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THE BOROUGH OF LITTLESTOWN
46 East King Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL REGULAR MEETING ▪ OCTOBER 28, 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, William Brown, Tim Mayers and Donna Shadle (Mayor)

Additional Borough Representation:

Sandy Conrad (Secretary/Treasurer), Linda Hess (Manager) Dave Arndt, Jr (Code Enforcement), Timothy Topper (Director of Public Works), and John White (Solicitor)

Others in Attendance:

Mark Hipp (Mette, Evans & Woodside), Mark Jones (AT&T), Keith Storsin (GPD Associates/AT&T), Scott Small, Donald Wills (Littlestown Area School District) and Kara Newcomer (Evening Sun)

APPROVAL OF MINUTES

***OCTOBER 14, 2008 WORKSHOP
MEETING MINUTES***

Council Member Clark made a MOTION, seconded by Council Member Brown, to approve the minutes from the October 14, 2008 Workshop meeting of Council. Council President Adams asked if there were any corrections, comments or questions. None were provided. **Vote: 6-0 in favor of the motion.**

PUBLIC HEARING

***ADOPTION OF THE SALDO
ORDINANCE***

Borough Solicitor, John White stated that this was the date, time and place for a public hearing on the Borough of Littlestown proposed new Subdivision and Land Development Ordinance. The ordinance has been advertised and available for public inspection. Solicitor White reviewed the ordinance and asked for questions or comments from the Council and Public. None were provided.

Council Member Clark made a MOTION, seconded by Council Member Mayers, to adopt an Ordinance establishing

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***ADOPTION OF THE SALDO
ORDINANCE
(CONTINUED)***

subdivision and land development regulations for the Borough of Littlestown, Adams County, Pennsylvania, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of Article V of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as reenacted and amended. Council President Adams asked if there were any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

***ADOPTION OF AN ORDINANCE
AMENDING CHAPTER 73,
ARTICLE 100, ARTICLE 300
AND ARTICLE 700***

Borough Solicitor, John White stated that this was the date, time and place for a public hearing on the Borough of Littlestown proposed Ordinance to amend and supplement Chapter 73 of the Littlestown Borough Code by amending and supplementing Article 100, Section 102.3 and Article 700, Section 702.2, Section 702.14, and Article 300, Section 304.1. The ordinance has been advertised and available for public inspection. Solicitor White reviewed the ordinance and asked for questions or comments from the Council and Public. None were provided.

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to adopt an Ordinance amending and supplementing the Littlestown Borough Zoning Ordinance, Chapter 73 of the Littlestown Borough Code, by amending and supplementing Article 100 (General Provisions), Section 102.3 (Definitions), adding a definition of “Fence Ornamental”; Article 700 (Special Controls), Section 702.2, relating to Swimming Pools; Article 700 (Special Controls), Section 702.14, relating to fences; and Article 300 (Commercial Districts), Section 304.1, relating to use regulations in the Town Center Mixed Use (TCMU) District, adding “Government Offices” and “Emergency Services” as uses by right in said TCMU Zoning District. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

***ADOPTION OF AN ORDINANCE
AMENDING CHAPTER 73,
ARTICLE 100 AND ARTICLE 700***

Borough Solicitor, John White stated that this was the date, time and place for a public hearing on the Borough of Littlestown proposed Ordinance to amend and supplement Chapter 73 of the Littlestown Borough Code by amending and supplementing Article 100, Section 102.3 and Article 700 by adding a new Section 708. The ordinance has been advertised and available for public inspection. Solicitor White reviewed the ordinance and

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***ADOPTION OF AN ORDINANCE
AMENDING CHAPTER 73,
ARTICLE 100 AND ARTICLE 700***

asked for questions or comments from the Council and Public. None were provided.

