

502

**THE BOROUGH OF LITTLESTOWN**  
**46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber**  
**BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008**

**CALL TO ORDER**

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

**ATTENDANCE**

**Council Members Present:**

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

**Council Members Excused:**

William Brown

**Additional Borough Representation:**

Linda Hess (Manager), Sandy Conrad (Secretary/Treasurer), Dave Arndt, Jr (Code Enforcement), and Peggy Miller (Engineer)

**Additional Borough Representation Excused:**

John White (Solicitor)

**Others in Attendance:**

Stephanie Marders, John Phillips, Kara Newcomer (Evening Sun), Brian Soyka (Sheetz), Ron Lucas (Sheetz Attorney), Fred Miller, Chris McGee (Kingsdale Fire Company), Tara Fleharty (Kingsdale Fire Company), Aaron Young (Gettysburg Times) and William Kelly.

**APPROVAL OF MINUTES**

*JULY 22, 2008 REGULAR  
MEETING MINUTES*

**Council Member Clark made a MOTION, seconded by Council Member Wheeler, to approve the minutes from the July 22, 2008 Regular meeting of Council as written.** Council President Adams asked if there were any corrections, comments or questions. None were given. **Vote: 5-0 in favor of the motion.**

**DELEGATION**

*SHEETZ – PARKING SPACE  
REMOVAL*

Mr. Brian Soyka and Attorney Ron Lucas came before Council asking for two metered parking spaces be removed on East King Street. PennDot stated that in order to accommodate the necessary sight distance from the ingress/egress to Sheetz two parking spaces would need to be removed. Sheetz's Engineers were able to reposition the two parking spaces and will repaint the parking area and re-install the parking meters. In addition, Sheetz is also willing to pave the portion of Riden Alley beyond

46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber  
BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008

*SHEETZ – PARKING SPACE  
REMOVAL  
(Continued)*

their project to Lumber Street.

Council Member Clark made a MOTION, seconded by Council Member Wheeler to approve and write a letter to Penndot, the removal of two (2) parking spaces that are located along State Route 194 (East King Street in proximity to 141 and 143 East King Street), adjacent to the entrance of 35 East King street property, Sheetz Store #141, whereas and in settlement with Sheetz, Incorporated that a parking space be created in a location due north to a location that was once an intersection of a now vacated alley, Community Place South, and that in agreement with Sheetz, Incorporated providing in return for one lost parking space the paving of Riden Alley from the south point of the intersection of Charles Street to Lumber Street, contingent upon creating an ordinance/resolution deleting the two (2) parking spaces in question. Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

APPROVAL AND  
PAYMENT OF BILLS

Council Vice President Eline made a MOTION, seconded by Council Member Mayers, to pay the bills in the amount of \$268,709.78. Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

APPROVAL OF  
SECRETARY'S REPORT

Council Vice President Eline made a MOTION, seconded by Council Member Wheeler, to approve the Treasurer's Report for the month of July. Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

APPROVAL OF  
FINANCIAL REPORT AND  
SAVINGS FUND

Council Vice President Eline made a MOTION, seconded by Council Member Clark, to approve the Financial Report and Savings Fund. Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

UNFINISHED BUSINESS  
*EXTENSION OF SCHOOL  
CROSSING GUARD AGREEMENT*

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to table the renewal of the School Crossing Guard Agreement until further review by

504

**THE BOROUGH OF LITTLESTOWN**  
**46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber**  
**BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008**

***EXTENSION OF SCHOOL  
CROSSING GUARD AGREEMENT  
(Continued)***

**the Borough Solicitor.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

***REQUEST FROM LITTLESTOWN  
SCHOOL DISTRICT TO WAIVE  
SEWER CHARGES***

The School District is asking to be charged only for water usage only when watering the Alloway Creek outside fields and the high school hockey field. After discussion by Council, Council President Adams referred this to the Utilities Committee and informed Tim/Linda to get some information from the school regarding, times of watering, what is being watered, the source of water being used and how long the watering will continue.

