

July 27, 2021
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, July 27, 2021, in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:00 p.m. by Council Vice President Lauren Hauck followed by the pledge to the flag and a moment of silence was then observed. Vice President Hauck announced that the public meeting is being audio recorded.

COUNCIL MEMBERS

Carrie L. Smith (absent)	David T. Aichele, Mayor
Lauren E. Hauck	Brooke G. Magni
Linda L. Bellile	Mary Ann Gerber (absent)
Daniel P. Ostrowski	Lynn M. Miller (via telephone)

OTHERS PRESENT

John D. Roachat, Borough Manager & Millersville Borough Chief of Police
Lieutenant Jeffrey Margevich, Millersville Borough Police Department
Jessie L. Ebersole, Millersville Borough Finance Officer
Mamie Covell, Millersville University Student Advisor
Kylie Stoltzfus, LNP
Michael D. Walker, 515 Thorngate Place, Millersville
W. David Sykes, 344 Valley Road, Millersville
Sam Bigler, 17 Wabank Road, Millersville
Stephanie Hersh, 72 Blue Rock Road, Millersville
Dorothy Imel, 1902 Blue Ridge Drive, Lancaster
James Kirk, 617 Crestgate Place, Millersville
Dr. Christopher Hubb, 173 Elizabeth Street, Millersville
Patricia and Richard Dumas, 3 Chamberlain Lane, Millersville
Elizabeth and Paul West, 3 Chamberlain Lane, Millersville
Jean Marconi, 13 Chamberlain Lane, Millersville
Jana Rachor, 21 Chamberlain Lane, Millersville
Kathy and Thomas Hyland, 31 Chamberlain Lane, Millersville
Alice and Dr. Robert D. Murphey, 35 Chamberlain Lane, Millersville
Carole and Terry Angstadt, 37 Chamberlain Lane, Millersville
Jess Richardson, 8 Bunker Hill, Millersville

CITIZENS' REQUESTS OR CONCERNS

Carole and Terry Angstadt of 37 Chamberlain Lane voiced their concern for the safety of the community in Lafayette Place. He noted Chamberlain Lane is in pretty bad shape and school is soon about to start. He realizes the standard reply has been that you cannot do any about it because it belongs to Grande. He has also heard that it is being held up due to repeated requests for different plans and professional drawings to construct new sidewalks and handicap accessible

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ramps before the road can be paved. What they are asking at this point is to please expedite the process, to do what you can. Mr. Angstadt thanked Council for their time.

Elizabeth West of 3 Chamberlain Lane thanked Council for putting pressure on Grande for the reinstallation of the street / stop signs. She mentioned she spoke with a friend who is a civil engineer. He stated one of the few pressures that could be brought to bear by a municipality against a contractor is a stipulation that if work is not completed within a specified time that a 10% penalty could be imposed. She didn't know if that was in our power to do that at this time. He also stated that the group has a right to information, such as communications between the Borough's engineer and Grande and/or anything pertaining to the funding.

Jess Richardson of 8 Bunker Hill stated her 4-year-old fell into one of the holes after Grande dug up the sidewalk and left approximately an 18-inch drop. Only after contacting Grande to complain, did they come back and fill the holes with gravel. She noted, we need help to push this forward. We are citizens of this community and are asking very respectfully, we have been very patient.

Robert Murphey of 35 Chamberlain Lane asked if all members of Council had received his letter with photos. He then asked how many had responded in any way to his concern. He had heard no response and stated his disappointment and frustration. He then asked for Council to expedite, at least the sidewalk repairs. He understands there are further complications with the roadway, but he doesn't understand the sidewalks being left in an unsafe manner.

Vice President Hauck thanked the citizens for sharing. She took the time to drive through the development and stated it is unacceptable to leave the sidewalk crossing and the holes for as long as they have. She stated there are limitations, as they are aware, as to what the borough can do. She further stated that they are residents of the borough and want to do as much as we can to make sure your neighborhood is safe.

Chief Rochat noted that the borough's attorney has been involved and will inquire if there are any liquid damages that can be applied. He stated Grande has started this project many years ago and mentioned the original letter of credit has been reduced significantly due to the amount of construction completed to date. Chief went on to explain issues with the roadway being private, the ownership of land entering the development off route 741 and other legal issues that need to be worked out. As for the sidewalks, he stated they do need to be fixed and the borough needs to put as much pressure on them as we can. However, there are additional issues with how steep the driveways are, the grade of the sidewalks, and the pedestrian intersections not being ADA compliant.

Another citizen asked if there is any oversight that the borough provides in the form of citations. Clearly, they are out of code and compliance. If this drags on for another month or three months, what can they expect from the borough's oversight as this is clear violations. Chief Rochat will go back to our Solicitor and suggest some things. Obviously, we must work within our boundaries.

Patricia West of 3 Chamberlain Lane asked if the grade of the driveways were not right, why were they allowed to continue building houses. Chief replied that the house is inspected by the Code Officer however he doesn't believe that the inspection for occupancy includes the sidewalk.

Vice President Hauck reiterated that we would expedite as much as possible, reach out to our Solicitor for further legal advice and communicate more with citizens. Mr. Robert Murphey volunteered to be a point person. She further stated that an update on the status will be added to the next Public Works and Public Welfare Advisory Committee agenda.

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MINUTES

None

REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS

Ms. Hauck noted the Planning Commission reviewed three great submissions for consulting services for a Comprehensive Plan update. Ultimately the Planning Commission suggested that the Borough award the contract to Urban Research and Development Corporation out of Bethlehem. She proceeded to make the motion to award the project to Urban Research and Development Corporation. Mr. Ostrowski seconded the motion. With no discussions or questions the motion passed by a unanimous voice vote.

