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**THE BOROUGH OF LITTLESTOWN**  
**10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber**  
**BOROUGH COUNCIL MEETING ▪ MARCH 22, 2011**

**CALL TO ORDER**

The Borough Council met in session and the meeting was called to order at 7:00 p.m. with Council Vice President Tim Mayers presiding.

**ATTENDANCE**

**Council Members Present:**

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

**Council Member Excused:**

Council President Dave Wheeler

**Additional Borough Representation:**

Secretary/Treasurer Sandy Conrad  
Directory of Public Works, Tim Topper  
Chief Water/Sewer Operator, Chris Stroup  
Chief of Police, Chuck Kellar  
Borough Solicitor, John White  
Borough Engineer, Peggy Miller  
Borough Consultant, Jim Schumaker  
Borough Financial Advisor, Gary Pulcini  
Borough Bond Counsel, Joe Pierce

**Borough Authority Members Present:**

Chair, Karen (Bo) Louey  
Vice-Chair, David Westcott  
Secretary/Treasurer, Marilyn Zanger  
Member, Kevin Clark  
Member, Rick Adams

**Others in Attendance:**

Don Cullison  
Paul Sharpless  
Clark Smith  
Harry McKean  
Lou Small, Jr.  
David  
Richard Messinger  
Joyce Weatherly  
Scott Small, Alpha Fire Company  
Craig Paskoski, Evening Sun  
Fred Miller  
Terry Moser

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**APPROVAL OF MINUTES**

***MARCH 8, 2011***  
***MEETING MINUTES***

**Council Member Adams made a motion seconded by Council Member Bucher, to waive the reading of the March 8, 2011 Council Meeting Minutes and approve as written. Motion carried unanimously.**

**APPROVAL AND  
PAYMENT OF BILLS**

**Council Member Bateman made a motion seconded by Council Member Bucher to approve the accounts payable for the General, Swimming Pool, Water, Sewer and Payroll Funds totaling \$72,123.66 for the dates of March 1, 2011 to March 15, 2011. Motion carried unanimously.**

**Council Member Bateman made a motion seconded by Council Member Bucher to approve the Payroll disbursements for a total of \$17,856.79 from the period of February 25, 2011 to March 15, 2011. Motion carried unanimously.**

**APPROVAL OF REVENUE  
AND EXPENDITURE REPORT**

**Council Member Bateman made a motion seconded by Council Member Bucher, to approve the Revenue and Expenditure Report dated March 15, 2011. Motion carried unanimously.**

**PUBLIC COMMENTS**

**Council Vice President Mayers asked for any public comments. Mr. Paul Sharpless gave recognition to the Police Department for doing a great job. Mr. Sharpless also asked questions pertaining to the construction being done on Lumber Street. Council informed Mr. Sharpless that the construction being done on Lumber Street was not a Borough project. The project belongs to Columbia Gas who contracted Kinsley to do the work.**

**RECESS**

**Council Vice President Mayers recessed the Council meeting at 7:15pm to allow the Borough Authority to go into session.**

**BOROUGH AUTHORITY**

**The Borough Authority met in session and the meeting was called to order at 7:15 p.m. with Authority Chair, Karen Louey presiding.**

***2010 CHAPTER 94 PROPOSAL***

**Authority Member Zanger made a motion seconded by Authority Member Adams, to approve the 2010 Chapter 94 report. Motion carried unanimously.**

***BOND RESOLUTION***

**Authority Member Clark made a motion seconded by Authority Member Westcott, to adopt the Resolution Approving the Issuance of General Obligation Bonds by the Borough of Littlestown for the purpose of financing certain capital improvements, renovations, upgrades and additions to authority facilities; further authorizing and approving addendums to certain lease agreements with the Borough. Motion carried unanimously.**

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***AUTHORIZE TO SIGN A DEP FORM***

Authority Member Adams made a motion seconded by Authority Member Westcott, to authorize the Authority Chairperson, Karen Louey to sign the Application for Transfer of a Public Water Supply Permit. Authority Chairperson, Karen Louey stated that this was a non-agenda item and asked for public comments. None were given. Motion carried unanimously.

***DEED OF DEDICATION APPLER***

Authority Member Clark made a motion seconded by Authority Member Zanger, to accept the Deed of Dedication for Appler Well 0 and Appler Well 5 with understanding that the developer retains the right to the excess capacity pertaining to the two wells as was the case with the Heritage Hills wells. Authority Chairperson, Karen Louey stated that this was a non-agenda item and asked for public comments. None were given. Motion carried unanimously.

