

**THE BOROUGH OF LITTLESTOWN**  
46 East King Street • Littlestown, PA 17340 • Council Chamber

**BOROUGH COUNCIL REGULAR MEETING • FEBRUARY 26, 2008**

**CALL TO ORDER**

The Borough Council met in a regular session and the meeting was called to order at 7:00 p.m. with Council President Rick Adams presiding.

**ATTENDANCE**

Council Members Present:

Donna Shadle (*Mayor*), Rick Adams (*President*), Kevin Clark, David Wheeler, and Jim Eline (*Vice President*)

Council Members Excused:

\_\_\_\_\_ William Brown and Tim Mayers

Additional Borough Representation:

Linda Hess (*Borough Manager/Treasurer*), Sandy Conrad (*Borough Secretary*), Tim Topper (*Director of Public Works*), Dave Arndt (*Code Enforcement Officer*), Mike Sneeringer (*W/S Supervisor*), John White (*Solicitor*), and Jon Holmes (*HRG*), Peggy Miller (*HRG*)

Borough Authority Members Present:

Bo Louey (*Borough Authority*), Bob Klunk (*Borough Authority*), Steve Kress (*Borough Authority*)

Others in Attendance:

Scott Small, Louis Small, Steve Renner, Harry McKean (*Stoners Farm*), Larry Unger and Aaron Young (*Gettysburg Times*)

**APPROVAL OF MINUTES**

*FEBRUARY 12, 2008  
WORKSHOP MEETING MINUTES*

**Council Member Clark made a MOTION, seconded by Council Member Wheeler, to approve the minutes from the February 12, 2008 Workshop Meeting of Council as written.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**PUBLIC HEARING**

*ADOPTION OF ORDINANCE  
AMENDING CHAPTER 73 OF  
ZONING CODE*

**The Public Hearing opened at 7:05 p.m.**

Borough Solicitor White informed Council and the Public that this was the date, time and place advertised for the Public Hearing before the Littlestown Borough Council for amendments to Littlestown Borough Zoning Ordinance specifically Chapter 73, Article 100, Section 102.3 relating to Definitions and Chapter 73, Article 700, Section 705.6 relating to Lighting. Borough Solicitor White asked if there were any questions or comments from the Public or Council. There were none given.

**Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the adoption of Ordinances of the Littlestown Borough, Adams County, Pennsylvania amending certain provisions of Chapter 73, Article 100, Section 102.3 relating to definitions as well as Chapter 72, Article 700, Section 705.6 relating to Lighting.**

Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

*APPOINTMENT OF STEVE  
RENNER TO BOROUGH  
AUTHORITY*

**Council Vice President Eline made a MOTION, seconded by Council Member Wheeler, to appoint Steve Renner to the Borough Authority.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**PUBLIC COMMENTS**

*LARRY UNGER - STREET LIGHTS*

Mr. Larry Unger thanked the Borough and the representatives for turning the Prince Street lights on in a timely manner.

**BOROUGH AUTHORITY**

Bob Klunk, Vice-Chair, opened the meeting of the Borough Authority at 7:15pm.

*REORGANIZATION*

**Borough Authority Vice-Chair Klunk, made a MOTION seconded by Borough Authority Member Kress, to appoint Steve Renner as Borough Authority Chairman.** Borough Authority Vice-Chair Klunk asked if there were any questions or comments. No questions or comments were provided. **Vote 5-0 in favor of the motion.**

**Borough Authority Member Kress, made a MOTION seconded by Borough Authority Vice-Chair Klunk, to appoint Bo Louey as Borough Authority Secretary.** Borough Authority Vice-Chair Klunk asked if there were any questions or comments. No questions or comments were provided. **Vote 5-0 in favor of the motion.**

*CHAPTER 94 WASTE LOAD  
MANAGEMENT REPORT*

Borough Engineer, Peggy Miller reviewed in detail the annual Chapter 94 Waste Load Management Report for 2007.

