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THE BOROUGH OF LITTLESTOWN
10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL REGULAR MEETING ▪ SEPTEMBER 28, 2010

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 Dave Wheeler presiding.

ATTENDANCE

Council Members Present:

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

Additional Borough Representation:

Secretary/Treasurer Sandy Conrad
Borough Public Works Director, Tim Topper
Chief Water/Sewer Operator, Chris Stroup
Borough Engineer, Peggy Miller
Borough Solicitor, John White
Chief of Police, Chuck Kellar

Others in Attendance:

Mark Walters, Gettysburg Times
Susan Hills, Evening Sun
Paul Sharpless
Harry McKean
Rich Valko, Germany Township
Louis Small
William Brown
Joe Gioriano
Jean Mills
Carol Goulden
Rev. Thomas Stellhorn
Larry Unger
Fred Miller

APPROVAL OF MINUTES

***SEPTEMBER 14, 2010 WORKSHOP
MEETING MINUTES***

Council Member Bateman made a motion seconded by Council Member Westcott, to waive the reading of the September 14, 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 \$57,910.18 for the dates of September 8, 2010 to September 21, 2010 and the Payroll disbursements for a total of \$42,634.73 from the period of September 4, 2010 to September 18, 2010 whereas the combined total is \$100,544.91. Motion carried unanimously.

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APPROVAL OF FINANCIAL REPORT

Council Member Bucher made a motion seconded by Council Member Westcott, to approve the financial report for August 24, 2010. Motion carried unanimously.

FINANCIAL STATEMENTS

Council Member Bateman made a motion seconded by Council Member Bucher, to approve the Financial Statements as of September 21, 2010. Motion carried unanimously.

UNFINISHED BUSINESS

PAVILLION CHARGE/REFUND FOR THE VFW AND AMERICAN LEGION

Council Member Adams made a motion seconded by Council Member Bateman, to approve the reimbursement of the \$45 pavilion reservation fee for 2010 to the Littlestown VFW and the reimbursement of the \$45 pavilion reservation fee for 2010 to the American Legion; and to allow the VFW and American Legion free rental of a pavilion one time a year. Motion carried unanimously.

NEW BUSINESS

PRESENTATION BY PAUL SHARPLESS

Mr. Paul Sharpless gave a presentation to Council regarding the former Borough Manager, Borough Policies and Procedures.

RECESS

Council Member Bateman made a motion, seconded by Council Member Westcott, to recess the open session for an executive session to discuss personnel issues and potential litigation. Motion carried unanimously.

The meeting was recessed at 7:26pm.

RECONVENE

Council President Wheeler reconvened the meeting at 9:15 pm.

PUBLIC

The public was invited back in and several individuals from the public were upset regarding the recess by Council to conduct interviews. The public felt that this is something that should have been done either before or at the end of the meeting. Council President Wheeler took full responsibility and apologized to the public.

OFFER REBECCA BAUGHER THE BOROUGH CLERK POSITION

Council Member Bateman made a motion, seconded by Council Member Bucher, to offer the position of Borough Clerk to Rebecca Baugher. Motion carried unanimously.

RESIGNATION OF MANDY SIX

Council Member Bateman made a motion seconded by Council Member Westcott, to accept the resignation from Mandy Six, Borough Clerk effective September 24, 2010. Motion carried unanimously.

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KINDIG ROAD AGREEMENT

There was an agreement between Germany Township and the Borough of Littlestown relative to Kindig Road back in 1997. According to the agreement the Borough is to pay Germany Township all liquid fuels moneys for a portion of Kindig Road. This portion is the part that Germany Township maintains. However, since 1997 Germany Township has billed the Borough \$520.00 each year, which was the Liquid Fuels amount back in 1997. It has come to everyone's attention that this was a clerical error and the Township should have been billing the Borough the current Liquid fuels amount. Due to this error the Borough was billed and paid \$6,762.34 from 1997 to 2009 and we should have been billed \$8,323.33.

Council Member Bucher made a motion seconded by Council Member Westcott, to approve paying Germany Township the difference in Liquid Fuel funds from 1997 to 2009 in the amount of \$1,560.99 for the portion of Kindig Road that Germany Township maintains. Motion carried unanimously.

REVISED 2011 POLICE MMO

Council Member Adams made a motion seconded by Council Member Bateman, to approve the revised 2011 Police Pension Plan MMO in the amount of \$60,758.24. Motion carried unanimously.

REPORTS

MAYOR

Mayor James Eline submitted his report earlier to Council.