***ADJOURN***

Authority Member Westcott made a motion seconded by Authority Member Clark, to adjourn the meeting of the Authority. Motion carried unanimously.

The meeting adjourned at 7:38pm.

**RECONVENE**

Council Vice President Mayers reconvened the meeting at 7:39pm

**NEW BUSINESS**

***BOND ORDINANCE***

Council Member Adams made a motion seconded by Council Member Bateman, to adopt an Ordinance, Series 2011, Number 647 Authorizing and Directing Issuance of General Obligation Debt as Permitted by and Pursuant to the Local Government Unit Debt Act, 53 PA. C. S. § 8001 ET SEQ., as amended (the "Debt Act"), consisting of General Obligation Bonds, Series of 2011. Council Vice President Mayers took a role call vote:

- Council Member Bucher – Yes
- Council Member Westcott – Yes
- Council Member Bateman – Yes
- Council Member Adams – Yes
- Council Vice President Mayers – Yes

Motion carried unanimously.

***UPGRADE OF STREET LIGHTS  
THROUGH MET-ED***

Council Member Bateman made a motion seconded by Council Member Bucher, to postpone the offer through Met-Ed to upgrade the Boroughs street lights, at no charge to the Borough, to sodium vapor until the Boroughs lighting ordinance has been researched to make sure such lighting is allowed.

Council Vice President Mayers asked if there were any questions or comments. Motion carried unanimously.

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***LUMBER STREET ORDINANCE***

**Council Member Adams made a motion seconded by Council Member Bateman, to adopt an Ordinance Prohibiting Motor Vehicles with a Gross Vehicle Weight of Twelve Thousand (12,000) Pounds {Six (6) Tons}, Except for Local Residential Deliveries, from Operating or Traveling in and upon Lumber Street from South Queen Street to Talbot Street, by Amending Section 68-13.C. of the Littlestown Borough Code.** Council Vice President Mayers asked if there were any questions or comments. Mr. Paul Sharpless was concerned with Renner Avenue and Keystone Street that connect to Lumber Street. He felt that both of the streets should be included in the Ordinance. Council informed Mr. Sharpless that Keystone could not be added to the Ordinance because trucks need access to the street to access the old Master Brand building. However a sign could be put on the street stating "No Thoroughfare".

***AMENDMENT TO LUMBER STREET***

**Council Member Adams made a motion seconded by Council Member Bucher to amend his motion by adding Renner Avenue. Motion carried unanimously.**

***AMENDED LUMBER STREET ORDINANCE***

**Council Member Adams made a motion seconded by Council Member Bucher, to adopt an Ordinance Prohibiting Motor Vehicles with a Gross Vehicle Weight of Twelve Thousand (12,000) Pounds [Six (6) Tons], Except for Local Residential Deliveries, from Operating or Traveling in and upon Lumber Street from South Queen Street to Talbot Street and Renner Avenue, by Amending Section 68-13.C. of the Littlestown Borough Code.** Council Vice President Mayers stated that this was a non-agenda item and asked for public comments. Mr. Sharpless thought it would be a good idea to contact the companies informing them of the newly adopted ordinance so they can inform the truck drivers. **Motion carried unanimously.**

***BOROUGH CONSULTANT  
JAMES SCHUMACHER***

**Council Member Westcott made a motion seconded by Council Member Bucher, to approve and direct Borough Consultant, Jim Schumacher to complete and submit a pre-application to USDA, Community Facilities Program for the Borough capital projects and to authorize the proper officers of Borough Council to sign the application and certification.** Council Vice President Mayers stated that this was a non-agenda item and asked for public comments and questions. No public comments were given. **Motion carried unanimously.**

**UNFINISHED BUSINESS**

***CCRC – MR. SMITH***

Council did not take any action on the CCRC since they did not have proper time to review the amendments and additions to the proposed Ordinance.

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***SHEETZ MAINTENANCE BOND***

**Council Member Adams made a motion seconded by Council Member Bateman, to approve the request from Sheetz to return original maintenance bond, bond no. 6657634 in the amount of \$41,706.90 to Sheetz. Council Vice President Mayers asked for comments or questions. Motion Carried unanimously.**

***BID OUT REMAINING WELLS TO***

**Council Member Bateman made a motion seconded by Council Member Adams, to approve an accelerated bid process for the remaining wells located at entry point 101, South Queen Street and entry point 102, Lumber Street.**

**REPORTS**

***MAYOR***

Mayor, James Eline reported that he had submitted his report earlier to Council and commended the Police Department

***CHIEF OF POLICE***

Chief, Kellar reported that he had submitted his report earlier to Council and he stated that an individual was stopped who was a fugitive out of Maryland and the Littlestown Police were able to take him into custody. There was also a daylight burglary on the 100 block of Lumber Street. Two individuals were arrested and the third individual has been identified and should be arrested tomorrow. The K2 drug is now on the drug list which means it is now illegal and anyone caught with it will be arrested.

