

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

**BOROUGH COUNCIL REGULAR MEETING • MAY 27, 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, Tim Mayers, David Wheeler, and Jim Eline (*Vice President*)

Council Members Excused:

William Brown

Additional Borough Representation:

Linda Hess (*Borough Manager*), Sandy Conrad (*Borough Secretary/Treasurer*), Tim Topper (*Director of Public Works*), Dave Arndt (*Code Enforcement Officer*), Peggy Miller (*HRG*)

Others in Attendance:

Brian Byers (*Ltown Jaycees*), David Lentzner, Tucker Lahr (*Verizon Wireless*), Vincent Rissler (*Verizon Wireless*), James Strong (*Attorney for Verizon Wireless*)

**APPROVAL OF MINUTES**

*MAY 13, 2008 WORKSHOP  
MEETING MINUTES*

**Council Member Clark made a MOTION, seconded by Council Member Wheeler, to approve the minutes from the May 13, 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: 5-0 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 \$118,984.75.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

**APPROVAL OF  
REVENUES AND  
EXPENDITURES**

*SECRETARY'S REPORT*

**Council Member Clark, made a MOTION seconded by Council Vice President Eline, to approve the Secretary/Treasurer's Report of Revenues reported for the month of April as written.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

*FINANCIAL REPORT*

**Council Member Clark, made a MOTION seconded by Council Vice President Eline, to approve the Financial Report as written.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

**UNFINISHED BUSINESS*****NON-UNIFORM HANDBOOK***

**Council Vice President Eline, made a MOTION seconded by Council Member Mayers, to approve the Non-Uniform Employee Handbook as written.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 4-1 in favor of the motion.** *(Council Member Wheeler was opposed)*

***APPROVAL OF THE VERIZON WIRELESS STRUCTURE***

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to approve the proposed Verizon Wireless structure that is to be built on the parcel of land on Locust Street and situated at the current water tower facility that is in ownership of the Borough of Littlestown and the Borough of Littlestown Authority be designated as an accessory use structure to the existing water tower facility.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

***APPROVAL OF WAIVERS FOR INSTALLATION OF VERIZON CELL TOWER AND ACCESSORY BUILDING***

**Council Member Clark, made a MOTION seconded by Council Vice President Eline, to waive the provisions of the Littlestown Borough Ordinances Chapter 73 § 700, Paragraph 702, Sub-Paragraph 702.14, chain-link fencing prohibited in the TCMU, for the proposed Verizon Wireless accessory use facility within the TCMU zoning district, whereas the existing chain-link fence is an already approved non-conforming use and that provisions of the Littlestown Borough Ordinance Chapter 73 § 800, Paragraph 802, Sub-Paragraph 802.2.A, allows for Council to approve such alteration and continued non-conforming use in such cases.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

***APPROVAL OF THE SIDE SET BACK REQUIREMENTS FOR THE VERIZON WIRELESS PLAN***

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to waive the side set back requirements of 6 feet on the proposed accessory use structure for the Verizon Wireless plan located at the Locust Street Water Tower Facility.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

***APPROVAL OF THE VERIZON WIRELESS ANTENNA PLAN WITH CONTINGENCIES***

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to approve the plan for Verizon Wireless Antenna and accessory use structure to the Locust Street Water Tower Facility, contingent upon proper notification to other providers of said changes to the Water Tower Facility as proscribed in existing agreements with other cellular carriers and satisfy all the comments made by HRG, the Borough Engineer, in their May 27, 2008 letter.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

**NEW BUSINESS*****APPROVAL OF PROPOSAL FOR ENGINEERING SERVICE ACT 537***

**Council Member Clark, made a MOTION seconded by Council Member Mayers, to approve the proposal from Herbert, Rowland & Grubic, in the amount of \$103,670.00, to prepare an Act 537 plan for the Littlestown Borough.** Council President Adams asked if there were any questions or

*APPROVAL OF PROPOSAL FOR  
ENGINEERING SERVICE ACT 537  
(Continued)*

comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

*ST. PAUL'S ANNUAL  
COMMUNITY CROP WALK*

**Council Member Clark, made a MOTION seconded by Council Vice President Eline, to approve the request of the St. Paul's Evangelical Lutheran Church, Littlestown, PA, to hold their annual crop walk which is scheduled to take place on Sunday, October 12, 2008 and traverse upon the streets and sidewalks of Littlestown Borough.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

*BRIAN BYERS - LITTLESTOWN  
JAYCEES*

Mr. Brian Byers came before Council informing them that the Jaycees would like to volunteer their time with the renovations to the Crouse Park Pavilion. At this time we have not heard anything from DCNR in regards to the grant. Mr. Byers and Manager Hess will stay in contact to work together.

