

May 24, 2022
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, May 24, 2022, in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

COUNCIL MEMBERS

Lauren E. Hauck	David T. Aichele, Mayor
Lynn M. Miller	Christopher Hubbs
Linda L. Bellile	Darlene Eager
Mary Ann Gerber, Absent	Maggie Weidinger

OTHERS PRESENT

Sue McCullough, Millersville Borough Receptionist
David Sykes, 344 Valley Rd, Millersville
Dorothy Imel, 1902 Blue Ridge Dr, Lancaster
Sam Bigler, 17 Wabank Rd, Millersville
Elaine Walmer, LNP
David & Linda Chalfant, 128 Landis Ave, Millersville
Steve & Phyllis Giberson, 332 Manor Ave, Millersville
Pat Reinhart, 433 Brookview Dr, Millersville
Jeff & Wendy Rambish, 2102 Millersville Pk, Lancaster
Elizabeth & Paul West, 3 Chamberlain Ln, Millersville
Melissa Hohman, 50 Glen Oaks Dr, Lancaster
Karen Hoffer, 49 Glen Oaks Dr, Lancaster
Victor DeSantis, Millersville University
Gary Hess, 453 N George St, Millersville
Karen Labiak, 105 N Duke St, Millersville
Susan Guggenheim, 342 Manor Ave, Millersville
Michael Hershey, Director of Operations, Immerse International
Corey Hamilton, CFO, Landis Communities
Evon Bergey, COO, Landis Communities
Claude Hicks, SVP, HDC MidAtlantic
Ed Kaminski, Director, Landis Quality Living, Landis Communities

At 7:00pm, President Hauck, began the Public Hearing for the LERTA Ordinance and stated, no action would be taken at this meeting. She said a LERTA, Local Economic Revitalization Tax Assistance District would be created. The Ordinance is to re-establish the district which was created in 2016. The property is at 321 Manor Avenue and is currently 501(c)(3) and no taxes are being paid to the Borough. This hearing is an opportunity for public comments. Darlene Eager, Councilwoman, asked representatives from Immerse/Landis Communities, if they have received any funding for the project thus far. Ed Kaminski, Landis Communities, stated they have an application into the Lancaster County Redevelopment Authority for a home loan, which is a standard funding source for affordable housing, and was submitted last week. The application to PHFA for tax credits, will be submitted by June 30, 2022. He said they also have a commitment of \$100,000.00 from Landis Communities for a capital commitment to the project. There is also one other grant for \$50,000.00 for the budget. Ms. Eager addressed Mr. Kaminski and said, in the past, you stated, if there is no LERTA, then there is no project and she asked if this is still correct. Mr. Kaminski stated feasibility is a critical issue and

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some projects get funding from PHFA without a LERTA, because they happen to be feasible, but this project, which has been applied for three times, still has not gotten tax credits. Currently, the project is not feasible without LERTA, because the higher taxes in year one, reduces the amount of hard debt that can be placed on the property. Lynn Miller, Councilwoman asked if the LERTA is approved, and you go back to PHFA and still do not get the loan, then what happens? Mr. Kaminski stated their agreement with Immerse is for two developments on the property. One for affordable housing and one for middle market and mixed use and they would have to re-evaluate the mixed income portion of the project. Ms. Miller asked if it is common to go back to PHFA a number of times to get funding approval. Mr. Kaminski stated it can take three times. It is uncommon to take four times but Immerse/Landis Communities has taken the feedback from PHFA and with the LERTA, they feel they will be successful this time. President Hauck then asked for comments from the public and stated representatives from Immerse/Landis Communities will have time to respond, after comments are heard, and Council Members will give their final comments at the end.

