

LAUREN E. HAUCK
Council President



DAVID T. AICHELE
Mayor

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Sue Kornfield on extended leave. Minutes for Borough Council will be late. This revision includes comments from Borough Council meeting on 8/22/2023 in red.

REVISIONMINUTES—Public Works/Public Welfare Committee

COMMITTEE: Public Works and Public Welfare Advisory Committee

PLACE: Municipal Office

DATE: 8-17-2023 TIME: 6:00 PM CHAIRPERSON: Linda Bellile

MEMBERS PRESENT: Darlene Eager, Chris Hubbs, Phyllis Giberson, Mary Ann Gerber

OTHERS PRESENT: Andy Boxleitner, Les McMullen, Rob Moyer, Sue McCullough, Mayor

CALL TO ORDER: 6:00

COUNCIL ACTION ITEMS

- **Zoning and Code Enforcement Reports**

General discussion and update to the Historical Commission Meeting where the demolition for 23 E. Frederic Street was approved and must go to Zoning.

- **ARPA Funding Discussion—August 31st is the application date.**

1. Andy will be submitting a 50/50 match for \$150-\$200,00; University Stream Project.
2. The Police will also be submitting a 50/50 match for \$65,900; Body Cams.

Not Out of Committee Vote. Motion Chris Hubbs Phyllis Second.

3. Authorization to purchase equipment, now. Includes patrol car computer at \$6,495. Total of \$72,396.00

Not Out of Committee Vote. Motion Chris Hubbs Phyllis Second.

4. **T-Mobile Lease Agreement—Follow Up for Council Meeting**

1. The contract is due to expire in 2025. It takes approximately 2 years to get cell sites removed and re-established elsewhere.
2. We own the water tower that is probably not safe as it is empty of water. The water tower was not designed to handle connecting cell sites. This is a possible liability to the Borough.
3. The question is should we extend the contract. Andy is to explore getting an inspection.

Tower had structural inspection in 2020. The Borough brings in approximately \$126,000 a year.

UNFINISHED BUSINESS

- **Update Lafayette Place.**

Andy knows that Grande has been working at completion of their responsibilities, and will speak to Mario about status.

Andy spoke to Mario and all will mostly be completed in about 2 or 3 months.

- **Update on MU and Millersville Banners**

Installing the Banners will start tomorrow at 999 and 741.

NEW BUSINESS

- **Trash and Recycling Contract—Sue McCullough**

Discussion of hauler service and whether to extend the contract or go out to bid. It is understood that finding help and keeping them employed is an issue. It was suggested that our solicitor get involved and schedule a face-to-face meeting with them to discuss their less than satisfactory service. There is concern that involving the solicitor may result in Penn Waste not extending their contract costing the Borough more to out to bid.

It was determined that we will request to extend the service for one year and create an addendum to the contract for better service and costs.

Out of Committee Chris Hubbs Motion Phyllis Giberson Second

- **MLF Audit Discussion--FYI**

This regards Liquid Fuels and audited project approval with Use Report at the end of the year. With the transition of Jessee leaving, the money erroneously was put in the General Account. This error was not noticed until Andy tried reconciliation. It has been resolved, but will have our hands slapped again this coming year. Resolved: In the future, the money will be put in the Liquid Fuels Account instead of the General Account.

OLD BUSINESS

- **Refund of Inspection Fee**

Per our solicitor, she recommends revising the wording of the language for the residential rental unit fee.

1. Add Non-Refundable and Non-Transferable
2. It expressly states that a portion of the fee is for an annual inspection. Amend that language and use "Annual License Fee". If the Borough does not inspect a particular apartment in a year, the owners will not be able to ask for a refund on the basis there was no inspection.

Out of Committee Chris Hubbs Motion Phyllis Giberson Second

- **Short Term Rentals/AIR B&B**

The Borough Zoning Ordinance does not allow short term rentals. The Borough Council must determine what zoning districts will allow short term rentals and whether short term rentals will be as of right or by special exception.

To be discussed in detail at next Public Works Committee meeting.

