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**THE BOROUGH OF LITTLESTOWN**  
**10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber**  
**BOROUGH COUNCIL MEETING ▪ APRIL 24, 2012**

**CALL TO ORDER**

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

**ATTENDANCE**

**Council Members Present:**

Council President Paul Sharpless  
Council Vice President Ron Baird  
Council Member Dave Wheeler  
Council Member Charlene Westcott  
Council Member Donald Bateman  
Council Member Betty Bucher  
Mayor James Eline, Sr.

**Additional Borough Representation:**

Borough Solicitor, Todd King  
Secretary/Treasurer Sandy Conrad  
Chief of Police/Borough Manager, Charles Kellar  
Chief Water/Sewer Operator, Chris Stroup  
Borough Engineer, Josh Fox  
Dan Simpson – Borough Auditor

**Additional Borough Representation Excused:**

Directory of Public Works, Tim Topper

**Borough Authority Members Present:**

Chairperson Karen Louey  
Authority Secretary/Treasurer Marilyn Zanger  
Authority Member Pam Snyder

**Borough Authority Members Excused:**

Authority Member Rick Adams  
Authority Member Dave Westcott

**Others in Attendance:**

Bryan Westfall  
Jess Haines, Gettysburg Times  
Harry McKean  
Steve Laughman  
William Sheely  
Scott Small  
Dale Werner  
Casey Deller  
Craig Paskoski, Evening Sun  
Fred Miller  
Terry Moser

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**APPROVAL OF MINUTES**

**MARCH 27, 2012**  
**MEETING MINUTES**

Council Member Bateman made a motion seconded by Council Member Bucher to waive the reading of the April 10, 2012 minutes and approve with the following correction:

- On page 880 under "Transfer Existing Funds, New Borough Accounts", second bullet, change "\$449,380.66" to \$49,380.66".

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, Pool, Water and Sewer Funds from April 5, 2012 through April 18, 2012 in the amount of \$13,598.71. Motion carried unanimously.

Council Member Bateman made a motion seconded by Council Member Bucher to approve the payroll from April 5, 2012 through April 18, 2012 in the amount of \$51,814.61. Motion carried unanimously.

Council Member Bateman made a motion seconded by Council Member Bucher to approve the Revenue and Expense report for March. Motion carried unanimously.

**NEW BUSINESS**

**ZACHARY DOM**

Borough Manager Kellar, introduced a young gentleman by the name of Zachary Dom who is on his way of becoming an Eagle Scout. Zachary had to do a project as part of becoming an Eagle Scout and his project he chose was to power wash the pavilions, bridges and to make any repairs necessary to them. The Borough Manager acknowledged Mr. Dom for his hard work and dedication.

**RESOLUTION FOR RELOCATION**  
**ASSISTANCE PLAN**

As part of the CDBG Grant the Borough Council will need to adopt an Antidisplacement and Relocation Assistance Plan Resolution. This purpose of this resolution is to relocate individuals who have been displaced due to a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1971.

Council Member Bateman made a motion seconded by Council Member Baird to adopt an Antidisplacement and Relocation Assistance Plan Resolution. Motion carried unanimously.

**2011 CDBG GRANT PROJECTS**

Council Member Bateman made a motion seconded by Council Member Westcott to approve the following projects for the 2011 CDBG Grant money, which is designated for Lumber Street:

- Sanitary Sewer Main and Related Work
- Storm Sewer Piping and Related Work
- Roadway Reconstruction and Related Work

Motion carried unanimously.

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**RECESS**

Council President Sharpless recessed the meeting of Council at 7:15pm to allow the Borough Authority to go into session.

**BOROUGH AUTHORITY**

The meeting of the Littlestown Borough Authority was call to order at 7:15pm with Authority Chairperson, Karen Louey presiding.

***CONTRACT 11-4 PAYMENT NO. 3***

**Authority Member Snyder made a motion seconded by Authority Secretary Zanger to approve Payment No. 3 to Fayetteville Contractors, Inc. in the amount of \$148,385.60. Motion carried unanimously.**

***ADJOURN***

**Authority Secretary Zanger made a motion seconded by Authority Member Snyder to adjourn the meeting of the Littlestown Borough Authority. Motion carried unanimously.**

The meeting of the Littlestown Borough Authority was adjourned at 7:17pm.

**RECONVENE**

Council President Sharpless reconvened the meeting of the Littlestown Borough Council at 7:17pm.