PERSONNEL ADVISORY COMMITTEE REPORT

Mrs. Magni mentioned there will be an executive session held later in the meeting to discuss the Police contract negotiations.

PUBLIC WELFARE AND PUBLIC WORKS ADVISORY COMMITTEE REPORT

Ms. Hauck noted the committee did not meet this month and that the June monthly Code-Zoning Activity report was included in the packet for informational purposes.

FINANCE ADVISORY COMMITTEE REPORT

Mrs. Magni, in the absence of Mrs. Gerber, made a motion out of committee to release the financial security and cancel Irrevocable Letter of Credit No 2341 held by First National Bank of PA. She noted this was for the construction of Millersville Commons. With no discussions the motion passed by a unanimous voice vote.

Mrs. Magni made a motion out of committee to approve the resolution to authorize disposition of personal property to increase the amount of estimated fair market value of less than \$1000 to \$2000 per Title 8, Borough Code Section 12.01.2. With no questions or concerns the motion passed by a unanimous voice vote.

RESOLUTION BOOK
RESOLUTION NO. 2021-11

Mrs. Magni made a motion out of committee to approve entering into IDC (Interware Development Company) Web Services Agreement. Chief Roach explained that this is due to the change of our credit card processing for on-line parking tickets payments from Evalon to Heartland. With no further discussions the motion passed by a unanimous voice vote.

Mrs. Magni made a motion out of committee to approve the June 2020 monthly financial statements. With no discussions the motion passed by a unanimous voice vote.

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MAYOR'S REPORT

Mayor Aichele reminded everyone that next Tuesday is National Night Out at Leisure Lanes. He noted that there is consideration on having it in the Borough's Freedom Memorial Park next year.

Mayor Aichele asked Lt. Margevich to give the June monthly Police Report. The following breakdown was provided. 305 Calls for Service, 5 ordinance complaints and 3 ordinance citations, 3 DCR (Disruptive Conduct Reports), 17 criminal arrests (15 adults, 2 juveniles), 3 Part I Offenses with 1 cleared this month, 27 Part II Offenses with 19. Total traffic violations were 31 (8 speeding violations, 23 other traffic citations), 12 vehicle accidents, 14 parking tickets issued, total vehicle miles patrolled were 3,041 miles and 32.6 miles patrolled on bicycle.

Mayor Aichele recognized several employees for their years of service: Mary M. Eller with 5 years of service, Robert A. Fry with 25 years of service, Gerald Hasselbach with 5 years of service, Ronald A. Hess with 5 years of service, and Susan A. McCullough with 15 years of service. Officer JD Shaeffer was presented with a 5-year pin and Detective Sgt. Jason Scott with a 20-year pin.

MILLERSVILLE UNIVERSITY REPORT

Ms. Covell reported that UPMC is hosting three free COVID-19 Vaccination clinics at Millersville University on August 4th, August 25th, and September 15th. Preregistration is encouraged but walk-ins will be accepted. All 3 vaccines (Pfizer, Moderna and J&J) will be offered. Residential students will be required to provide Health Services with a copy of their vaccine card showing they are fully vaccinated with any of the COVID-19 vaccines that have been approved by the CDC or WHO. Students who are not fully vaccinated must take a COVID19 test and present a negative result within 72 hours of arriving on campus for checking into residence halls. Move-ins will begin Wednesday, August 18th. Students are allowed to bring helpers from their friends or family during move in. Health Services is partnering with University Housing and Conference Services to establish quarantine and isolation protocols. Any student living on campus who tests positive for COVID-19 will be isolated in residence hall space dedicated for this purpose. Should the need occur to evacuate campus, the Department of University Housing and Conference Services with the assistance of University Communications and Marketing, will inform students of the closure of the residence halls. Students will need to fully vacate the residence halls by fully moving out with all their belongings. The University will be moving to a normal distribution of face to face and online classes, which means that more than 80% of classes will be held in a face-to-face format.

PENN MANOR REPORT

None

PRESIDENT'S REPORT

None

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NEW BUSINESS

None

UNFINISHED BUSINESS

None

BOROUGH MANAGER REPORT

Chief Rochat mentioned he shared the Borough Solicitor's legal opinion on amendments to the Sunshine Act made by Act 65 of 2021. Act 65 becomes effective on August 29, 2021. He noted one amendment is that all public meetings must be posted at least 24 hours in advance of the meeting at the location of the meeting and at the municipal office if that is different. If there is a website, then the agenda must also be posted on the website. He also noted that the borough can not take official action on a matter at the meeting if the matter was not included in the agenda notification. However, there are three exceptions from this rule: emergency business, a matter arising within 24 hours before meeting, and business arising during the meeting.

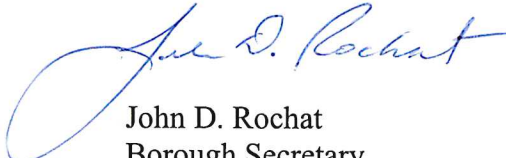
EXECUTIVE SESSION

Vice President Hauck announced a short break at 7:52 p.m. will then be followed by entering into an executive session to discuss the police contract negotiations. She invited Mayor Aichele, Chief Rochat and Jessie Ebersole to attend the session. She noted that there will be no action to take coming out of the executive session.

ADJOURNMENT

Coming out of executive session at 8:40 p.m. and having no further business to discuss, Mrs. Magni made a motion to adjourn the meeting, seconded by Mr. Ostrowski. The motion passed by unanimous voice vote.

Respectfully submitted,


John D. Rochat
Borough Secretary

JDR/jle