**REPORTS**

*BOROUGH MANAGER*

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

*MAYOR*

Mayor Shadle stated that \$425.00 in fines was turned over to the Borough Secretary/Treasurer for the period of April 1, 2008 through April 30, 2008.

*CHIEF OF POLICE*

Mayor Shadle stated that the police report turned in for the month of April totaled \$4,561.43.

*BOROUGH DIRECTOR OF PUBLIC  
WORKS*

Borough Director of Public Works Topper stated that his monthly report was provided earlier to the Borough Council.

*CODE ENFORCEMENT OFFICER*

Code Enforcement Officer Arndt stated that his monthly report was provided earlier to the Borough Council.

*BOROUGH WATER/SEWER  
SUPERVISOR*

Borough Water/Sewer Supervisor report was provided earlier to the Borough Council.

**BOROUGH SOLICITOR**

*SIGN ORDINANCE*

Solicitor White handed out copies of a draft sign ordinance to Council for their review and comments. Solicitor White will also be awaiting comments from the ACLU.

*MONARCH STREET*

Solicitor White stated that he will have the documents prepared for the June Workshop Session.

**APPROVAL OF REPORTS**

**Council Vice President Eline, made a MOTION seconded by Council Member Wheeler, to approve the monthly reports as written.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

**REPORTS OF BOARDS,  
COMMISSION AND  
COMMITTEES**

**RECREATION BOARD**

*DENIAL OF WEDDING REQUEST  
AT COMMUNITY PARK*

**Council Vice President Eline, made a MOTION seconded by Council Member Wheeler, to deny request from Katie Shifflett for permission for her wedding to be held at the Community Park in front of the pond. (Ms. Shifflett can hold the wedding at the Community Park at her own will assuming that she is willing to accept all liability. Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.****

*REQUEST FROM THE  
LITTLESTOWN BASEBALL FOR  
YOUTH TO HAVE A PORT-A-POT  
AT POOL FIELD #5*

**Council Vice President Eline, made a MOTION seconded by Council Member Clark, to deny the request from the Littlestown Baseball for Youth to have a Port-a-pot at Pool Field #5. Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.****

*USE OF CROUSE PARK BY  
BARTS CENTENARY'S BIBLE  
SCHOOL PROGRAM*

**Council Vice President Eline, made a MOTION seconded by Council Member Clark, to allow Barts Centenary's Bible School Program use of Crouse Park on June 23-27, 2008, contingent upon the Borough Office receiving a certificate of insurance. Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of motion.****

*WSI CERTIFICATION*

**Council Vice President Eline, made a MOTION seconded by Council Member Clark, to approve sending a second lifeguard for their WSI Certification at a cost of \$175.00. Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of motion.****

*CORRECTION OF DAILY RATES  
FOR THE POOL*

**Council Vice President Eline, made a MOTION seconded by Council Member Mayers, to approve the corrected daily rates for 2008 pool admission as follows:**

Under 3 yrs - \$1.50
3-12yrs - \$3.25
13-17 yrs - \$4.00
18-64 yrs - \$4.25
Over 65 yrs - \$1.50
after 5:00pm - \$1.00

Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of motion.**

*APPROVAL OF 2008 SWIMMING  
LESSON COST*

**Council Vice President Eline, made a MOTION seconded by Council Member Wheeler, to approve the 2008 Swimming Lessons at a cost of \$30.00 per Course, each Course to be over a two week period for ½ hour each day. Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of motion.****

*AUTHORITY FOR FUTURE HIRING  
FOR POOL PERSONNEL FOR THE  
2008 SEASON BY THE  
BOROUGH MANAGER*

**Council Vice President Eline, made a MOTION seconded by Council Member Mayers, to give authority for future interview/hires for pool personnel for the 2008 season contingent upon the Borough Manager's approval.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of motion.**

*OPENING AND CLOSING OF  
RESTROOMS AT THE  
COMMUNITY PARK AND MAPLE  
AVENUE*

**Council Vice President Eline, made a MOTION seconded by Council Member Wheeler, to direct the Littlestown Police Department to open and close the restrooms at Maple Avenue and the Community Park.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of motion.**

**PLANNING COMMISSION**

*NO-IMPACT OFF-SITE TRAINING  
BASED BUSINESS FOR JAMES  
MYERS*

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to approve the home based, no impact based business for James Meyers, 44 Charlestown Court where said business would be for off site Police Training.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

*VARIANCE BY HARRY MCKEAN  
OF NEW AGE ASSOCIATES*

After discussion on this, it was concluded that no action needed to be taken by Council since the Planning Commission had already directed this issue to the Zoning Hearing Board.