**NEW BUSINESS (Cont'd)**

***2012 CDBG GRANT***

**Council member Bateman made a motion seconded by Council Member Bucher to approve a sidewalk improvement project. Motion carried unanimously.**

***CONTRACT 11-4 PAYMENT NO. 3***

**Council Member Bateman made a motion seconded by Council Member Westcott to approve Payment No. 3 to Fayetteville Contractors, Inc. in the amount of \$148,385.60. Motion carried unanimously.**

***2011 AUDIT***

**Council Member Westcott made a motion seconded by Council Member Bateman to approve the 2011 Audit as presented. Motion carried unanimously.**

**OLD BUSINESS**

***ROYAL FARMS***

**Council Member Bateman made a motion seconded by Council Council Member Bucher to approve the Developers Approval Agreement between the Borough of Littlestown and Two Farms, Inc. (Royal Farms). Council President Sharpless stated that this was a non-agenda item and asked if there were any questions or comments. Council Member Wheeler asked why the Developers Approval Agreement was being presented this evening if the intention of Royal Farms is to submit an amended plan. Mr. Casey Deller, informed Council Member Wheeler that the only thing in the agreement that would have to be amended is the financial surety amount because the revised plan will call for no retaining wall and a smaller footprint of the store. Motion carried unanimously.**

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**Committee Meetings**

**Council member Wheeler made a motion seconded by Council Member Bateman to open for discussion the issue of advertising committee meetings. Motion carried unanimously.**

At the last council meeting a motion was made not to advertise committee meetings. The solicitor along with Council Member Wheeler informed the rest of the Council that according to the sunshine law committee meetings are to be advertised because there is deliberation that occurs at these meetings. Council President Sharpless also stated that he realizes now that the motion that was made at the last committee meeting was going against the law and sees the reason why committee meetings need to be advertised; however other council members did not feel the same way.

**Council Member Wheeler made a motion seconded by Council President Sharpless to rescind the following motion from the April 10, 2012 Council Meeting:**

**“Council Member Bateman made a motion seconded by Council Member Bucher not to advertise committee Meetings.”**

**Motion failed with a vote of 2-4 with Council Member Westcott, Council Member Bucher, Council Member Bateman and Council Vice President Baird casting the opposing votes.**

***RESOLUTION – PREVAILING WAGES***

Council Member Wheeler informed members of Council and the public that the purpose of the Resolution being presented is to eliminate prevailing wages.

**Council Member Wheeler made a motion seconded by Council Council Member Bateman to approve Resolution of the Borough of Littlestown Concerning Prevailing Wage Regulations. Motion carried with a vote of 5-1 with Council President Sharpless casting the opposing vote.**

***REC BOARD POLICIES***

**Council Member Westcott made a motion seconded by Council Member Bucher to approve the revised policies for the Pool, Concession Stand and Summer Rec Program and to approve the Chain of Command for the Pool and Concession Stand with the following amendment:**

- **Switch the Borough Manager with the Council President so the next one on the chain of command under the Rec Board President is the Borough Manager.**

**Motion carried unanimously.**

**REPORTS**

**Mayor**

Mayor, James Eline, Sr. informed Council that he turned in to the Borough Clerk \$265.00 in fines.

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**Chief of Police**

Chief of Police, Charles Kellar informed Council of the following:

- That there was an update on the County Radio Project. The program that is going through will be a couple years coming but it will also include public works. The radios will be provided by the County and there will two base stations. This is at no cost to the Borough.
- There have been no major incidents in the Borough.

**Borough Manager**

The Borough Manager, Charles Kellar informed Council of the following:

- The Donadio Agreement was sent to the Donadio's and they rejected the agreement, via email which stated that the agreement was not acceptable. He asked the solicitor to send the Donadio's a letter informing them that they are no longer allowed the use of the land.
- The Appler Well repair is completed. The original quote was \$14,000.00 a lot of the work we did ourselves and the final cost dropped down to \$6,000.00 however the final cost to repair the well was \$1,550.00.
- An emergency purchase was made which was a lawn mower because the engine in the Husqvarna mower went out, so a lawn mower was purchase in the amount of \$13,000.00. This will be paid out of the Edna Rec Park Fund. The mower was bought through costars.
- A trailer will now have to be purchased to haul the mower from location to location. This will reduce time and wear and tear on the mower because in order to get to each location the guys have to drive the mower on the streets. The cost for the trailer is around \$1900.00 which is through costars.