**Borough Authority Secretary Louey, made a MOTION seconded by Borough Authority Member Kress, to approve the Chapter 94 Waste Management Report as written.** Borough Authority Vice-Chair Klunk asked if there were any questions or comments. No questions or comments were provided. **Vote 5-0 in favor of the motion.**

*SEWER MORATORIUM*

Based upon the information provided by the Borough's and Authority's Engineer and after extensive discussion, **Borough Authority Secretary Louey, made a MOTION seconded by Borough Authority Member Kress, to continue the WWTP Sewer Connection Moratorium, adopted April 25, 2006, until the completion and approval (by the PA DEP) of the Borough's Act 537 Plan and the Borough's and the Authority's decisions as to the manner in which such Act 537 Plan will be implemented.** Borough Authority Vice-Chair Klunk asked if there were any questions or comments. Harry McKean asked for clarification to be sure that the development of Stoner's Farm would not be affected by this motion since his plans were approved prior to the original action on April 25, 2006. No questions or comments were provided. **Vote 5-0 in favor of the motion.**

*ADJOURN*

Borough Authority Member Klunk asked if there was any other business to come before the Authority. No other business was brought forward.

**Borough Authority Member Klunk made a MOTION, seconded by Borough Authority Member Louey, to adjourn the meeting of the Littlestown Borough Authority. Vote: 5-0 in favor of the motion.**

**ADJOURN  
(CONTINUED)**

The meeting adjourned at 8:05 p.m.

**SEWER MORATORIUM**

Based upon the information provided by the Borough's and Authority's Engineer, and after extensive discussion, **Council Member Clark, made a MOTION seconded by Council Member Wheeler, to continue the WWTP Sewer Connection Moratorium, adopted April 25, 2006, until the completion and approval (by the PA DEP) of the Borough's Act 537 Plan and the Borough's and the Authority's decisions as to the manner in which such Act 537 Plan will be implemented.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**APPROVAL AND  
PAYMENTS OF BILLS**

**Council Vice President Eline, made a MOTION seconded by Council Member Clark, to approve the bills in the amount of \$241,976.01 for February 7, 2008 through February 20, 2008 and Payroll for February 3, 2008 through February 16, 2008.** Council President asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**SEND LETTERS TO UNION AND  
GERMANY TOWNSHIPS  
REGARDING THE ACT 537**

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to direct Borough Solicitor White to send letters to Union and Germany Townships confirming their participation with a confirmed yes or no into the Act 537 planning with the letter to be returned within sixty (60) days.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to amend the motion on the floor to add pending the return, if their response is no then they will not be included in the Act 537 planning and/or connections.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**UNFINISHED BUSINESS****WAIVER OF RESIDENCY  
REQUIREMENT FOR LINDA HESS,  
BOROUGH  
MANAGER/TREASURER**

**Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the residency waiver request for the appointed Borough Manager, Linda M. Hess, as provided for in the Littlestown Borough Ordinance, Chapter 35-A (Manager) § 3.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**NEW BUSINESS****WATER AND SEWER  
CONNECTION FEES PROPOSAL**

Council Member Clark stated that before going to advertisement and being put in the codes there is one correction that needs to be made. It should read "Pursuant to and in accordance with the Borough of Littlestown's Act 203 (change from 302) Study."

**Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the advertisement of "an Ordinance of The**

*WATER AND SEWER  
CONNECTION FEES PROPOSAL  
(CONTINUED)*

**Borough of Littlestown, Adams County, Pennsylvania, adjusting the public water service connection fees, by amending Chapter 70, Article III § 70-5, "connection fee", and Chapter 53, 53-3-H, sewer, with stated corrections made prior to publication.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**Council Member Clark made a MOTION, seconded by Council Vice President Eline, to amend the motion on the table to add that this applies to all new connections that have not been previously approved in subdivision or land development plans.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

*CHANGE NAME FROM  
PATTERSON TO SELL'S FOR THE  
PARKING LOT*

**Council Vice President Eline made a MOTION, seconded by Council Member Clark, to change the name from Patterson to Sells for the proposed parking lot located between Locust and East King Street along Patterson Alley.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

*APPROVAL TO BID PATTERSON  
ALLEY PARKING LOT*

**Council Member Clark made a MOTION, seconded by Council Member Wheeler, for the approval of the Sell's Parking Lot Project to be put up for bid as soon as possible as required by the provisions of the Pennsylvania Borough Code, Article XIV (14) § 1402.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

*RE-APPROVAL OF ROYAL  
FARMS PLAN*

**Council Member Clark made a MOTION, seconded by Council Member Wheeler, to re-approve the Royal Farms Final Subdivision Plan, 450 North Queen Street, Littlestown, Pennsylvania, which has already been conditionally approved from the April 26, 2006 Regular Council Meeting, but had exceeded the required 90 days for recording of the Plan.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**CORRESPONDENCE**

*ACBA MONTHLY MEETING*

Borough Manager Hess asked if anyone would be attending the bi-monthly meeting of the ACBA to be held on March 17, 2008. (Hess, Eline, Clark, Adams, Shadle and Wheeler will be attending.)