- **Weeds and Trees (Property Maintenance Code)**

The Borough already has regulations on high weeds. Put tree ordinance in Property Maintenance Code. See attachment.

- **Draft Tree Ordinance. See attachment.**

- **Obstructions to sidewalks**

Will be part of the new maintenance agreement. See attachment.

Out of Committee Chris Hubbs Motion Phyllis Giberson Second

- **2023 Project Updates—Les McMullen/Andy Boxleitner**

1. Photos were shown of the subterranean work off Kready. Going well but can expect this project to be long.
2. No HVAC in the Sewer plant. Will cost about \$6,500 and not budgeted. Getting price for new unit. **Replacement unit will cost about \$13,000 and has been ordered.**
3. University Drive stream project still not out to bid due to dropping Freedom Memorial Park project Right-of-Way could not be acquired.
4. The ADA ramps are to be surveyed. RAV has been busy with plan reviews and other Borough projects.

- **S. Duke Street Update and other**

1. There are 4 change orders. Expect another closure and Police doing an excellent job with directing traffic.
2. Two walls must be moved due to sight distance issues.
3. Bank to be cut back to improve sight distance. It will help with having better visuals in cross-walks.
4. Issue with sewer running through septic tank.

- **LIMC Broadband Ordinance Discussion**

Want the municipalities to combine for one ordinance. Each municipality to pay \$3,800 to draft. Do we want to join them? **To be discussed at Public Works Committee meeting in September.**

ADJOURNMENT-7:58

Darlene Eager Motion, Phyllis Giberson Second

Add to Maintenance Agreement

TREES

Hazardous Trees; Notice.

Any person owning a tree within the public right-of-way which is deemed by the Borough to be a danger to public safety, health and welfare, or a danger to public or private property, by reason of the tree(s) damaged or diseased condition or the trees not being maintained in compliance with the care provisions of this Ordinance, shall be notified in writing to remove or trim the tree as required within such time as specified.

If the written notice to remove or trim the tree is not complied within the time period specified in the written notice, the Borough may cause the removal or trimming of a hazardous tree as appropriate and necessary at the expense of the property owner and the entire costs thereof shall be a lien upon such premises. Any and all claims associated with costs for tree removal or trimming shall be filed and collected by the Borough Solicitor or Enforcement Official in the manner in which municipal claims are filed or prosecuted. Nothing herein shall prohibit the Borough from proceeding to recover such costs by filing an action in assumpsit or pursuing equitable relief to recover costs incurred by the Borough of Millersville during enforcement any provisions of this section.

Emergency Action by the Borough of Millersville. When due to natural disaster, motor vehicle accident, windstorm, weather event or other unforeseen cause, a tree or portion(s) of a tree within the public right-of-way (area between the curb and sidewalk) along or adjacent to any public highway or in a public area constitutes an immediate hazard or danger to persons or property, the Borough may remove the hazardous tree without notice or appeal by the abutting property owner.

Tree maintenance and care requirements.

- (a) Trees overhanging a public street. The owner of a property shall trim branches from any tree overhanging the streets, highways, avenues, and alleys in the Borough of Millersville so that there will be a clear height of fourteen (14) feet above the surface of a street, highway, avenue, or alley.
- (b) Trees, shrubberies and other vegetation overhanging any sidewalk. The owner of a property shall trim branches from any tree overhanging in any sidewalk adjacent to the property in the Borough of Millersville so that there will be a clear height of six and a half (6 ½) feet above the surface of the sidewalk on or adjacent to the owner's property. Branches of any shrubs, trees or other form of vegetation shall be trimmed to permit an unobstructed pathway for persons using sidewalks on or adjacent to the owner's property.
- (c) No person shall interfere, cause, or interfere with the Borough or any of its agents or employees while such personnel is engaged with planting, acting or maintaining or removing trees on or overhanging public property, or trees within a public right-of-way.
- (d) No person shall fasten any rope, wire, nail, electric attachment, sign or device to any tree on public property or within any public right-of-way, excepting Borough authorized signs.