

46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL REGULAR MEETING ▪ SEPTEMBER 23, 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, and Donna Shadle (Mayor)

Council Members Excused:

William Brown and Tim Mayers

Additional Borough Representation:

Sandy Conrad (Secretary/Treasurer), Dave Arndt, Jr (Code Enforcement), Timothy Topper (Director of Public Works), John White (Solicitor) and Peggy Miller (Engineer)

Additional Borough Representation Excused:

Linda Hess (Manager)

Others in Attendance:

Aaron Young (Gettysburg Times), Harry McKean (Stoners Farm), Kara Newcomer (Evening Sun) and William Kelly.

APPROVAL OF MINUTES

Council Member Clark made a MOTION, seconded by

*SEPTEMBER 9, 2008 WORKSHOP
MEETING MINUTES*

Council Member Wheeler, to approve the minutes from the September 9, 2008 Regular meeting of Council with corrections. Council President Adams asked if there were any corrections, comments or questions. None were given. Vote: 4-0 in favor of the motion.

**REPORTS OF BOARDS
COMMISSIONS AND
COMMITTEES**

PLANNING COMMISSION

RESIGNATION OF STEVEN KRESS

Council Member Clark made a MOTION, seconded by Council Member Eline to approve the recommendation of the Littlestown Planning Commission to regretfully accept the resignation of Steven Kress effective as of September 11, 2008. Council President Adams asked for any questions or

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RESIGNATION OF STEVEN KRESS comments. None were given. **Vote: 4-0 favor of the motion.**
(CONTINUED)

**PRESENTATION OF
PROCLAMATION**

STEVEN KRESS

Council President Adams stated that a proclamation was written for Mr. Kress but would not be presented until clarification of his appointment date was confirmed and corrected.

**APPROVAL AND
PAYMENT OF BILLS**

Council Vice President Eline made a MOTION, seconded by Council Member Wheeler, to pay the bills in the amount of \$118,814.62. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

**APPROVAL OF
FINANCIAL REPORT**

Council Vice President Eline made a MOTION, seconded by Council Member Wheeler, to approve the Financial Report. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

NON-AGENDA

*FINANCE COMMITTEE
MEETING*

Council Member Clark made a MOTION, seconded by Council Member Wheeler, that the Finance Committee meet to provide recommendations to the Council at the October 28, 2008 regular Council meeting for budget adjustments in the current fiscal year. Council President Adams stated that this was a non-agenda item and asked for any public questions or comments. None were given. **Vote: 4-0 favor of the motion.**

UNFINISHED BUSINESS

*EXTENSION OF SCHOOL
CROSSING GUARD AGREEMENT*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve an extension of the School Crossing Guard Agreement between the Littlestown Area School District and the Borough of Littlestown for the period of 2008-2010. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 in favor of the motion.**

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*DEVELOPER APPROVAL
AGREEMENT FOR MARDERS
308 LUMBER STREET*

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to approve the Developers Approval Agreement for 308 Lumber Street Subdivision Plans, James R. and Stephanie L. Marders, as agreed upon for relief of financial security until 30 days after the lifting of the sewer moratorium within the Littlestown Borough Limits and other provisions as set forth in the agreement document. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 in favor of the motion.**

PUBLIC HEARING

**APPROVAL OF SALDO
ORDINANCE**

No actions were taken since the ordinance had not been advertised.

Council Member Clark, made a MOTION, seconded by Council Vice President Eline, to 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 a public hearing and proposed adoption at the October 28, 2008 regular Borough meeting. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

UNFINISHED BUSINESS
(Continued)

*DEVELOPER APPROVAL
AGREEMENT FOR SHANEBROOK
401 SOUTH QUEEN STREET*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the Developers Approval Agreement for 401 South Queen Street Subdivision Plans, Steven A. and Wanda L. Shanebrook, as agreed upon for relief of financial security until 30 days after the lifting of the sewer moratorium within the Littlestown Borough Limits and other provisions as set forth in the agreement document. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

*DEVELOPER APPROVAL
AGREEMENT FOR SHEETZ
35 EAST KING STREET*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the Developers Approval Agreement for 35 East King Street, Sheetz Store #141, as written and agreed upon from final approval of

