Ivey in their support of these young ladies.

Mayor Moriarty reported on the police statics report as having the highest calls for service at 222 since 2002. Ordinance complaints and ordinance citations were high as well. It was a very busy month. Mayor read a letter received from the District Attorney recognizing the department for their outstanding service on behalf of victims and their families by expediting information to the Pennsylvania Victim's Compensation Assistance Program enabling them to provide assistance and service to those whose lives have been affected by crime. Chief Rochat stated the recognition belongs to Dottie Young and Karen Bretherick.

Mayor Moriarty asked for Council's support as he attends this year's Pennsylvania Mayors Conference being held in Scranton. Per Chief Rochat, monies have been budgeted for this event.

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CITIZEN'S REQUESTS OR CONCERNS

None

PERSONNEL COMMITTEE

Mr. Bailey announced Dr. Cindy Ridley's resignation from Council effective May 8th. The Borough Code requires that Council make a decision within 30 days to fill the vacancy. He proceeded to ask anyone interested in filling the vacancy to provide biological and professional information and to allow Council and audience members to ask further questions. Before continuing Mr. Gardner made a motion to accept Ms. Ridley's letter of resignation with regret. Mr. Kirkham seconded that motion. With no discussion the motion was passed with a unanimous voice vote. Mr. Bailey explained that this Council seat will be through the end of this year. An additional 2-year term position will be placed on the fall ballot since the position vacancy occurred greater than 60 days prior to the election.

Mr. Lonnie Smith from Windgate Court was the first to announce his interest in serving as a Council member. He has been a resident of Pennsylvania for 16 years; in which 11 have been in Millersville. He held the position of a General Manager for a corporation that opened a local branch in this area. He entered the Army as a private and worked himself up to the rank of Captain. He believes everyone should try to do their civil duty and has responsibilities to assist their local government.

Mrs. Marilyn Sachs announced her interest next. She provided her past experience serving on Millersville Borough Council, Committees and Commissions. She has lived in the Borough for 10 years. She currently works as a Grants Administrator and Contracts Technician for the Lancaster County Planning Commission. She stated due to her position at the County Office, it will prohibit her for running for the open position on the fall ballot. Mrs. Deal asked to confirm that if Mrs. Sachs were appointed to fill the Council position that they both would be eligible to continue serving on the Millersville Borough Planning Commission. Mr. Bailey confirmed based on that fact that it would not create a majority representation.

With no other interested candidates, Mr. Bailey proceeded to call for a roll call vote for each. The roll call for Mr. Lonnie Smith resulted in a unanimous 'No' vote. Mrs. Sachs resulted in a unanimous 'Yes' vote. Mr. Bailey thanked Mr. Smith for his interest in serving the community and welcomed him to consider running on the fall ballot.

Mr. Kirkham, seconded by Mr. Gerber, made a motion to approve the Resolution to appoint Marilyn W. Sachs to fill the vacancy created on Borough Council by the resignation of Lucinda L. Ridley until the first Monday in January, 2012. With no discussions the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION 2011-4

Mayor Moriarty performed the Oath of Office for Mrs. Sachs.

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MILLERSVILLE UNIVERSITY REPORT

Ms. Janet Kacskos announced the excitement for the Marauders going to the College World Series for the second time in school history. They won the finale of the NCAA Division II Atlantic Regional Tournament that was held at Clipper Stadium. Ms. Kacskos proceeded to announce upcoming events. The first weekend of June, Millersville University's President's Commission on Cultural Diversity and Inclusion is presenting "The First Arts Celebration" with a McCaskey High School Art Exhibit and annual Community Concert. This event will be held at the Lancaster location. The first of three summer sessions are to begin on May 16 and continue until mid-August. Another note of importance is the recognition Millersville University received for Community Service. During 2010 more than 4600 students provided almost 200,000 hours of service to the community, which equates to approximately four million dollars' worth of service. This placed them on the President's Higher Education Community Service Honor Roll with distinction. Ms. Kacskos announced that before the start of the fall 2011 semester, renovations to the Student Memorial Center are scheduled to be completed. Work will continue this summer on the downstairs area and the remaining portion of the main floor of SMC. In March most of the main floor was re-opened. She invited anyone who has not had the opportunity to see the renovations to visit, stating it is absolutely beautiful.