**Council Member Bateman made a motion seconded by Council Member Westcott to purchase a trailer with a cost not to exceed \$2,000.00 and the funds to be taken from the Edna Rec Park Account. Motion carried unanimously.**

- There are some serious problems with the Meadowview Lift Station which are being addressed. Hydromatic Sales came down who are the ones who originally installed the equipment and they are the authorized dealer. One of the pumps was able to be repaired enough to keep things running. The other pump was taken back to their shop to be rebuilt. Once that pump is completed then the other pump will be rebuilt. The major problems of these pumps are due to not being properly maintained.
- The Consultants, Stover Clark and John Kennedy submitted a \$8.5M dollar application to the PA Department of Environmental Protection on April 17th. The Next step is for DEP Project Specialist, Tera Schlupp, to schedule a consultation with Littlestown officials. Consultants are in contact with Ms. Schlupp and will advise the Borough Manager and Engineer of the consultant meeting. To further the likelihood of a successful Pennvest application, the consultants are developing an economic

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impact summary to substantiate the need for grants and/or low interest loans for the project.

**Director of Public Works**

Council President Sharpless stated that the Director of Public Works had been excused from the meeting this evening however a report had been submitted to Council.

**Code Enforcement Office**

Code Enforcement Officer, Bryan Westfall informed Council that there are a lot of grass violations which he is working on getting resolved.

**Borough Solicitor**

Solicitor Todd King informed Council that he had some items for executive session.

**Borough Engineer**

Borough Engineer, Josh Fox informed Council of the following:

**Contract 11-1 – Water System Improvements**

- DEP completed the required inspection of EP 102 on April 19, 2012. There were no concerns noted by DEP during the inspection.

**Contract 11-4 – Lumber Street Utility & Roadway Improvements**

- Work continues on site that generally includes the installation of sanitary sewer laterals and test pitting for identification of water mains. Additional unknown water mains were found at the intersection of Lumber Street and Maple Avenue.

**Wastewater Treatment Plant Upgrade**

- The 90 percent completed Contract documents were submitted to the Borough's WWTP Operator for review on April 10, 2012. The anticipated final documents are ready for Public Bidding on May 8, 2012.

***AUTHORIZATION FOR ADDITIONAL SERVICES***

**Council Member Bateman made a motion seconded by Council Member Bucher to approve the Authorization for Additional Services for the following:**

- **Stormwater Ordinance in the amount of \$600**
- **NPDES Permit Renewal in the amount of \$1,800**
- **WWTP BNR Upgrade Project in the amount of \$1,600**

**Motion carried unanimously.**

**Borough Consultant**

Borough Consultant, Jim Schumacher was not in attendance this evening but an email was received by him indicating that he had nothing to report.

**REPORTS OF BOARD  
COMMITTEES AND COMMISSIONS**

**RECREATION BOARD**

***ROLLING ACRES STORYTIME***

**Council Member Bateman made a motion seconded by Council Member Bucher to approve the recommendation from the Recreation Board to allow Rolling Acres Storytime program to be held on July 24, 2012 at the Community Pool from 7:00pm to 8:00pm at a flat fee of \$75.00 to cover the cost of pool entry. Council President Sharpless**

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

***CROUSE PARK – MUNICIPAL BAND***

Council Member Bateman made a motion seconded by Council Member Bucher to approve the recommendation from the Recreation Board to allow the Littlestown Area Municipal Band the use of Crouse Park in July of 2012 pending the actual date. Council President Sharpless stated that this was a non-agenda item and asked for public comments or questions. **Motion carried unanimously.**

***BASEBALL/SOFTBALL FOR YOUTH***

Council Member Bateman made a motion seconded by Council President Sharpless to approve the recommendation from the Recreation Board to reject the Littlestown Baseball/Softball for Youth's request to waive their \$100.00 field fee in exchange for field improvements. **Motion carried unanimously.**

***40" RESCUE TUBES &  
HIRE NEW LIFEGUARDS***

Council Member Bateman made a motion seconded by Council Member Bucher to approve the recommendation from the Recreation Board to purchase five 40" rescue tubes from elifeguard.com with the purchase not to exceed \$250.00 and to hire the following for the position of Lifeguard:

- Julia Antonelli – Full-Time at \$7.92/hr
- Jeannette Congdon – Full-Time at \$7.92/hr
- Garrick Lackey – Part-Time at \$7.92/hr
- Allysha Lockner – On-Call at \$7.92/hr

The above new hires must complete all necessary lifeguard certification requirements. **Motion carried unanimously.**

**CIVIL SERVICE COMMISSION**

***2012 ELIGIBILITY LIST  
CONDITIONAL OFFER  
PROCEED WITH PROCESS***

Council Member Westcott made a motion seconded by Council Member Bateman to approve the following recommendations from the Civil Service Commission:

- To certify the 2012 Eligibility list as Anthony R. Gilberto and Anthony J. Lupian;
- To offer Anthony R. Gilberto and Anthony J. Lupian a conditional offer of employment which consists of the appointees passing the Medical, Vision and Psychological Examinations as set forth in Section 506 and 509 of the Borough of Littlestown Civil Service Regulations;
- To direct the Borough Secretary/Treasurer, if both or either candidate reject the appointment as set forth in Section 508 of the Borough of Littlestown Civil Service Regulations, to start the creation of a new eligibility list and continue through the procedures according to the Civil Service Regulations until the final eligibility list is created.