**REPORTS**

*BOROUGH  
MANAGER/TREASURER*

Borough Manager Hess stated that her monthly report was provided earlier to Borough Council.

*MAYOR*

Mayor Shadle stated that \$225.00 in fines was turned over to the Borough Secretary for the period of January 1, 2008 through January 31, 2008.

*CHIEF OF POLICE*

Mayor Shadle stated that the police report turned in for the month of January totaled \$5,787.52.

- BOROUGH SECRETARY** Borough Secretary Conrad stated that her monthly report was provided earlier to the Borough Council.
- BOROUGH DIRECTOR OF PUBLIC WORKS** Borough Director of Public Works Topper provided his monthly report earlier to the Borough Council.
- UPDATES** Borough Director of Public Works Topper provided the following updates:
- Prince Street lights are up and running. They look great.
  - The maintenance crew has been working diligently on the PNC building. Everything is running smoothly.
  - Quarry - They are moving forward with the quarry. Mike Sneeringer will provide further information in his report.
- Mr. Topper wanted to point out the excellent job that Dave Arndt and Scott Small did with working in cooperation with the local police departments in reference to a hit-and-run accident.
- Mr. Larry Unger complimented the Maintenance Crew for a marvelous job in cleaning the streets when we had the last couple of snow storms.
- CODE ENFORCEMENT OFFICER** Code Enforcement Officer Arndt provided his monthly report earlier to the Borough Council.
- BOROUGH WATER/SEWER SUPERVISOR** Borough Water/Sewer Supervisor provided his monthly report earlier to the Borough Council. He was unable to provide any further information because he left the meeting for an emergency call.
- BOROUGH SOLICITOR** Solicitor White reported that he followed up on the personnel litigation matters that came up during last week's meeting and copies were forwarded to the Borough office.
- Council Vice President Eline made a MOTION, seconded by Council Member Clark, to approve a \$6,000.00 expense that will be paid to the Sheriff's office to proceed to Writ of Execution on three properties with delinquent water and sewer bills.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**
- REPORTS OF BOARDS, COMMISSION AND COMMITTEES**
- RECREATION BOARD** The Recreation Board minutes were provided to Borough Council. No action was necessary on the part of Borough Council.
- PLANNING COMMISSION**
- ADVERTISEMENT OF ORDINANCE - SECTION 801.2A OF ZONING CODE** **Council Vice President Eline, made a MOTION seconded by Council Member Wheeler, to approve the advertisement of an Ordinance of the Borough of Littlestown, Adams County, Pennsylvania, amending Section 801.2A of the Littlestown Zoning Code.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