DIRECTOR OF PUBLIC WORKS

Borough Director of Public Works, Tim Topper, submitted his report earlier to Council. Mr. Topper informed Council of the following;

1. Due to the recent storms Crouse Park took a hit. Mr. Topper is asking approval to take down around four trees and to replace them.
2. There have been several meetings with the Library regarding some paving that they want to do. However there is a question on the paper alley. Mr. Goulden stated that there is someone who is willing to donate the paving to the Library however they do not want to touch the alley until there is some clarification on the alley (is it public or not). Mr. Topper has asked Mr. Baird to bring in his deeds for clarification and to help clarify the status of the alley. Stormwater was also a question. According to HRG, Peggy Miller she discussed the stormwater with the Borough Manager at that time and Ms. Miller was informed that it was not an issue. Also Ms. Miller was informed by the Borough Manager that John White has looked into the situation of the alley. Solicitor White does not recall being asked to look into the status of the alley. Solicitor White is not sure why the Borough is involved if according to President Wheeler there is no dedication of this alley in the Borough Code. Mr. Topper will contact Mr. Baird again to obtain copies of the deeds.
3. Council was presented with three quotes to put a new engine in the 1998 Chevy Truck. The truck is in excellent condition

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so there is no need to get rid of it. However it does need a new engine. The three quotes consist of the following:

- a. Wieshaar's Auto Repair, Inc, rebuild the engine with a 4 year warranty with 1 million miles in the amount of \$2488.88.
- b. Harold Storms Garage, new engine with a GM/warranty, in the amount of \$3253.60.
- c. 194 Service Center, new engine with a 3 year warranty with 100,000 miles in the amount of \$4062.59.

Council Member Bateman made a motion seconded by Council Member Bucher, to accept the quote from Harold Storm for a new engine with a GM warranty in the amount of \$3253.60 for the 1998 Chevy Truck. Council President Wheeler stated that this was a non-agenda item and asked for any public comments. No public comments were given. Motion carried unanimously.

BOROUGH ENGINEER, HRG

Borough Engineer, Peggy Miller gave an update on the Act 537. She would like to schedule a meeting with the I & I Committee to discuss any impacts.

**REPORTS OF BOARDS,
COMMITTEES AND
COMMISSIONS**

RECREATION BOARD

**CORRECTIONS TO THE
AUGUST 24TH COUNCIL MEETING
MINUTES**

Council Member Bateman made a motion seconded by Council Member Mayers, to approve the recommendation from the Recreation Board to approve the amendment to the August 24, 2010 Regular Meeting Minutes to correspond with the Recreation Board minutes from April 20, 2010 with the amendment reflecting that pool hops were recommended by the Recreation Board for the 2010 season; additional activities were recommended in the May 18, 2010 Recreation Board Meeting Minutes; the request from Pam Boyd for the Car Show on October 2010 be rescinded. Motion carried unanimously.

**RESIGNATION LETTER FROM
VICKIE TIMMINS**

Council Member Adams made a motion seconded by Council Member Bateman, to approve the recommendation from the Recreation Board to accept the resignation of Vickie Timmins as a member of the Recreation Board effective September 22, 2010 and to direct the office or someone to write up a commendation letter for Ms. Timmins. Motion carried unanimously.

RECORDING SECRETARY

The Recreation Board made a motion to request a recording secretary. Council President Wheeler stated that before Council makes a motion they will need to look into the recording secretary issue.

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PLANNING COMMISSION

**LOUIS ASTUTO COURIER SERVICE
LUXURY CAR SALES**

According to Solicitor White the Courier Service and Luxury Car Sales is a mixed use by right and will require a Conditional Mixed Use by Right Permit which will need to be advertised for a hearing before Borough Council.

**HEALTH & SAFETY
COMMITTEE**

There is a problem with people parking in the alley by Sheetz. Mayor Eline would like to see no parking signs put in place. Some of the Council felt that we did not need "no parking" signs since the alley is no parking anyway. Council Member Westcott will speak with Chief Kellar and inform him of the situation. This is just a matter of the Police Department giving tickets to those who are parking illegally.

**MOTION TO CONFIRM THE OFFER
OF BOROUGH CLERK TO
REBECCA BAUGHER**

Council Member Bateman made a motion seconded by Council Member Bucher, to confirm the offer made to Rebecca Baugher for the position Borough Clerk. Council President Wheeler asked if there were any questions or comments from the public. There were none given. Motion carried unanimously.

PUBLIC COMMENT

PAUL SHARPLESS

Mr. Sharpless had questions regarding the draft budget and its adoption. Mr. Wheeler stated that the draft budget will be discussed at the next workshop meeting and the budget will be adopted before December 31, 2010.

ALL PUBLIC

There were more comments regarding the Committee system. The public would like to here more of the Council Members to speak up regarding their thoughts on what has happened to the Committee system issue.

ADJOURN

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

Council President Wheeler adjourned the meeting at 11:15pm.

Sandy Conrad
Secretary/Treasurer

(SEAL)