**Motion carried unanimously.**

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**COMMUNITY RELATIONS COMMITTEE**

***CHRISTMAS AT THE SQUARE***

Council Member Bucher reported that Christmas at the Square is moving along there are the following fund raiser in place:

- On June 28, 2012 from 11am to 9pm at the Hoss's Restaurant in Gettysburg will donate a portion of their proceeds from everyone who eats at the restaurant between the above hours;
- On May 31, 2012 Texas Roadhouse in Hanover will donate portion of their proceeds from everyone who eats at the restaurant that day. No times have been established yet;
- There will be a Basket Bingo held on September 30, 2012 at the VFW with the doors opening at 2pm. Ticket purchased before the event will be \$12 and tickets purchased at the door will be \$15.

**FIRE PROTECTION COMMITTEE**

***MEETING WITH THE FIRE COMPANY***

Council Vice President Baird informed Council that there have been two successful meetings with the Alpha Fire Company regarding property for the new proposed fire company and ways that the Borough can help support the fire company. The fire company is looking at about 8 locations if they choose not to build at their current location. The Borough Manager at the last meeting held brought up the idea of making a deal with the fire company regarding the 5 ½ acres that Borough owns which is known as the Lawver Property located next to the Quarry. However, the financial aspect of the property if the fire company is interested would have to be worked out. Mr. Baird stated that it was discussed that the back water and sewer owed to the Borough can go to the fire company. Borough Secretary/Treasurer, Sandy Conrad informed Mr. Baird and Council that she would have to look into that because those funds are dedicated to the water and sewer and the law may not allow it.

**PERSONAL COMMITTEE**

***NON-UNIFORM HANDBOOK***

Council Member Bucher informed Council that the committee was working on the first draft of the Non-Uniform Handbook. Once it is completed a draft copy would be given to the full Council to review.

**UTILITIES/INFLOW & INFILTRATION**

***WATER SHUT OFF ORDINANCE***

Council discussed the pro's and con's of the water shut off ordinance and the attorney informed them that it was not a good idea to put such an ordinance in place because of all the legal ramifications that comes with shutting water off.

A majority of the Council Members indicated that they would be in favor of the water shut off ordinance.

***MONTHLY WATER/SEWER  
ORDINANCE***

Council Member Wheeler informed Council that by going to a monthly water/sewer billing could potentially reduce the number of liens. There would be no additional expense or work for the front office. This would

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save the Borough money because instead sending of out quarterly bills the office would sent out one bill which would list the monthly payments due. The meters would still be read every quarter and reviewed just as we do now and there would be reconciliation month where the resident would either owe a difference or have a credit. This would be similar to budget pay that some of the other utility companies provide.

**Council Member Wheeler made a motion seconded by Council Member Bateman to move forward the monthly water/sewer billing ordinance. Motion carried unanimously.**

**PUBLIC COMMENTS**

Mr. Terry Moser asked if anything was being done about the property across from the fire company that used to be an alley that the Borough vacated. Code Enforcement Officer, Westfall informed Mr. Moser that they would look into it.

Bryan Westfall asked Mr. Wheeler if he would be receiving interest from paying his bill monthly. Mr. Wheeler informed Mr. Westfall that this was being considered to benefit the residents. The Borough is not making any extra money off of the residents. The residents would be paying for their water/sewer usage as they use it. Council Member Westcott stated that the money is not being held in any escrow account so there is nothing returned. During the reconciliation period if there is a credit due then that credit would be applied to next year. She also stated that this is being considered to help some of the people that are struggle in a position where they have an affordable monthly payment instead of a large quarterly payment.

**RECESS**

Council President Sharpless recessed the meeting of the Littlestown Borough Council at 9:50pm for an executive session to discuss personnel and potential litigation.

**RECONVENE**

The meeting of the Littlestown Borough Council was reconvened at 10:55 pm and the public was invited back in.

***HRG AGREEMENT***

**Council Member Bateman made a motion seconded by Council Member Westcott to approve the Agreement for Professional Services between HRG and the Borough of Littlestown for the Wastewater Treatment Plant for compliance with nutrient removal requirements and to replace aging facilities in the amount of \$366,700.00. Motion carried unanimously.**

**ADJOURN**

Council President Sharpless adjourned the meeting of the Littlestown Borough Council at 10:56pm.

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**Sandy Conrad**  
**Secretary/Treasurer**

**(SEAL)**