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*DEVELOPER APPROVAL
AGREEMENT FOR SHEETZ
35 EAST KING STREET
(CONTINUED)*

subdivision plans and agreements worked out between the Borough of Littlestown and Sheetz from the August 28, 2008 Borough Council Regular meeting. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

*ADVERTISE OF CELL TOWER
ORDINANCE*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the advertisement of an ordinance of the Borough of Littlestown, Adams County, Pennsylvania, amending Chapter 73, Zoning Ordinance, Article 100 (General Provisions), § 102.3 (Definitions) by adding definitions and Article 700 (Special Controls) by adding a new section for the use of communication towers on Borough property. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

NON-AGENDA

*DIRECTION TO PLANNING
COMMISSION FOR AN
ORDINANCE REGULATING
COMMUNICATION TOWER OR
ANTENNAS*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to direct the Littlestown Planning Commission to provide recommendations to the Borough Council for an ordinance that will regulate communication towers or antennas within the Littlestown Borough for all zoning districts and properties within those districts that are not considered Borough of Authority owned. Council President Adams stated that this was a non-agenda item and asked for any public questions or comments. None were given. **Vote: 4-0**

NEW BUSINESS

*APPOINTMENT OF VACANT
SEAT ON THE PLANNING
COMMISSION HELD BY
IRA BITNER*

Council Vice President Eline made a MOTION, seconded by Council Member Wheeler, to appoint Kevin Clark to fill the vacant position on the Planning Commission once held by Ira Bitner with a term to expire January 1, 2010. Council President Adams asked for any questions or comments. None were given. **Vote: 3-1 in favor of the motion.** (Council Member Clark abstained)

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*APPOINTMENT TO VACANT
SEAT ON THE PLANNING
COMMISSION HELD BY
STEVEN KRESS*

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to appoint Scott Godfrey to fill the vacant position on the Planning Commission once held by Steven Kress with a term to expire January 1, 2011. Council President Adams asked for any questions or comments. After discussion by the Council, Council felt that it would be appropriate if the candidates interested were present at the October 14th workshop meeting for a brief interview. No further questions or comments were given. **Vote: 0-4 not in favor of the motion.**

*TABLE FILLING VACANT
SEAT ON PLANNING
COMMISSION*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to table the appointment to fill the vacant seat of the Planning Commission and invite all interested candidates to attend the October 14th workshop meeting for an interview. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 in favor of the motion.**

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. Lighting for Sells Parking Lot
9. Sewer Laptop Computer
10. Update on Quarry

BOROUGH MANAGER

The Borough Manager's monthly report was provided earlier to Borough Council.

MAYOR

Mayor Shadle stated that because of the move to the new building, she was unable to provide a report and next month Council will receive her August and September report together.

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CHIEF OF POLICE Mayor Shadle stated that the police department for the month of August collected a total of \$4,986.09 in fines.

DIRECTOR OF PUBLIC WORKS Director of Public Works, Tim Topper stated that his monthly report 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 Vice President Eline, to approve the reports as written. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 in favor of the motion.**

**REPORTS OF BOARD
COMMISSIONS AND
COMMITTEES**

RECREATION BOARD Nothing to Report

PLANNING COMMISSION
(CONTINUED)

*APPROVAL TO ADVERTISE
AN ORDINANCE REGARDING
CHAPTER 73, ARTICLE 700 AND
ARTICLE 300*

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to advertise an ordinance of the Borough of Littlestown, Adams County, Pennsylvania, for a public hearing and proposed adoption at the October 28, 2008 Regular Meeting of Council, amending and supplementing the Littlestown Borough Code Chapter 73, Zoning Ordinance, Article 100 § 102.3 (Definitions) for the direct purpose of adding the definition of fence, ornamental; Article 300 (Commercial Districts) § 304.1 for the direct purpose of adding government offices and emergency service uses by right; Article 700 (Special Controls) § 702.2 Swimming Pools; Article 700 (Special Controls) § 702.14 relating to fencing. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 in favor of the motion.**

**CIVIL SERVICE
COMMISSION**

There was nothing report.

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COMMUNITY RELATIONS
COMMITTEE

There was nothing to report.