A resident who attended the April 26, 2022, Council meeting, which LERTA was discussed, gave a report on information she researched from PHFA regarding LERTA. She stated at the last meeting, Immerse/Landis Communities said the expired LERTA was the issue in not receiving funding from PHFA, because the project is not feasible without LERTA. This resident emailed PHFA, regarding additional information on the application submitted and how Landis Communities scored on that application. The resident strongly recommended that Millersville Borough hold off approving a new LERTA for the property at 321 Manor Ave, until 2023, so it can be used as a negotiating tool. The LERTA should not be approved without a plan, contact list of all developers/partners involved, and a guaranteed funding source, in writing.

Concerns were given regarding low-income housing in Millersville Borough. A resident stated she used to live in a 55+ community, but when the park owners were not able to sell to that specific age group, the homes were opened up to the public. In the twenty years she lived there, it went from a pristine park to a run-down trailer park. She then moved to Millersville. She feels Millersville does not need more low-income housing. She does not want her taxes to go up because someone wants to own a property and not pay taxes on it. She stated she also did research and feels this project should not go through.

A resident asked for LERTA to be explained. She stated Borough residents pay the third highest taxes in Lancaster County and does not want to see her taxes go up to support someone else making a lot of money on something across the street from her property. She stated she has no problem with 55+ housing, but when they cannot fill the units, it will become college housing and property values are going to decline. Her concern is the project will not sustain the historic value of Millersville Borough.

A member of the audience asked if the Borough knew what the taxes would be for this property, when it is finished, and how much in taxes would the Borough be losing over the ten years. A discussion followed regarding estimated taxes paid during the LERTA period. Ms. Weidinger stated, right now we are getting no tax dollars for this property and if we do not do anything, at the end of those ten years, there will be no taxes unless something is built there. A question was asked if there could be a LERTA for other than ten years and asked to consider an eight year LERTA.

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Comments were made in regards to additional expenses involved if this project goes through. There will be additional traffic to deal with, and also road work which may need to be done for completion of the project, and who is going to pay for that work. A resident stated Immerse should have to pay full taxes to take the burden off the residents.

A question was asked, when the LERTA becomes effective? Is it when they break ground or when the project is finished? Ms. Weidinger responded, they would have to wait for Lancaster County to come out and assess the property and LERTA would begin after occupancy is approved.

President Hauck asked the applicants to comment. Ed Kaminski, Director of Landis Quality Living/Landis Communities introduced those in attendance at the meeting; Michael Hershey, Director of Operations-Immerse International, Corey Hamilton, CFO -Landis Communities, Evon Bergey, COO-Landis Communities, Claude Hick, SVP-HDC MidAtlantic. Mr. Kaminski stated each representative would like to take a few minutes to address questions and the erroneous statements made. Landis Communities would like to invest in Millersville and believes whole heartedly in providing quality housing for both those with middle and lower incomes. Mr. Kaminski stated lower incomes today, are things that Landis Communities housing, for this project, would not provide. He stated rental pricing will be in the range of \$600.00, \$700.00, \$800.00 and low-income people would not be qualified and it would be looked at, as moderate-income housing. This housing comes with services to provide quality places to live. Ms. Eager stated that Mr. Kaminski, previously said rentals would be \$280.00 - \$1,000.00. He replied the \$500.00-\$800.00 rent range would be the majority of the units, which is meant for people with incomes of \$25,000.00-\$35,000.00 range. The rest of the development is middle income, with rent between \$1,200.00-\$2,500.00+ range and is for those with higher incomes. There will also be commercial space with a doctor's office and a restaurant. This is a high-quality construction project and will be an asset to the community.

Michael Hershey spoke on behalf of Immerse. He stated Ed McMannes, Executive Director is currently traveling and his wife, Joan McMannes, was not able to attend the meeting. Michael read a letter from Joan. In the letter, she stated, that she and Ed live at and work at Immerse. They support Landis Communities and this project. Immerse is a non-profit facility providing housing for college and international students. They are excited the Borough will receive tax dollars from a portion of the property. She wanted Council and those present tonight, to know they have turned down contractual relationships with others who have requested to do projects on this property; Wawa-with gas pumps, CVS, Dollar General and other companies. They have said no to potential projects because they did not feel it fit the needs of Millersville Borough. She believes in the partnership with Landis Communities, a trusted leader in quality housing and quality services and hopes that Millersville Borough Council will vote to approve this short-term tax exemption.