- CIVIL SERVICE** Secretary Conrad stated that there is nothing to report.
- COMMUNITY RELATIONS** Council Member Wheeler stated that he has received positive comments regarding the downtown area. He would also like to produce a brochure to attract more businesses and visitors to Littlestown.
- FINANCE COMMITTEE** Council President Adams stated that there is nothing to report.
- FIRE PREVENTION COMMITTEE** Council Vice President Eline, Committee Chairperson, stated that there was nothing to report.
- HEALTH & SAFETY COMMITTEE**
- RADIO COMMUNICATIONS AGREEMENT** Council Member Clark made a **MOTION**, seconded by Council Member Wheeler, for the adoption of the Radio Communications Agreement as set forth by the Adams County Department of Emergency Services where representatives from the departments of The Littlestown Borough, Littlestown Police Department, and Alpha Fire Department have agreed through formal discussion to follow said provisions and rules of the proposed agreement. Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**
- AIR CARDS - LITTLESTOWN POLICE DEPARTMENT** Council Member Clark made a **MOTION**, seconded by Council Vice President Eline, to approve the purchase of equipment and services through the Federal Supply Schedule, GSA-FSS, of three (3) Verizon air LAN/WAN cards for three (3) laptops currently installed in the Littlestown Police vehicle fleet at an annual cost not to exceed \$1,200.00 from General Fund Account 01-410-260 (Minor Equipment). Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**
- REPORT ON FLOW TESTING OF HYDRANTS AND FLUSHING SCHEDULE** Alpha Fire Chief Sheely has requested that information be provided to him on recent Flow Testing of the Hydrants and the Flushing Schedule. Chief Sheely also requested that he Borough color code the hydrants to correspond with standardized flow rates that are represented in the color code scale. Director of Public Works Topper will meet with the Committee Chairman and they will then schedule a meeting with Chief Sheely to provide and discuss this information.
- PERSONNEL COMMITTEE** Council Vice President Eline, Committee Chairperson, stated that Council will meet in Executive Session to discuss personnel issues.
- UNION/POLICE CONTRACT COMMITTEE** Council President Adams, Committee Chairperson, stated that the Police Union met last week and he will be bringing items to Council at the March Workshop Meeting.
- PROPERTY & SUPPLY COMMITTEE** Council Member Clark, Committee Chairperson, gave an update on the 10 South Queen Street building. He also provided information on the purchase of a computer CPU to be used as a replacement, if needed.

**STREETS &  
TRANSPORTATION  
COMMITTEE**

*SIDEWALKS ON SOUTH  
COLUMBUS AVENUE*

Council Member Wheeler, Committee Chairperson, provided information received from residents who expressed a need for sidewalk on South Columbus Avenue. Council Member Clark provided further information on this subject.

**Council Member Wheeler made a MOTION, seconded by Council Member Clark, to send a letter to the property owners on South Columbus Avenue in reference to the addition of sidewalks along South Columbus Avenue.** Council President Adams stated that this is a non-agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

*STREET LIGHTS ON SOUTH  
COLUMBUS AVENUE*

Council Vice President Eline asked for an update on the street lights that are located on South Columbus Avenue. These lights are not operating correctly. Director of Public Works Topper stated that a contact was made to Met-Ed and they said it was not their responsibility. The maintenance crew went out and replaced the fuses, checked the wiring and replaced the bulbs. None of these efforts corrected the problem. Mr. Topper has scheduled Swam to come out and take a look at the lights. It is Mr. Topper's hope that the lights will be corrected in the very near future.

**UTILITIES/I&I COMMITTEE**

Council Member Mayers, Committee Chairperson, was not present at this meeting so there was nothing to report.

**REGIONAL  
COMPREHENSIVE PLAN  
COMMITTEE**

*JOINT COMPREHENSIVE PLAN  
PUBLIC HEARING*

Council Member Clark, Committee Chairperson, provided an update on the Joint Comprehensive Plan Public Hearing. The scheduling of the Public Hearing cannot go forward until all involved municipalities have provided official action at a public meeting of the governing bodies to go forward with scheduling. Union and Germany Townships may have issues with the maps and changes they would like to be made before moving forward with this plan. Mr. Rob Thaeler has been in contact and is still working with Union and Germany Townships to address any issues they may have. Updates on this situation will continue to be provided to Borough Council.

**YORK/ADAMS TAX  
BUREAU**

Council Member Wheeler stated that he has already provided Borough Council with his report.

**LITTLESTOWN CHAMBER  
OF COMMERCE**

Council Member Wheeler stated that there is nothing to report.

**ADJOURN FOR  
EXECUTIVE**

Council President Adams announced, at 9:34 p.m. that the Borough Council would adjourn the regular meeting for an Executive Session to discuss personnel matters and litigation.

**Council Member Clark, made a MOTION seconded by Council Vice President Eline, to go into an Executive Session to discuss personnel matters and litigation.** Council President Adams stated that this is a non-

ADJOURN FOR  
EXECUTIVE  
(CONTINUED)

agenda item and asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

RECONVENE

The Borough Council reconvened at 10:15 p.m. and the public was invited back into the meeting room.

ADJOURN

**Council Vice President Eline, made a MOTION seconded by Council Member Wheeler, to adjourn the Regular Meeting of Council.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-0 in favor of the motion.**

**The meeting adjourned at 10:16 p.m.**

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**Sandy Conrad  
Borough Secretary**

**(SEAL)**