

THE BOROUGH OF LITTLESTOWN
10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL REGULAR MEETING ▪ MAY 25, 2010

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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:

President Rick Adams
Vice President David Wheeler
Council Member Donald Bateman
Council Member Charlene Westcott
Council Member Betty Bucher
Council Member Tim Mayers
Mayor Jim Eline

Additional Borough Representation:

Secretary/Treasurer Sandy Conrad
Manager Linda Hess
Director of Public Works, Tim Topper
Chief of Police, Charles Kellar
Borough Engineer, Peggy Miller
Borough Solicitor, John White

Others in Attendance:

Mark Walters, Gettysburg Times
Casey Deller, C.S Davidson
William Brown
Louis Small
Terry Moser
Tim Stonesifer, Evening Sun

APPROVAL OF MINUTES

*MAY 11, 2010 WORKSHOP
MEETING MINUTES*

Council Member Bateman made a motion seconded by Council Member Bucher, to waive the reading of the May 10, 2010 Littlestown Borough Workshop Meeting Minutes and approve. Motion carried unanimously.

**APPROVAL AND
PAYMENT OF BILLS**

Council Member Bateman made a motion seconded by Council Member Westcott, to approve the accounts payable for the General, Swimming Pool, Water, Sewer and Payroll Funds totaling \$35,514.91 for the dates of May 6, 2010 to May 17, 2010 and the Payroll disbursements for a total of \$42,443.64 from the period of April 25, 2010 to May 15, 2010 whereas the combined total is \$77,958.55. Motion carried unanimously.

**APPROVAL OF FINANCIAL
REPORT**

Council Member Bateman made a motion seconded by Council Vice President Wheeler, to approve the financial report for May 25, 2010. Motion carried unanimously.

PUBLIC HEARING

ORDINANCE CHAPTER 73

Council Member Bateman made a motion seconded by Council

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ADDING LIBRARIES

Member Westcott, to adopt an ordinance amending and supplementing the Littlestown Borough Zoning Ordinance Chapter 73, Article 300, Section 304.1 of the Littlestown Borough Code by adding Libraries as a permitted use in the Town Center Mixed Use (TCMU) zoning district. Motion carried unanimously.

UNFINISHED BUSINESS

ROYAL FARM

Council Member Westcott made a motion seconded by Council Member Bateman, to approve the Royal Farms preliminary/final plan review contingent upon the following:

- 1) Statements on the plan by the Owner, Developer, professional engineer and land surveyor will need to be signed and sealed (Ch. 61 §3.337).
- 2) Providing the letter of approval from the Adams County Conservation District (ACCD) for the most recent design. Also providing the letter of approval from PennDOT once the Highway Occupancy Permit is approved.
- 3) Providing detailed plans and specs for the water treatment system design for the car wash facility.
- 4) Providing revised financial security with updated costs and revised quantities that reflect the most recent plan. The retaining wall should be added to the financial security.

Motion carried unanimously.

ROYAL FARM SIDEWALK WAIVER

Council Member Bateman made a motion seconded by Council Member Bucher, to grant the sidewalk waiver of 4' width request pursuant to Chapter 55 Section 55-3 of the Littlestown Borough Code. Motion carried unanimously.

NEW BUSINESS

RESOLUTION – FEDERAL TRADE COMMISSION RED FLAGS RULE

Council Vice President Wheeler made a motion seconded by Council Member Bateman, to approve a Resolution adopting the Federal Trade Commission Red Flags Rule of the Fair and Accurate Credit Transaction Act of 2003 (FACTA). Motion carried unanimously.

NON-AGENDA ITEM

LOAN MONIES TO THE POOL

Council Member Bateman made a motion seconded by Council Member Bucher, to allow the finance staff to borrow \$7,378.89 from the General Fund to the Pool Fund to pay for the bills generated on May 25, 2010 with the funds to be paid back to the General Fund by the end of the 2010 Pool Season. Council Vice President Adams asked for public comment. No comments were heard. Motion carried unanimously.