FINANCE COMMITTEE

Committee Chairman, Adams stated that the 2009 budget process has been started.

FIRE PREVENTION
COMMITTEE

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

HEALTH & SAFETY
COMMITTEE

Committee Chairman, Clark stated that the Health and Safety Sub Committee met at the VFW on September 3, 2008 at 7:00 p.m. to discuss the new "Residential and Commercial Rental Unit Occupancy Ordinance". There were up to 100 members of the public in attendance. All comments given by the public will be seriously considered and the committee will be looking at another public sub committee meeting once changes have been completed and resubmitted for public review.

PERSONNEL COMMITTEE

Committee Chairman, Eline stated that the committee met to discuss salaries of the employees.

UNION/POLICE
CONTRACT COMMITTEE

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

PROPERTY AND SUPPLY
COMMITTEE

Council Member Clark, Committee Chairman, stated that the Property and Supply committee met last week to discuss several issues regarding the parking spaces, computer technology and repairs to the first floor heating and air at 10 South Queen Street.

*HEATING AND AIR
CONDITIONING BID FOR
10 SOUTH QUEEN STREET*

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the recommendation from the Property and Supply Committee to select the lowest bidder, Baird Heating and Cooling, Incorporated of Littlestown, Pennsylvania to replace or repair in whole as well as any supporting parts with respect to the air conditioning and heat pump units that control both heating and air conditioning of the first floor zones of the 10 South Queen Street facility for the bid total of \$11,800.00 and shall be disbursed from the General Fund Account. Council President Adams asked for any questions or comments. Council Member Wheeler asked if the bids were comparable. Director of Public Works, Topper replied that to the best of his knowledge the three quotes are comparable. No further

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***HEATING AND AIR
CONDITIONING BID FOR
10 SOUTH QUEEN STREET
(CONTINUED)***

questions or comments were given. **Vote: 4-0 in favor of the motion.**

***DAMAGES TO 10 SOUTH
QUEEN STREET ROOF***

The damage to the roof at 10 South Queen Street, caused by Key Services will be repaired with the cost going to Key Services not the taxpayers.

***10 SOUTH QUEEN STREET
PARKING SPACES***

Covers had been placed on four of the parking spaces near East King Street in the 10 South Queen Street parking lot without Council or Committee approval. Committee Chairman Clark stated that the bags need to come off the meters until the Committee and/or Council make a formal approval of the parking spaces, although the four spaces located in the back next to the building should remain covered.

**STREETS AND
TRANSPORTATION
COMMITTEE**

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

**UTILITIES/I&I
COMMITTEE**

There was nothing to report.

**REGIONAL
COMPREHENSIVE PLAN
COMMITTEE**

Committee Chairman, Clark stated that Union Township has voted to proceed with the public hearing for review of the final draft. Arrangements with the County, Union and Germany Townships to setup the next steps and approval process are being made.

**YORK/ADAMS TAX
BUREAU**

Committee Chairman, Wheeler stated there may be a charge implemented for collection.

**LITTLESTOWN CHAMBER
OF COMMERCE**

There was nothing to report.

SAFETY COMMITTEE

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

PUBLIC COMMENTS

Council President Adams stated that Council is looking at ways to save money. One suggestion was to go to a four-day workweek. The employees would work four ten hour days.

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PUBLIC COMMENTS

(Continued)

Council at this time is just looking at the idea of a four-day workweek. They would like to inquire public input as well as employee input. If Council decides to proceed, it would be done on a trial basis first to see if there are any savings.

Council Vice President Eline stated that he would like to see our ordinance regarding required parking spaces for businesses to be looked into. He feels that the required number of parking spaces for new businesses is not necessary and if the ordinance can be revised to either lower or eliminate the number of spaces, it may make it easier for new businesses to become established in town. Council President Adams referred this to the Streets and Transportation Committee and the Health and Safety Committee.

ADJOURN

Council Vice President Eline made a MOTION, seconded by Council Member Wheeler, to adjourn the Regular Meeting of Council. Council President Adams asked for any questions or comments. None were given. **Vote: 4-0 favor of the motion.**

The meeting adjourned at 8:08 p.m.

Sandy Conrad
Borough Secretary/Treasurer
(SEAL)