***REQUEST FOR A 45 DAY  
EXTENSION ON ROYAL FARMS***

**Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the request made by Royal Farms, 450 North Queen Street Location, for a 45 day extension for a special exception to their approved plan.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

***REQUEST FROM MARDERS  
REGARDING SUBDIVISION PLAN***

**Council Member Clark made a MOTION, seconded by Council Member Mayers, to table the request of Stephanie Marders, 308 Lumber Street final subdivision plan, for approvals and recording of said plans without a Developer Approval Agreement or Financial Surety until such time as the Borough Solicitor can render advice to Council.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

**NEW BUSINESS  
*2009 MINIMUM MUNICIPAL  
OBLIGATION (MMO)***

**Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the 2009 Minimum Municipal Obligations for the Police Pension Plan and for the Non-Uniformed Pension Plan.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

**CORRESPONDENCE  
*PA ENVIRONMENTAL  
SOLUTIONS - TODD MACE***

Mr. Todd Mace with PA Environmental Solutions provided Council with an operations report for the Littlestown Water & Wastewater Treatment Facilities.

***KENNETH FROCK COMPLAINTS***

Council Member Wheeler read a letter from Mr. Kenneth

46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber  
BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008

***KENNETH FROCK COMPLAINTS*** Frock dated July 18, 2008 and a letter addressed to Magistrate  
***(Continued)*** Bowman.

**REPORTS**

***BOROUGH ENGINEER***

Peggy Miller with Herbert, Rowland and Grubic gave Council updates on the following projects:

1. King and Queen Streetscape
2. Monarch and Boyer Streets
3. Sells Parking Lot Improvements
4. Lumber Street
5. Pavement Management Program
6. Quarry Filtration
7. Act 537 PADEP Sewage Facilities Plan Update
8. Plan Reviews

***BOROUGH MANAGER***

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

***MAYOR***

Mayor Shadle stated that she turned in \$310.00 in police fines for the month of June.

***CHIEF OF POLICE***

Mayor Shadle stated that a total of \$4,560.43 in fines were collected by the police department for the month of June.

***DIRECTOR OF PUBLIC WORKS***

The report for the Director of Public Works, Tim Topper was provided earlier to Borough Council.

***CODE ENFORCEMENT OFFICER***

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

**APPROVAL OF REPORTS**

**Council Member Clark made a MOTION, seconded by Council Member Mayers, to approve the reports as written.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

**REPORTS OF BOARD  
COMMISSIONS AND  
COMMITTEES**

**RECREATION BOARD**

Nothing to Report

**THE BOROUGH OF LITTLESTOWN**  
**46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber**  
**BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008**

506

**PLANNING COMMISSION**

***APPROVAL TO ADVERTISE  
THE SALDO***

Council Member Clark made a MOTION, seconded by Council Member Mayers, to approve the recommendation of the Littlestown Planning Commission and advertise under the provisions of the Pennsylvania Municipal Planning Code, Article V § 504 the proposed Littlestown Borough Ordinance Chapter 61 (Subdivision and Land Development Ordinance) for approval at the September 23, 2008 regular Borough meeting and submit a copy to the Adams County Office of Planning and Development for review and recommendation if it has not already been done. Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

***AT&T VALIDITY CHALLENGE***

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to approve the recommendation of the Littlestown Planning Commission to schedule and convene a meeting of the Zoning Hearing Board to discuss the validity challenge of AT&T for the installation of a 185' monopole telecommunications tower on the Hadco Property. Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

***RESIGNATION OF IRA BITNER***

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to accept, with regret, the resignation of Ira Bitner from the Littlestown Planning Commission, effective immediately and to direct the Borough Secretary to advertise the Vacancy on the Planning Commission with the letter of interest due by 3:30 p.m. on September 15, 2008. Council President Adams stated that this was a non-agenda item and asked for any public questions or comments. None were given. **Vote: 5-0 favor of the motion.**

**CIVIL SERVICE  
COMMISSION**

Committee Chairman, Mayers stated that there was nothing to report.

