

THE BOROUGH OF LITTLESTOWN
10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL MEETING ▪ APRIL 26, 2011

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CALL TO ORDER

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

ATTENDANCE

Council Members Present:

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

Additional Borough Representation:

Secretary/Treasurer Sandy Conrad
Directory of Public Works, Tim Topper
Chief Water/Sewer Operator, Chris Stroup
Borough Engineer, Peggy Miller
Borough Consultant, Jim Schumacher
Chief of Police, Charles Kellar

Others in Attendance:

Dan Cullison
Paul Sharpless
Rebecca Baugher
Richard Messinger
Clark Smith
Joyce Weatherly
Terry Moser
Dave Westcott
Karen Louey
Craig Paskoski, Evening Sun

POLICY AMENDMENTS

PUBLIC COMMENT POLICY

The Borough's current Public Comment Policy was amended to add the following to the end of paragraph 1:

“Public comment shall be requested, received, and limited to agenda items only at the beginning of each meeting, prior to any official public action or deliberation by Borough Council during such meeting. Public comment shall also be requested and received during the meeting prior to Borough Council's official public action relative to any non-agenda items/issues. An additional public comment period shall occur prior to adjournment of the meeting, during which public comment regarding agenda issues, non-agenda issues and other matters of concern will be requested and received.”

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Council Member Westcott made a motion seconded by Council Member Bucher, to approve the Public Comment Policy as amended. Motion carried 4-2 with Council Member Mayers and Council Member Bateman casting the opposing votes.

APPROVAL OF MINUTES

*APRIL 12, 2011
MEETING MINUTES*

Council Member Bateman made a motion seconded by Council Member Bucher, to waive the reading of the April 12, 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 \$112,052.12 for the dates of April 9, 2011 to April 19, 2011. Motion carried unanimously.

Council Member Bateman made a motion seconded by Council Member Bucher, to approve the Payroll disbursements for a total of \$17,883.63 from the period of April 9, 2011 to April 19, 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 April 19, 2011. Motion carried unanimously.

**APPROVAL OF FINANCIAL
STATEMENTS**

Council Member Bateman made a motion seconded by Council Member Bucher, to approve the financial statements for the month of March, 2011. Motion carried unanimously.

NEW BUSINESS

ISSUE WITH CHIMINEA'S

Council Member Bucher made a motion seconded by Council Member Mayers, to discuss the letter submitted by Ms. Smith regarding the issue with Chiminea's. Council President Wheeler asked for comments or questions. After discussion of the above chiminea's Council Member Westcott amended the motion seconded by Council Member Bucher, to add "that Council agrees with the letter from the Health and Safety Committee dated May 26, 2009, stating that no action or legislative relief to the request, "to ban recreational Burning", on the use of patio fireplace devices." Motion carried unanimously. Council President Wheeler asked for a motion on the current amended motion. Council Vice President Mayers made a motion to discuss the letter submitted by Ms. Smith regarding the issue with Chiminea's and that Council agrees with the letter from the Health and Safety Committee dated May 26, 2009, stating that no action or legislative relief will be taken to the request, "to ban recreational burning", on the use of patio fireplace devices. Council

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President Wheeler asked if there were any questions or comments.
Motion carried unanimously.

POLICE PENSION ORDINANCE
“DEATH BENEFITS”

Council Member Westcott made a motion seconded by Council Member Bateman, to direct Borough Solicitor White to advertise an Ordinance amending and supplementing the Borough of Littlestown Police Pension Plan Ordinance, Chapter 44 of the Littlestown Borough, and amending the Borough of Littlestown Police Pension Plan. Council President Wheeler asked if there were any questions or comments. Motion carried unanimously.

EBI CONSULTING

No action to be taken.

UNFINISHED BUSINESS

CCRC

Council Member Bateman made a motion seconded by Council Member Westcott, to direct Borough Solicitor White to advertise the draft CCRC amendments of the Littlestown Borough Zoning Ordinance for adoption at the May 24, 2011 meeting of Council. Council President Wheeler asked if there were any questions or comments. Mr. Cullison reviewed some changes that he would like to see to the amendment. Motion carried unanimously.

OTHER BUSINESS

PAUL SHARPLESS

Mr. Paul Sharpless gave a fifteen minute (15) presentation to Council regarding the website and some reports.

REPORTS

HRG

RESOLUTION – SEWAGE
FACILITIES PLAN

Council Member Mayers made a motion seconded by Council Member Bateman, to adopt a Resolution of the Borough Council of the Borough of Littlestown, Adams County, Pennsylvania, Adopting an Official Sewage Facilities Plan for the Borough of Littlestown. Council President Wheeler asked if there were any questions or comments. Motion carried unanimously.