REPORTS

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- BOROUGH MANAGER** Borough Manager, Linda Hess, submitted her report earlier to Council.
- MAYOR** Mayor James Eline submitted his report earlier to Council.
- FULL TIME POLICE SECRETARY** **Council Member Bateman made a motion seconded by Council Vice President Wheeler, to postpone the request to make the position of the police secretary from part-time to full-time until the 2011 budget.** Council Vice President Adams stated that this was a non-agenda item and asked for public comments. Mr. William Brown stated that the full time position is needed but under the current budget and economic strain on the budget it is best to wait until the development of the 2011 budget. **Motion carried 5-1 with Council President Adams casting the opposing vote.**
- POLICE CHIEF** Chief of Police, Charles Kellar, submitted his report earlier to Council.
- DIRECTOR OF PUBLIC WORKS** Borough Director of Public Works, Tim Topper, submitted his report earlier to Council.
- BOROUGH ENGINEER, HRG** Borough Engineer, Peggy Miller submitted her report earlier to Council.
- BOROUGH SOLICITOR**
- RESPONSE TO THE REQUEST FOR OUTSIDE WATER/SEWER HOOK-UPS** **Council Vice President Wheeler made a motion seconded by Council Member Westcott, to direct the Borough Solicitor, John White, to send a response letter to Attorney John A. Wolfe with Wolfe & Rice, LLC, advising that the Borough denies the availability of water and/or sewer hookups to their client Sheraton Breeding Farms for a potential residential development with 128 EDUs. Motion carried unanimously.**
- REPORTS** **Council Member Bateman made a motion, seconded by Council Member Bucher, to approve the reports as written. Motion carried unanimously.**
- REPORTS OF BOARDS, COMMITTEES AND COMMISSIONS**
- RECREATION BOARD**
- REQUEST FROM GIRL SCOUTS** **Council Member Bateman made a motion seconded by Council Member Wheeler, to approve the recommendation from the Recreation Board to allow the Girl Scouts in the Heart**

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of Pennsylvania to run their outreach program, L.E.A.P into Leadership, at the Community Park Pavilions during the week in the afternoon. Motion carried unanimously.

SIGN AT THE WATER SLIDES

Council Member Bateman made a motion seconded by Council Member Westcott, to approve the recommendation from the Recreation Board to post signs at the Community Pool stating that the slides release into the deep end of the swimming pool and listing that experienced swimmers are the only ones to use the slides. Mr. William Brown is concerned with the placement of the water slide at the Community Pool. He feels that the placement of the slide is unsafe and a safety hazard to those who cannot swim. Borough Manager Hess stated that before the slides were placed there the kids were allowed to dive into the deep end and in order for them to do so they needed to know how to swim. Also, the younger kids will have the opportunity to go down the slide during pool check while a lifeguard or the parent waits for them at the end of the slide. Motion carried unanimously.

CIVIL SERVICE COMMISSION

Council Member Mayers stated that there is nothing to report.

COMMUNITY RELATIONS COMMITTEE

Council Vice President Wheeler stated that there is nothing to report.

FINANCE COMMITTEE

Council President Adams stated that the audit is complete and the budget process will begin in August.

HEALTH & SAFETY COMMITTEE

Council Member Westcott stated that there is nothing to report.

PERSONNEL COMMITTEE

HIRE BERNIE MURREN

Council Member Bucher made a motion seconded by Council Member Bateman, to hire Mr. Bernie Murren to fill the full-time position in the Public Works Department at an hourly rate of \$13.13/hr with an increase to \$13.53/hr after probation and CDL requirements are met. The hiring of Mr. Murren is contingent upon a satisfactory background check. Council Vice President Wheeler was under the impression that the Borough was to hire someone with experience and who has their water and/or sewer license. He would like to continue the search until there is an applicant who meets those qualifications. Motion carried 5-1 with Council Vice President Wheeler casting the opposing vote.

PERMANENT STATUS TO MANDY SIX

Council Member Bucher made a motion seconded by Council Member Bateman, to approve permanent employment status to Mandy Six as the Borough Office Clerk. Motion carried unanimously.

UNION/POLICE CONTRACT

Council President Adams stated that there is nothing to report.

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COMMITTEE

**PROPERTY & SUPPLY
COMMITTEE**

PURCHASE OF NEW POLICE CAR

Council Member Bateman made a motion seconded by Council Member Westcott, to purchase a new 2010 Dodge Charger Police car fully equipped in the amount of \$38,619.94. Motion carried 5-1 with Council Member Wheeler casting the opposing vote.

UTILITIES/I&I COMMITTEE

Council Member Mayers stated that there is nothing to report

YORK ADAMS TAX BUREAU

Council Vice President Wheeler stated that there is nothing to report.

COUNCIL OF GOVERNMENT

Council Vice President Wheeler stated that there will be a meeting at 8:30am on Thursday at the Emergency Services Building.

ADJOURN

Council Member Bateman made a motion, seconded by Council Member Westcott, to adjourn the Regular Meeting of Council. Motion carried unanimously.

The meeting adjourned at 8:15p.m.

Sandy Conrad
Secretary/Treasurer

(SEAL)