**COMMUNITY RELATIONS  
COMMITTEE**

There was nothing to report.

**FINANCE COMMITTEE**

Committee Chairman, Adams stated that there was nothing to report.

46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber  
BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008

**FIRE PREVENTION  
COMMITTEE**

Committee Chairman, Eline stated that there was nothing to report.

**HEALTH & SAFETY  
COMMITTEE**

Committee Chairman, Clark stated that the public is encouraged to attend a Health and Safety Sub Committee Meeting at the VFW on September 3, 2008 at 7:00 p.m. to discuss the new "Residential and Commercial Rental Unit Occupancy Ordinance". Copies of the preliminary draft of the Ordinance are available at the Borough and Littlestown Library for review.

**PERSONNEL COMMITTEE**

Committee Chairman, Eline stated that the committee will meet in executive session.

**UNION/POLICE  
CONTRACT COMMITTEE**

Committee Chairman, Adams stated that there was nothing to report.

**PROPERTY AND SUPPLY  
COMMITTEE**

The Property and Supply committee had a meeting earlier to discuss the parking spaces and other matters at 10 South Queen Street. The Committee will make their recommendations to Council in September.

**STREETS AND  
TRANSPORTATION  
COMMITTEE**

Committee Chairman, Wheeler, stated that he had nothing to report.

**UTILITIES/I&I  
COMMITTEE**

Committee Chairman, Mayers, stated that he had nothing to report.

**REGIONAL  
COMPREHENSIVE PLAN  
COMMITTEE**

Committee Chairman, Clark stated that he had nothing to report.

**YORK/ADAMS TAX  
BUREAU**

Committee Chairman, Wheeler provided Council with a bill summary regarding the amendment of the Local Tax Enabling Act.

**LITTLESTOWN CHAMBER  
OF COMMERCE**

Borough Manager Hess stated that there was nothing to report.

**SAFETY COMMITTEE**

Committee Chairwomen, Conrad stated that she had nothing to report.

**THE BOROUGH OF LITTLESTOWN**  
**46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber**  
**BOROUGH COUNCIL REGULAR MEETING ▪ AUGUST 26, 2008**

508

**SALDO COMMITTEE**

Committee Chairman Clark, stated that the ordinance will be advertised for public hearing and approved at the September 23, 2008 regular meeting of Council.

**PUBLIC COMMENTS**

Ms. Fleharty with Kingsdale Fire Company asked Council if Kingsdale would have any running assignments and if so what would they be. Council Vice President Eline stated that the Alpha Fire Company does their own running assignments and the Council has no involvement.

**AJOURN OPEN SESSION**

**Council Vice President Eline made a MOTION, seconded by Council Member Clark, to adjourn open session to go into Executive Session to discuss personnel.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

**Open session adjourned at 8:38 p.m.**

**RECONVENE**

Council President re-opened the meeting at 9:14 p.m.

***CODE ENFORCEMENT  
SALARY***

**Council Vice President Eline made a MOTION, to raise the Code Enforcement Officers salary to the budget amount of \$30,000.00. (*Motion died due to a lack of second*)**

***CODE ENFORCEMENT  
SALARY***

**Council Member Clark made a MOTION, seconded by Council Member Wheeler, to consider raising the Code Enforcement Officers salary during the discussion and preparation of the 2009 budget.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

**ADJOURN**

**Council Vice President Eline made a MOTION, seconded by Council Member Mayers, to adjourn the Regular Meeting of Council.** Council President Adams asked for any questions or comments. None were given. **Vote: 5-0 favor of the motion.**

The meeting adjourned at 9:16 p.m.

---

Sandy Conrad  
Borough Secretary/Treasurer  
(SEAL)