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THE BOROUGH OF LITTLESTOWN
10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL MEETING ▪ SEPTEMBER 25, 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 Baird presiding.

ATTENDANCE

Council Members Present:

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

Borough Authority Member Present:

Authority Chair Karen Louey
Authority Member Chair David Westcott
Authority Member Pam Snyder

Borough Authority Members Excused:

Authority Sec/Treas. Marilyn Zanger

Additional Borough Representation:

Borough Solicitor, Todd King
Secretary/Treasurer, Sandy Conrad
Chief of Police/Borough Manager, Charles Kellar
Director of Public Works, Tim Topper
Borough Engineer, Josh Fox
Borough Consultant, Stover Clark

Others in Attendance:

Darlene and Donald Reed
Loretta Werner
William
Ernest Spamer
Steve Laughman
Raymond Werner
Terry Moser
JoAnn Rieder-King
Bill King
Bob Foy
Walt Simpson
Charlie Garver
Carol Bollinger
Neal Bollinger
Fred Miller
Adam Wolfe

MINUTES

**AUGUST 28, 2012 MEETING
MINUTES**

A motion was made by Council Vice President Bateman and seconded to waive the reading of the August 28, 2012 minutes and approve as written. Motion adopted.

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**SEPTEMBER 11, 2012 MEETING
MINUTES**

A motion was made by Council Vice President Bateman and seconded to waive the reading of the September 11, 2012 minutes and approve as written. Motion adopted.

**APPROVAL AND
PAYMENT OF BILLS**

ACCOUNTS PAYABLE

A motion was made by Council Vice President Bateman and seconded to approve the accounts payable for the General, Pool, Water and Sewer Funds from August 24, 2012 through September 5, 2012 in the amount of \$23,461.20. Motion adopted.

ACCOUNTS PAYABLE

A motion was made by Council Vice President Bateman and seconded to approve the accounts payable for the General, Pool, Water and Sewer Funds from September 6, 2012 through September 20, 2012 in the amount of \$47,423.49. Motion adopted.

PAYROLL

A motion was made by Council Vice President Bateman and seconded to approve the payroll from August 24, 2012 through September 5, 2012 in the amount of \$45,938.41. Motion adopted.

PAYROLL

A motion was made by Council Vice President Bateman and seconded to approve the payroll from September 6, 2012 through September 20, 2012 in the amount of \$41,262.21. Motion adopted.

**REVENUE & EXPENDITURE
REPORT**

A motion was made by Council Vice President Bateman and seconded to approve the Revenue and Expenditure Report for the month of August. Motion adopted.

REPORTS

Mayor

Mayor James Eline, Sr., turned over \$245.00 in fines to the Borough Clerk.

Chief of Police/Manager

Chief of Police/Borough Manager, Charles Kellar informed Council of the following:

- Royal Farms is reviewing their bids that were submitted for the store construction. The Borough is working with our solicitor to draft an agreement with Tevis Oil for an easement to allow for the installation of the traffic light.
- The Lumber Street Project is completed and the road has been reopened.
- The award announcements for the DCNR Park Grant should be announcement sometime in October.
- All repairs and upgrades have been completed to the Meadowview Lift Station.
- Sandy and I have been working with HRG and the Borough Consultants to answer any questions for the Pennvest application during the review process.

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- Met with the School District Administration in reference to the transfer of the School Crossing Guards. The school did suggest offering the Alpha Fire Company \$22,500.00 to perform the duties.
- The budget is on its way and the Finance Committee will need to set a meeting date for the week of October 1st to review the first draft.

RECESS

Council President Baird recessed the meeting of Council at 7:15pm for the meeting of the Borough Authority.

BOROUGH AUTHORITY

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

INTENT TO AWARD

A motion was made by Authority Member Westcott and seconded to authorize the Borough Engineer, Josh Fox to award the Intent to Award to TAH Construction, Inc., Lancaster PA in the amount of \$5,578,680.00 as the General Contractor for Contract 12-1; Swam Electric Co., Hanover PA in the amount of \$1,165,110.00 for Contract 12-1 and Davidson H.C. Co. Inc., Hanover PA in the amount of \$207,938.00 for Contract 12-1. Motion adopted.

PAYMENT NO. 8 CONTRACT 11-4

A motion was made by Authority Member Westcott and seconded to approve payment no. 8 to Fayetteville Contractors in the amount of \$546,960.56 for Contract 11-4. Motion adopted.

ADJOURN

A motion was made by Authority Member Snyder and seconded to adjourn the meeting of the Borough Authority. Motion adopted.

The meeting of the Littlestown Borough Authority was adjourned at 7:29pm.