Ms. Kacskos inquired on the anticipated road closure of West Frederick Street this summer, specifically on 'move-in' day, August 24th. Mr. Arnold confirmed the closure will be during that time period. Many factors may come into play on how long that section will be closed such as the contractor, coordination with PennDOT and the City of Lancaster, and not to mention the possible weather interruptions. The expectation is that the road will be closed from Shenks Lane to South Prince Street from July through September. The finalized detour plan once approved by PennDOT will be circulated.

MILLERSVILLE 250th REPORT

Ms. Kacskos briefly mentioned the next two events; the Lancaster County Fireman's Parade will be held on Saturday, June 4th at 2:00 p.m. and the Borough's Picnic in the Park is Sunday, June 26th beginning at 3:00 p.m.

WASTE WATER COMMITTEE REPORT

Mr. Gardner made a motion to award the BioSolids Management Service Agreement to the lowest qualified bidder, Jesse Baro Inc. in the amount of \$30.87 per wet ton. The other bid presented was by Merrell Bros. Inc. in the amount of \$31.45 per wet ton. Our Solicitor has reviewed the bids. With no discussion the motion passed with a unanimous voice vote.

FINANCE COMMITTEE REPORT

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

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

Mr. Lastowski made a motion out of committee to approve the 2011 budget adjustment and transfer of \$180,000 from the General Operating Fund to the General Capital Reserve Fund. This transfer is the revenue result from the 2010 Audit. With no discussions the motion passed by a unanimous voice vote, with Mrs. Sachs abstained.

Mr. Lastowski made a motion to go forward with the installation of the security cameras at the Millersville Borough Freedom Memorial Park. Mr. Kirkham seconded the motion. Mr. Gerber voiced his concern with moving forward with getting bids. He continued by saying if Council as a whole can decide there is a need for the security cameras then he would prefer we explore the various options of security cameras systems such as hardwire vs. radio wave or Wi-Fi before making any consideration for advertising to bid. Further discussions revolved around the motion that was made and whether Council wanted to take action on at this point. Mr. Kirkham, seconded by Mr. Gerber made a motion to withdrawal the motion to move forward. The motion to withdrawal passed unanimously. Mr. Gerber continued to make a motion to see if Council wishes to put security cameras in the Borough Park. Mr. Kirkham seconded the motion. Mrs. Deal inquired on how much damage has been done to the park. Chief reported that there has been some damage, such as a fire in the bathroom, breaking toilets and vandalism to the gazebo. He proceeded by stating merits of having cameras such as they do prevent crime and help in conviction. Mr. Arnold stated the bigger issue of the municipality is the obligation of providing public safety in public places. The Borough's park has become more active since the development and implementation of the Park Master Plan. He stated, we recently added a new path and a new pavilion all with the idea of promoting a place for the residents to go. With that comes the responsibility to see that the people are safe. The equipment and buildings are merely a side-bar, in his belief, because you cannot replace a human life. From a price perspective camera technology has improved and costs have decreased in the last few years, making install more affordable. Mr. Kirkham added the fact that if you have cameras you can put signage up that will deter criminal activity. With no further discussions the motion passed by a majority voice vote, with Mr. Gerber opposed.

Mr. Lastowski made a motion by stating the question: "Is Council interested in going forward to seek bids to replace the gazebo that was torn down; is it a project Council is in favor of?" Mr. Kirkham seconded the motion. Mr. Lastowski announced the 2011 budgeted cost is set at \$48,000. He further stated this project may come in lower than budget and will include not just the gazebo but the site preparation, installation of footings and a concrete pad, the delivery and assembly. Mr. Kirkham identified the money would come from the General Capital Reserve fund, in which Council just made a motion to transfer \$180,000 into. Mr. Gerber stated his objections to the gazebo. Those being the location of the gazebo, "tucked away up on the hill" and when it was there hardly anyone ever used it and the cost seems outrageous for something rarely used. Mr. Kirkham voiced his opinion that maybe Council should take one project at a time by considering the cameras this year and the gazebo in 2012, due to the economic times. Mr. Gardner added the fact the original gazebo was erected in honor of the Rutter family that donated a large amount of money to the park. With no further discussions the motion by voice vote unanimously did not pass.