**CIVIL SERVICE**

Council Member Mayers, Committee Chairperson, stated that there was nothing to report.

**COMMUNITY RELATIONS**

There was nothing to report.

**FINANCE COMMITTEE**

Council President Adams, Committee Chairperson, stated that there was nothing to report.

**FIRE PREVENTION  
COMMITTEE**

Council Vice President Eline, Committee Chairperson, stated that there will be a special meeting on June 1, 2008 for all fire company members.

**HEALTH & SAFETY  
COMMITTEE**

Council Member Clark, Committee Chairperson, stated that the committee met and discussed the tenant registry draft ordinance. The committee will be holding a public meeting on Wednesday, September 3, 2008 at 7:00 p.m. The location of the meeting has not been determined at this time.

Council Member Clark, also reported that the Borough Council asked the Planning Commission, last year, to come up with a new and revised Land Subdivision Ordinance. The committee met on May 14<sup>th</sup> to discuss the final stages of the approval process. There will be a public meeting on Wednesday, July 16, 2008 at 2:00 p.m. The meeting will be held at the Community Center Building in the old Council Chambers, 46 East King Street, Littlestown, PA. Copies will be available to the public starting June 16<sup>th</sup> at the Borough Office.

PERSONNEL  
COMMITTEE*HIRING OF A CHIEF  
WATER/WASTEWATER  
OPERATOR AND A  
WATER/WASTEWATER  
OPERATOR*

Council Vice President Eline, Committee Chairperson, stated that several candidates were interviewed for the positions of Chief Water/Wastewater Operator and Water/Wastewater Operator. Mr. Christopher Stroup was hired to fill the position of Chief Water/Wastewater Operator and Mr. Thomas Style was hired to fill the position of Water/Wastewater Operator. Both individuals will start June 2, 2008.

UNION/POLICE  
CONTRACT COMMITTEE

Council President Adams, Committee Chairperson, stated that there is nothing to report.

PROPERTY & SUPPLY  
COMMITTEE

Council Member Clark, Committee Chairperson, stated that the Committee will need to schedule a meeting to discuss outstanding issues.

STREETS &  
TRANSPORTATION  
COMMITTEE*NO-PARKING IN CUL-DE-SAC'S  
DURING SNOW ACCUMULATION*

Council Member Wheeler stated that there was a safety concern regarding snow plowing in cul-de-sac's. During Council Member Wheeler's review of the situation he found no residential unit that did not have adequate off street parking. He proposes that an ordinance be created, to be added to the Borough Code Section 68-24 General Parking Prohibitions. This ordinance would prohibit parking in the cul-de-sacs during a snow or ice event until it is cleared. After further discussion, Council felt it was in the best interest to table the issue until review by Solicitor White.

**Council Member Clark, made a MOTION seconded by Council Member Wheeler, to table the issue until the Borough Solicitor has had a chance to review and make recommendations as far as the wording and placement in the Borough Code.** Council President Adams asked if there were any questions or comments. No questions or comments were provided.  
**Vote: 5-0 in favor of the motion.**

UTILITIES/I&I  
COMMITTEE

Council Member Mayers, Committee Chairperson, stated that there was nothing to report.

REGIONAL  
COMPREHENSIVE PLAN  
COMMITTEE

Council Member Clark, Committee Chairperson, stated that there was nothing to report.

YORK/ADAMS TAX  
BUREAU

Council Member Wheeler gave a financial report on the York Adams Tax Bureau.

LITTLESTOWN  
CHAMBER OF  
COMMERCE

Borough Manager Hess stated that Council Member Wheeler along with herself attended the last meeting of the Chamber. She felt that the meeting went well and the Borough and the Chamber are looking into the future in regards to working together.

**PUBLIC COMMENTS**

***MR. LENTZNER - MARYLAND  
AVENUE EXTENDED***

Mr. Lentzner came before Council regarding Maryland Avenue extended. Back in June 2006 the Borough Council Vacated, closed and abandoned a portion of Maryland Avenue. This was then turned over to the Borough Solicitor to prepare quit claim deeds. Mr. Lentzner has not heard from the Borough's Solicitor and is asking for an update regarding the piece of land that was abandoned.

**Council Member Clark, made a MOTION seconded by Council Vice President Eline, to direct the Borough Solicitor to commission a survey for the purpose of dividing the abandoned portion of Maryland Avenue between the two adjoining property owners.** Council President Adams asked if there were any questions or comments. No questions or comments were provided. **Vote: 5-0 in favor of the motion.**

**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: 5-0 in favor of the motion.**

**The meeting adjourned at 8:50 p.m.**

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**Sandy Conrad  
Borough Secretary**

**(SEAL)**