RECONVENE

Council President Baird reconvened the meeting of the Littlestown Borough Council at 7:29pm.

NEW BUSINESS

INTENT TO AWARD

A motion was made by Council Vice President Bateman and seconded to authorize the Borough Engineer, Josh Fox to award the Intent to Award to TAH Construction, Inc., Lancaster PA in the amount of \$5,578,680.00 as the General Contractor for Contract 12-1; Swam Electric Co., Hanover PA in the amount of \$1,165,110.00 for Contract 12-1 and Davidson H.C. Co. Inc., Hanover PA in the amount of \$207,938.00 for Contract 12-1. Motion adopted.

PAYMENT NO. 8 CONTRACT 11-4

A motion was made by Council Vice President Bateman and seconded to approve payment no. 8 to Fayetteville Contractors in the amount of \$546,960.56 for Contract 11-4. Council President Baird stated that this was a non-agenda item and asked for Public Comment. Motion adopted.

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REPORTS (Cont'd)

Director of Public Works

Tim Topper reported that there was a rain event at the sewer plant due to 3.9 inches of rain and on August 22nd DEP performed an inspection at the WWTP and reviewed the drawings regarding the plant upgrade.

Code Enforcement Officer

Code Officer Westfall informed Council that he has been busy cleaning up the town.

Borough Engineer

Borough Engineer, Josh Fox updated Council of the following:

Contract 11-4 Lumber Street Utility & Roadway Improvements

On August 29th HRG received a claim for a 30-day time extension due to additional unsuitable bearing material replacement, and installation of additional curb and sidewalk. HRG after reviewing the claim made the recommendation to provide an 8-day time extension.

Wastewater Treatment Plant Upgrade

Bids were publically opened on September 7th via PennBid. HRG is in the process of reviewing each Bidder's solicitation for disadvantaged Business Enterprises as required by Pennvest.

Borough Solicitor

Solicitor King informed Council that Attorney Wolfe had contacted him regarding the Smith property behind Kennies. Attorney Wolf represents Clark Smith who owns the track of Land. Mr. Smith has contacted some CCRC contractors and he is interested in building an Assisted Living Community, however the current Ordinance requires that a skilled nursing facility has to be one of the facilities built. Mr. Wolfe is asking Council to consider an amendment to the Ordinance to only allow one of the facilities to be built.

COMMENDATION TO TOPPER

Mr. Spamer thanked Tim for his work that he did on Lumber regarding the project. He feels that he went over and beyond the call of duty and informed Council that he should be given a commendation.

Motion was made by Council Member Bucher to give a Tim Topper a commendation for his work performed on Lumber Street. Council President Baird stated that this was a non-agenda item and asked for Public Comment. **Motion approved 4-1 with Council Member Westcott casting the opposing vote.**

REPORTS OF BOARD
COMMITTEES AND COMMISSIONS

RECREATION BOARD

REQUEST FROM MR. BROWN
TO REFUND PAVILION FEE

Motion was made by Council Vice President Bateman and seconded to approve the recommendation from the Recreation Board not to refund the \$70.00 back to Mr. Brown based on that the contract states that there are to be no refunds. Motion adopted.

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CONCESSION STAND FOOD

Motion was made by Council Member Westcott and seconded to Donate the leftover food from the Concession Stand to the Band Boosters and if they are not interested then the food is to be used for the Borough Employees. Motion adopted.

TENNIS COURTS

Motion was made by Council Vice President Bateman and seconded to table the request from the Recreation Board regarding the moving forward with the repair of the Tennis Courts until the next Council Meeting to allow Mr. Topper to bring to Council more information . Motion adopted.

STREETS & TRANSPORTATION

LUMBER STREET SURVEY

Committee Chair Don Bateman informed the Council and Public that the survey from the September 6th meeting regarding Lumber Street were close. 45% of the residents voted to have the street one-way from South Queen Street to Walnut and 40% voted to keep the two-way traffic for the entire street. After hearing some concerns and opinions from the public the Streets and Transportation Committee decided not to make any recommendations to Council due to the fact that the Street will remain as is.

RECESS

Council President Baird recessed the meeting of the Littlestown Borough Council at 8:25pm for an executive session to discuss personnel and potential litigation.

RECONVENE

The meeting of the Littlestown Borough Council was reconvened at 9:00pm and the public was invited back in.

ADJOURN

A motion was made by Council Member Westcott and seconded to adjourn the meeting of the Littlestown Borough Council. Motion adopted.

The meeting was adjourned at 9:00pm.

Sandy Conrad
Secretary/Treasurer

(SEAL)