Council Member Clark made a MOTION, seconded by Council Member Wheeler, to adopt an Ordinance amending and supplementing the Littlestown Borough Zoning Ordinance, Chapter 73 of the Littlestown Borough Code, by amending and supplementing Article 100 (General Provisions), Section 102.3 (Definitions), by adding definitions of “Communications Antenna”, “Communications Equipment Building” and “Communications Tower”; and Article 700 (Special Controls), by adding a new Section 708, (Communications Antennas, Equipment Buildings and Towers on Borough Property). Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

***CONSIDER ADVERTISING
AN ORDINANCE REGARDING
10 SOUTH QUEEN STREET
AND 26 EAST KING STREET
PARKING***

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to advertise an Ordinance amending Chapter 68, Article IV, Section 68-28 making 10 South Queen Street a private parking lot and 26 East King Street a public parking lot. The ordinance is to be advertised with the noted changes:

- **Changing 110 South Queen Street to 10 South Queen Street and;**
- **Eliminating “provided, however, that the latter category shall be limited to Twenty (20) minutes of parking only”**

Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

DELEGATION

DR. WILLS – LASD

Dr. Wills with the Littlestown Area School District came before Council asking if the Council and School District could work together regarding the school watering the fields. Dr. Wills stated that the school waters the fields and the water comes from the fire hydrant, which has a separate meter on it. Dr. Wills is requesting that Council consider waiving the sewer charges since the water is coming from the fire hydrant and is metered separately. After further discussion Council did not see a reason why an agreement could not be worked out. Council President

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*DR. WILLS – LASD
(CONTINUED)*

Adams referred this to the Utilities Committee, which will be working closely with Dr. Wills to come to an agreement.

*MARK JONES – AT&T
MONOPOLE PROPOSAL*

Mr. Mark Jones discussed with Council the proposed AT&T monopole proposal. The height of the pole will be 180' tall and will be located back at the Community Park behind the tree line. The monopole will require a 100' x 100' lease area that will house the base of the monopole along with a 12' x 20' radio equipment shelter. The lease area will have an 8' tall privacy fence. Even though the Borough will not own the monopole, they will still receive a monthly rent for the lease of the ground. The proposed lease agreement has been forwarded to the Borough Solicitor for review.

**APPROVAL AND
PAYMENT OF BILLS**

Council Vice President Eline made a MOTION, seconded by Council Member Brown, to pay the bills in the amount of \$349,332.66. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 favor of the motion.**

**APPROVAL OF
FINANCIAL REPORT**

Council Vice President Eline made a MOTION, seconded by Council Member Clark, to approve the Financial Report. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 favor of the motion.**

UNFINISHED BUSINESS

*REVISED SCHOOL CROSSING
GUARD JOB DESCRIPTION*

Council Member Clark made a MOTION, seconded by Council Member Mayers, to approve the School Crossing Guard Job Description as written. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

*APPOINTMENT TO THE
ADAMS COUNTY WATER
ADVISORY COMMITTEE*

Council Member Clark made a MOTION, seconded by Council Member Brown, to approve Tim Topper as the representative from the Littlestown Borough on the Adams County Water Advisory Committee. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

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***ADOPTION OF THE 2009
TENTATIVE BUDGET
RESOLUTION***

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to approve the Resolution of Tentative Adoption of the Borough of Littlestown's 2009 Budget. Council President Adams asked for any questions or comments. Council Member Wheeler stated that he was opposed to raising taxes. He feels that certain areas of the budget could be cut to prevent the tax raise. No further questions or comments were provided. **Vote: 5-1 favor of the motion.** (*Council Member Wheeler opposed*)

***ADOPTION OF THE RESOLUTION
ELIMINATING EMPLOYEE
CONTRIBUTIONS TO THE POLICE
PENSION PLAN FOR 2009***

Council Member Clark made a MOTION, seconded by Council Member Brown, to approve the Resolution Eliminating Employee Contributions to the Police Pension Plan for 2009. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 favor of the motion.**

***ADVERTISE AN ORDINANCE
ESTABLISHING AND LEVYING
TAXES***

Council Member Clark made a MOTION, seconded by Council Vice President Eline, to advertise an ordinance establishing and levying the taxes upon real property, persons, earned income and profits, local service tax and the transfer of real property within the Borough of Littlestown, Adams County Pennsylvania for the fiscal year 2009. Council President Adams asked for any questions or comments. None were provided. **Vote: 5-1 in favor of the motion.** (*Council Member Wheeler opposed*)

NEW BUSINESS

***INVESTMENT OF BOROUGH
CAPITAL RESERVES***

Council Member Clark made a MOTION, seconded by Council Member Brown, to approve the Investment Policy Statement to Govern Borough of Littlestown Funds with Adams County National Bank Trust and Investment Services Division. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

LO/JACK IN THE POLICE CARS

The police department has the opportunity to have Lo/Jack placed in their vehicles at no charge. This equipment will activate and alert officers of a stolen vehicle. Council decided that before they make a decision they would like to obtain more information, such as; will there be any cost to the Borough after a

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*LO/JACK IN THE POLICE CARS
(CONTINUED)*

certain amount of time, who will be responsible for the equipment, etc. Council President Adams requested that the Lo/Jack representative, Mr. Kelley, meet with Council to answer their concerns.