Corey Hamilton wanted to emphasize, you can not assume a project is going to happen and LERTA is used to encourage certain types of developments and for Council to frame what happens, in certain places in the Borough. The risk is, if you do not encourage development, properties such as Immerse will stay with nominal or zero taxes. They are not trying to do a project with no taxes, they are trying to do a project which is more feasible with LERTA. The PHFA scores which were mentioned earlier in the meeting, are not given to the applicant when the application is declined, but PHFA's feedback stated, they had a great project except for the fact that the LERTA had expired. Projects are very complex and are very hard to get off the

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ground. Having a LERTA in place, helps to provide some time to get the project going and in a position to pay taxes. Market studies show the units will fill-up and the project will be very successful. Senior housing is different from other types of lower income housing.

Evon Bergey stated they are here to answer resident's questions and concerns. Landis Quality Living's mission is to provide housing and services for older adults. Support services are required by PHFA, such as care navigation (nurse or social worker) to help individuals as they age. Landis Communities will be working with the Millersville University's graduate nursing program.

Claude Hicks said he understands resident's concerns. He hears these concerns all the time and he is the person sent out to address them and make sure the residents receive the correct information. The application will be submitted to PHFA by 6-30-22 and they expect to get an answer around late fall or into November. Landis Communities will have a commitment of thirty years of ownership. Statutes and rules are required and must abide by. The project must be built in a specified amount of time and there are specific rules on ages of those residing in the units. Owners and investors make sure his project can be stabilized and sustained over the project's thirty year. The combination of these two projects is a \$40,000,000.00 investment in Millersville. Landis Communities would like to be a part of the community.

President Hauck then asked for comments from Borough Council.

Darlene Eager expressed concerns as to the purpose of LERTA. Through research, she found LERTA is for dilapidated properties and to make something out of those properties, and this does not describe the property at 321 Manor Ave. She is not against LERTA, just LERTA for this project. Also, if the property at 321 Manor Ave is not needed for tax exempt and is now put out there to be built on, why is part of the property already tax exempt. Ms. Weidinger replied, they are eligible by Federal Guidelines.

Lynn Miller stated the water tower is going up and construction will begin in the Borough and would hate to think what else could go in at that property, instead of the project being proposed. She said a lot of properties start out as saying senior living but change because it wasn't in the deed, or it wasn't in the rules. The fact there will be written verification on the age rules, addressed her concerns regarding this happening for the proposed project. She stated this sounds like a good project for Millersville Borough.

Maggie Weidinger stated about twenty years ago, these same conversations were had, with the first LERTA, and what could be put on this land. She personally feels this is the best project for that property. She mentioned a comment that was said earlier, regarding this being a negotiating tool and that is what this is. When we support a project because we really like it, one of the tools we have is the LERTA on this one property. With that said, we have not seen a plan yet. When it goes to the Planning Commission, that is where negotiating of the plans comes in, as to traffic, how it will look, where sidewalks are going to go, where the buffers will be, if you have a house next door. This is where we stay on top of it. She feels Landis Valley is an honorable organization and has been in Lancaster County a long time. Before we throw this away, Council should look long and hard at it, as to what could be there if something like this does not go in.

President Hauck stated her main concern is the same as the residents, which is what is best for the future of the Borough. Planning Commission and Comprehensive Plan-Steering

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Committee will be a long term help as far as commercial compliance in the Borough to feed into the tax base and help the Borough. One of the pieces of the project she appreciates, is the large benefit of walkability in the Borough. It potentially could give people and students a place to spend money. The feedback from Planning Commission is extremely positive and do worry about what other type of businesses could end up on this property. President Hauck stated the hearing is now closed. No action would be taken at this meeting and will be at the next schedule meeting. She thanked everyone for attending and participating. She informed the audience, the meeting will now continue with the rest of the Council Agenda.