ADDITIONAL SERVICES

Council Member Westcott made a motion seconded by Council Member Bateman, to approve additional services for the following:

- **Meadowview A & D Wells for replacement of two existing exterior doors on well house with new doors and Install new inspection window in an interior wall to permit the chlorination system to be viewed without entering the room with no increase in fee**
- **Meadowview A & D Wells for replacement of the HVAC equipment in chlorination room. Includes installation of new ventilation equipment, louvers for air intake**

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and exhaust, heating equipment, and necessary controls and to install new dehumidifiers in the existing buildings located at the Briarwood Well, Meadowview A & D Wells and Heritage Hills Well with an increase final design phase (section 1.4) of \$3,000.00 lump sum plus reimbursable expenses

- Wells #1 and #2 to extend construction of new piping to serve three (3) homes southeast of EP 101 approximately 450 feet from Well #2 to existing abandoned well house and connect to existing piping which requires the preparation of additional survey, base mapping and preliminary and final design plans with an increase preliminary design phase (Section 1.3) of \$1,550.00 lump sum plus reimbursable expenses and final design phase (Section 1.4 at no increase in fee

Council President Wheeler asked if there were any questions or comments. **Motion carried unanimously.**

LUMBER STREET AGREEMENT

Council Member Westcott made a motion seconded by Council Member Bateman, to enter into an agreement for professional services with Herbert, Rowland & Grubic to design, permit, bid and construct infrastructure (water, sanitary sewer, and roadway) improvements in Lumber Street from South Queen Street approximately 2,900 feet east to the end of Lumber Street with an estimated total of engineering fees for basic services to be \$98,675.00. Council President Wheeler asked if there were any questions or comments. **Motion carried unanimously.**

WASTEWATER TREATMENT PLANT

Council Member Adams made a motion seconded by Council Member Bateman, to enter into an agreement for professional services with Herbert, Rowland & Grubic to design, permit, bid and construct improvements to its wastewater treatment plant for compliance with nutrient removal requirements and to replace aging facilities with a total fee of \$372,300.00. Council President Wheeler state that this was a non-agenda item and asked for public questions or comments. **Motion carried 5-1 with Council Member Westcott casting the opposing vote.**

Council Member Bateman excused himself at 9:04pm from the meeting.

**REPORTS OF BOARDS
COMMITTEES AND
COMMISSIONS**

PLANNING COMMISSION

216 SOUTH QUEEN STREET

Council Member Bucher made a motion seconded by Council Member Adams, to approve the recommendation from the Planning

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Commission to approve this addition of a restaurant would need to extend the waiver on all three parking areas, based on the fact that it brings the property closer into compliance than currently exists and to approve the amendment to the motion to putting a time limit on putting a previous time limiting previous service for the parking lot at 216 South Queen Street, Linda Sandoval, with a limit of 2 years. Council President Wheeler asked if there were any questions or comments. **Motion carried unanimously.**

5 WEST KING STREET

Council Member Bucher made a motion seconded by Council Member Mayers, to approve the recommendation from the Planning Commission to approve Colleen Baylor at 5 West King Street, 1st Floor for a Veterinary Office under the provision of use by right as a medical facility for TCMU district and to open a business with occupancy when all conditions have been met for current laws. Council President Wheeler asked if there were any questions or comments. **Motion carried unanimously.**

235 LUMBER STREET

Council Member Bucher made a motion seconded by Council Member Adams, to approve the recommendation from the Planning Commission to approve a no-impact home based business pursuant to the Littlestown Borough Code Chapter 73, Article 700, Section 702.15, No-Impact Home-Based Business for 235 Lumber Street, Angie and William Haugh. Council President Wheeler asked if there were any questions or comments. **Motion carried unanimously.**

448 SOUTH COLUMBUS

Council Member Westcott made a motion seconded by Council Member Adams, to approve a recommendation from the Planning Commission to approve a no-impact home based business pursuant to the Littlestown Borough Code Chapter 73, Article 700, Section 702.15, No-Impact Home-Based Business for 448 South Columbus Avenue, Ryan Ruby. Council President Wheeler asked if there were any questions or comments. **Motion carried unanimously.**

RECREATION BOARD

CONCESSION STAND SHIRTS

Council Member Westcott made a motion seconded by Council Member Adams, to approve the recommendation from the Recreation Board to order the Concession Stand employees two shirts a piece. Council President Wheeler state that this was a non-agenda item and asked for public questions or comments. **Motion carried unanimously.**

REPAIR FIRE SUPPRESSION SYSTEM, HIRE ELIZABETH SNIVELY, AND ADVERTISE FOR LIFEGUARDS

Council Member Adams made a motion seconded by Council Member Bucher, to approve the following recommendations from the Recreation Board:

1. To approve to spend a maximum of \$2,500.00 in order to bring the fire suppression system up to 2011 code;

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2. To approve the hiring of Elisabeth Snively as a full time lifeguard at \$7.92/hr.;
3. To approve the additional advertisement for lifeguard positions in a local newspaper from May 12, 20011 thru May 18, 2011.

Council President Wheeler state that this was a non-agenda item and asked for public questions or comments. **Motion carried unanimously.**

RECESS

Council President Wheeler stated that the Council will recess for an executive session for personnel and potential litigation matters.

The Council recessed at 9:34pm.

RECONVENE

Council President Wheeler reconvened the meeting of Council and the public was invited back in.

Council reconvened at 9:58pm.

ADJOURN

Council President Wheeler adjourned the meeting at 10:00pm.

Sandy Conrad
Secretary/Treasurer

(SEAL)