Mr. Lastowski made a motion to adopt the Resolution approving the financing through the Lancaster Industrial Development Authority for the Student Lodging Inc. project making renovations and improvements to buildings 17 & 19 located at Brookwood Court Apartments and authorizing Council President or in his absence any other member of Council to take certain

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actions on behalf of Council. Mr. Gerber seconded the motion. With no discussions the motion passed with a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION 2011-4

Mr. Gardner made a motion to approve the Mayor's attendance to the conference being held in Scranton from July 21st through July 24th not to exceed \$700. Mr. Gerber seconded the motion. Mrs. Sachs asked if there was any other money set aside for education for other staff. Mr. Arnold replied there is none other than the statutory training and certification set aside for the officers. She believes money should be spent on education and not conferences. The Mayor pointed out that this conference is mandatory according to the Borough Code. With no further discussions the motion passed with a majority voice vote, with Mrs. Sachs opposed.

PLANNING AND BETTERMENT COMMITTEE

Mr. Gerber made a motion to accept the Millersville University Ganser Library Additions and Renovations Preliminary/Final Plan with the condition that all engineer's recommendations are met (this includes the waiver of the preliminary plan requirement), the stormwater maintenance and management agreement is finalized before the issuance of the Certificate of Occupancy and that all emergency management requests are met. Mr. Kirkham seconded the motion. A brief presentation was given by Craig Raynor of Pennoni Associates. Mr. Gardner questioned if there were any comments from the Fire Department, Street's Department Superintendent, or the Police Chief. Chief Rochat mentioned he had reviewed the plans and had no comments. Mr. Arnold mentioned Mr. Boxleitner had no comments and Chief Eshleman has been working directly with Pennoni Associates and Millersville University on the emergency management issues. Mr. Gerber asked to be recused from voting due to his personal interests in the project. With no further discussions the motion passed by a unanimous roll call vote, with Mr. Gerber abstention.

Mr. Raynor from Pennoni Associates gave a brief presentation of the revised plan showing the proposed abandonment of East Frederick Street and the dedication of James Street. Chief Rochat stated his concern for the lack of traffic markings that are needed on the section of East Frederick Street between George Street and High School Avenue. He also identified the safety issue at the crosswalk on James Street near South George Street. Mr. Gerber made a motion to support the revised sketch plan for the vacating of East Frederick Street beginning at High School Avenue. Mrs. Sachs seconded the motion. With no further discussions the motion passed with a unanimous voice vote.

STREET COMMITTEE

None

SAFETY COMMITTEE REPORT

None

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PRESIDENT'S REPORT

None

BOROUGH MANAGER'S REPORT

To satisfy the Borough's requirement for the annual MS4 report for the Stormwater system, Mr. Arnold mentioned 25% of the outfalls were inspected, this includes public and private outfalls. There were no complaints for construction sight run-off. The Storm sewer map was updated in 2010. Public education was performed through the brochure entitled "When it Rains, it Drains", information was provided in the Borough's newsletter, website and a link to DEP's website as well as employee education in BMP, good housing keeping procedures and record keeping. We did look for volunteers to participate in the stormwater management activities and the 2011 requirements is to inspect another 25% of the outfalls and sample and preform tests as needed for contaminants.

Mr. Arnold mentioned our Picnic in the Park event is June 26th and any Council volunteers or others may contact Sue McCullough before Wednesday, May 25th. Special T-shirts will be provided for those helping that day.

Mr. Arnold mentioned we will be holding the Council meeting on June 14th to keep the West Frederick Street Infrastructure project moving forward by awarding the bid.

EXECUTIVE SESSION

None

ADJOURNMENT

Mr. Kirkham made a motion, seconded by Mr. Gerber to adjourn the meeting at 9:05 PM. The motion passed with a unanimous voice vote.

Respectfully submitted,



Edward J. Arnold
Borough Secretary

EJA/jle