***DIRECTOR OF PUBLIC WORKS***

Director of Public Works, Tim Topper reported that he had submitted his report earlier to Council and he informed Council that four wells will be up and running by the end of the week. It is the hopes by April 1, 2011 the fifth well should be up and running.

***BOROUGH ENGINEER***

Borough Engineer, Peggy Miller asked if Council was going to treat the two remaining projects that are being totally redesigned as an emergency or are they going through the bidding process. She needs this information because it will determine how the project manual documents get prepared.

Borough Solicitor White informed Council and Peggy Miller that he had a conversation with Council President Wheeler regarding the projects. It was Solicitors White understanding that Council President Wheeler was anticipating, giving the good faith and diligent work that the Borough has done to get into compliance, that the April 1, 2011 deadline would be extended.

***ACCELERATED BID ON THE REMAINING WELLS***

**Council Member Bateman made a motion seconded by Council Adams, to authorize HRG to start the bidding process for the two remaining wells, entry point 101 (South Queen) and entry point 102 (Lumber Street) with an accelerated bidding process. Council Vice President Mayers stated that this was a non-agenda**

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item and asked for public comments and questions. No public comments were given. **Motion carried unanimously.**

**REPORTS OF BOARDS AND COMMISSIONS**

**RECREATION BOARD**

***USE OF BALL FIELDS, MR. LACKEY***

**Council Member Adams made a motion seconded by Council Member Westcott, to approve the recommendation from the Recreation Board to allow Mr. Richard Lackey use of the following fields and times:**

- **Fields 1, 4, 5 and Maple Avenue on Mondays thru Fridays from 4pm to 8pm**
- **Fields 1, 4, 5 and Maple Avenue on Saturdays from 8am to 8pm**
- **Fields 1, 5 and Maple Avenue on Sundays from 12pm to 8pm**

Council Vice President Mayers stated that this was a non-agenda item and asked for public comments and questions. No public comments were given. **Motion carried unanimously.**

***APPOINTMENT TO THE RECREATION BOARD, PAT FELKER***

**Council Member Adams made a motion seconded by Council Member Westcott, to approve the recommendation from the Recreation Board to appoint Pat Felker to the Recreation Board for a term to expire 01/01/2012.** Council Vice President Mayers stated that this was a non-agenda item and asked for public comments and questions. No public comments were given. **Motion carried unanimously.**

***EASTER EGG HUNT, BARTS CHURCH***

**Council Member Bateman made a motion seconded by Council Member Adams, to approve the recommendation from the Recreation Board to approve the request from Bart's Church to hold their annual Easter Egg Hunt from 10am to 12pm on April 16, 2011 at the carnival field contingent upon the Borough Office receiving a certificate of insurance.** Council Vice President Mayers stated that this was a non-agenda item and asked for public comments and questions. No public comments were given. **Motion carried unanimously.**

***2011 POOL RATES***

**Council Member Bateman made a motion seconded by Council Member Westcott, not to increase the pool rates for 2011.** Council Vice President Mayers stated that this was a non-agenda item and asked for public comments and questions. No public comments were given. **Motion carried unanimously.**

**PLANNING COMMISSION**

***CCRC AMENDMENTS***

Council did not take action on the recommendation from the Planning Commission regarding the CCRC amendments because the Council

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has not had proper time to review the proposed ordinance, which includes the additions and amendments recommended by the Planning Commission.

***107 SOUTH QUEEN STREET***

**Council Member Bateman made a motion seconded by Council Member Adams, to approve the recommendation from the Planning Commission to approve 107 South Queen Street use of a non-conforming vacant lot for the use of parking area for their business under Chapter 800, Non-conforming Uses, Section 801.2 for a period of two years and come before Planning commission to ask for an extension. Council Vice President Mayers asked for comments or questions. Motion Carried unanimously.**

**RECESS FOR EXECUTIVE**

Council Vice President Mayers announced the public will be dismissed so that Council can recess for an executive session to discuss personnel issues.

The meeting was recessed at 9:27pm.

**RECONVENE**

Council Vice President Mayers reconvened the meeting at 10:12pm and the public was invited back in.

**ADJOURN**

Council Vice President Mayers adjourned the meeting at 10:13pm.

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Sandy Conrad  
Secretary/Treasurer

(SEAL)