CITIZENS' REQUESTS OR CONCERNS

None

MINUTES:

A motion was made by Ms. Weidinger and seconded by Ms. Miller to approve the April 26, 2022, Borough Council minutes. Motion passed by unanimous voice vote. A motion was made by Ms. Hauck and seconded by Ms. Bellile to approve the May 10, 2022, Borough Council Minutes. Motion passed by unanimous voice vote with Ms. Weidinger abstaining from the vote because she did not attend the May 10, 2022, meeting.

NEW BUSINESS

None

REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS

BLUE ROCK REGIONAL FIRE COMMISSION

None

PLANNING COMMISSION – STEERING COMMITTEE

President Hauck stated the Planning/Steering Committee Meeting will be held on June 2, 2022, at the Borough Office. Mike Weidinger, Chair-Planning Commission stated the public meeting held on May 5, 2022, had a large turnout, around 100 people. The Committee is looking forward to completion of the Comprehensive Plan. The meetings are held the first Thursday of every month. There will be additional public hearings before adoption of the plan.

PERSONNEL ADVISORY COMMITTEE

Lynn Miller, Chair-Personnel Advisory Committee stated they met on May 11, 2022. Police Officer Jason Hottenstein is retiring effective August 1, 2022, and he is the current School Resource Officer for Penn Manor High School. This Committee voted to accept his retirement. Before this retirement, the Police Force had twelve full-time and two part-time officers. After Office Hottenstein's retirement, the force goes down to eleven full-time and two part-time. Millersville Borough Police Department requests the department stays at twelve full-time and two part-time officers, which means hiring another officer. Ms. Miller made a motion out of

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committee, to approve the Police Force's request to begin the work, to hire another officer to replace Officer Hottenstein. President Hauck stated it does not need a second motion since it is out of committee. Motion passed with a unanimous voice vote.

Ms. Miller stated, as mentioned at previous meetings, the Borough Manager resigned, and we are currently without a Borough Manager. The Committee has started the search and had an interview last week. This will be discussed during Executive Session held later in the Meeting.

PUBLIC WELFARE AND PUBLIC WORKS ADVISORY COMMITTEE REPORT

Linda Bellile, Chair-Public Welfare and Public Works Advisory Committee stated a meeting was held on May 19, 2022. A presentation was given by members of the Humane Society of the U.S. They requested creation of an ordinance "Sale of Animals", preventing puppy-selling at pet stores in Millersville. Council received a sample of the ordinance to review. This is supported by the Pennsylvania SPCA. A pet retail sales ban has been enacted in Philadelphia, Pittsburgh and the Boroughs of Sharpsburg, Bellevue and Wilkinsburg. No motion to adopt will be made at this meeting. Ms. Bellile asked Ms. Weidinger to do some investigation, so Borough Council can make an educated decision.

Ms. Bellile asked President Hauck to comment on the Climate Action Plan. President Hauck said the Borough participated in a yearlong free program from the State of Pennsylvania. Two Penn State students did research for the Borough and gave their final presentation at the April 26, 2022 Borough Council Meeting. Ms. Weidinger stated the motion is to acknowledge the Climate Action Plan and not to adopt the plan. Ms. Eager asked what does acknowledgment of the plan mean? Ms. Weidinger and President Hauck stated it puts the plan into the minutes as framework that Council has received the plan and can take recommendations from the plan as needed. This framework does not tie future Councils into having to act on any part of the Climate Action Plan. In the future, this information could be used when applying for grants. Pennsylvania has adopted a Climate Action Plan. President Hauck made the motion to Acknowledge the Framework of the Climate Action Plan. With no further discussion, the motion passed by unanimous voice vote except Ms. Eager voted no, opposed.