*LEASE AGREEMENT -
WITH LAMAR FOR BILLBOARD
RENTAL*

Borough Manager Hess stated that there is a billboard owned by the Lamar Company. The billboard is located on Borough property near Kindig Road. Borough Manager Hess has been in contact with the company and has received a lease agreement. The lease agreement will provide a rent of at least \$1,000.00 a year or 25% of annual income, which ever is greater. Borough Manager Hess would like to do a little more research to make sure the rent is where it should be and the Solicitor should review the lease agreement before Council takes any action.

REPORTS

BOROUGH ENGINEER

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

BOROUGH MANAGER

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

MAYOR

Mayor Shadle stated that she turned in \$515.00 in fines.

CHIEF OF POLICE

Mayor Shadle stated that the police department for the month of September collected a total of \$5,517.10 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 Member Wheeler, to approve the reports as written. Council President Adams asked for any questions or comments. None were provided. **Vote: 6-0 in favor of the motion.**

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**REPORTS OF BOARD
COMMISSIONS AND
COMMITTEES**

RECREATION BOARD

Nothing to Report

PLANNING COMMISSION

The recommendations from the Planning Commission to adopt the Ordinances amending Chapter 73, Article 100, Article 700 and Article 300 were approved earlier in the meeting.

**CIVIL SERVICE
COMMISSION**

There was nothing report.

**COMMUNITY RELATIONS
COMMITTEE**

Council Member Brown stated that the lighting of the Christmas tree will be held on November 30th at 6:00 p.m.

FINANCE COMMITTEE

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

**FIRE PREVENTION
COMMITTEE**

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

**HEALTH & SAFETY
COMMITTEE**

Committee Chairman, Clark stated that there is nothing to report.

PERSONNEL COMMITTEE

Committee Chairman, Eline stated that the committee will be meeting to discuss the option of four ten-hour days per week.

**UNION/POLICE
CONTRACT COMMITTEE**

Committee Chairman, Adams stated that Borough Manager Hess will be meeting with the attorney to start preparing for police negotiations.

**PROPERTY AND SUPPLY
COMMITTEE**

Council Member Clark, Committee Chairman, stated that there is nothing to report.

**STREETS AND
TRANSPORTATION
COMMITTEE**

Committee Chairman, Wheeler, stated that he researched the intersection of Boyer Street and South Columbus Avenue. After speaking with some residents, he found that there is no reason to make the intersection a four-way stop. However, the residents have a problem with exiting the last court on the right before Boyer Street onto South Columbus because the painted curb, which indicates no parking, is only about eight feet long and

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STREETS AND
TRANSPORTATION
COMMITTEE
(CONTINUED)

Council Member Wheeler feels that if the no parking is extended back it will alleviate the problem. Council President Adams asked Tim Topper to look into the situation.

UTILITIES/I&I
COMMITTEE

Committee Chairman, Mayers stated that the committee will be meeting with the School District to discuss the watering of the fields.

REGIONAL
COMPREHENSIVE PLAN
COMMITTEE

Committee Chairman, Clark stated that he is in the process of trying to schedule a meeting with Union and Germany Townships.

YORK/ADAMS TAX
BUREAU

Committee Chairman, Wheeler stated it is almost definite now that by the end of 2013 the tax collection agencies will charge for tax collection. Revenues are down by 22 percent and starting in January, municipalities will be able to pay their taxes online.

LITTLESTOWN CHAMBER
OF COMMERCE

There was nothing to report.

SAFETY COMMITTEE

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

PUBLIC COMMENTS

There were no public comments.

ADJOURN

Council Vice President Eline made a MOTION, seconded by Council Member Brown, to adjourn the Regular Meeting of Council. Council President Adams asked for any questions or comments. None were given. **Vote: 6-0 favor of the motion.**

The meeting adjourned at 8:45 p.m.

Sandy Conrad
Borough Secretary/Treasurer
(SEAL)