Ms. Bellile stated Millersville University Facilities Department presented updates on projects in the Borough. The Shenks Lane & W. Frederick St intersection project: a beacon is being installed and it is button activated. The construction began on May 9, 2022, with completion by the end of May. The barrels will be removed, and the intersection will be closely monitored. Borough Street Vacation Status: Discussion on vacation consents with diagrams, was held. The Borough solicitor has provided all details and the University will be consulting with her. Discussion was held on the Creek Drive-Heisey Tract. Millersville University provides all maintenance and snow removal. Access is needed for kayaks near the pump station location on Creek Drive. East Frederick St, which is one way with parallel parking is due to expire in August 2022 and will need to be updated. Concrete Repairs and Curb Repairs: These repairs are scheduled for the Summer of 2022 on Cottage Ave, N. George St and High School. Sidewalks will be ADA compliant, and the University will be submitting for permits and working with PennDOT.

FINANCE ADVISORY COMMITTEE

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Maggie Weidinger, Chair-Finance Advisory Committee made a motion to approve the April Financial Statements. Ms. Miller seconded the motion. President Hauck asked if there were any questions or discussion. The motion passed by unanimous voice vote.

Ms. Weidinger made a motion to approve the exemption of park fees for Millersville Meals on Wheels. Ms. Weidinger stated they are on the list of businesses the Borough provides funds to and it does not make sense to fund them and then have them pay for the pavilion reservation. Ms. Eager seconded the motion. This exemption will continue as long as the Borough funds this organization. Mayor Aichele asked about waiving pavilion reservation fees for non-profit organizations and Ms. Weidinger stated, this would be handled on a case-by-case basis. With no further discussion, motion passed by unanimous voice vote.

MAYOR'S REPORT

Mayor Dave Aichele gave an update on the Penn Manor School Resource Officer. Officer Hottenstein was the School Resource Officer and will be retiring. There was an interview with Penn Manor, and they have met Officer Jason Turner and they liked his approach. He has shadowed Officer Hottenstein over the last few weeks. Paperwork will be coming back to Council regarding Officer Jason Turner being appointed the School Resource Officer and will start in the fall of this year.

Mayor Aichele hosted the Lancaster County Mayors Association meeting on May 11, 2022, at the Millersville Borough Office. There are nineteen mayors and a few ex-mayors in the association. Mayor Aichele provided lunch for the attendees. He presented Dick Moriarty, former Mayor of Millersville Borough, with a plaque for his sixteen years of service to the community.

Mayor Aichele reviewed the Millersville Borough Monthly Police Report for April 2022.

Mayor Aichele gave information on the Penn Manor Unified Track and Field Team which is a new program that enables students with disabilities to compete in organized sports. Student athletes compete alongside partners without disabilities.

PENN MANOR REPORT

None

MILLERSVILLE UNIVERSITY REPORT

Dr. Victor DeSantis, Vice President for External Affairs & Chief of Staff with Millersville University, stated there are many projects going on at the University and in the Borough and he is so impressed with how the University staff and the Borough staff has been working together. It is a great cooperation of Town and Gown. Commencement was held and four inches of rain fell over graduation weekend. The ceremonies had to be moved inside and instead of one large commencement on Saturday, there were four mini commencements held. It seemed to be very successful. Over 1,000 under-graduate students graduated on Saturday and 200 in the graduate program received their diplomas on Friday. Mr. Jacob Marino is the new Executive Director of the HUB, which provides a great outreach to the community.

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BOROUGH SECRETARY REPORT

None

PRESIDENT'S REPORT

None

UNFINISHED BUSINESS

None

EXECUTIVE SESSION

At 8:22pm, President Hauck made a motion to move into Executive Session. The motion was seconded by Ms. Bellile. President Hauck stated no action would be taken during the Executive Session.

The Borough Council Meeting reconvened at 8:39pm. President Hauck stated no action would be taken from the Executive Session.

ADJOURNMENT

Having no further business to discuss, President Hauck made a motion to adjourn the meeting at 8:41pm

Mary Ann Gerber
Mary Ann Gerber
Borough Secretary

MAG/sam