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THE BOROUGH OF LITTLESTOWN
10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL MEETING ▪ MARCH 25, 2014

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, Charlene Westcott
Council Member, Dave Wheeler
Council Member Betty Bucher
Council Member, Joyce Weatherly
Mayor, James Eline, Sr.

Council Members Excused:

Council Member, Paul Sharpless

Additional Borough Representation:

Secretary/Treasurer, Sandy Conrad
Chief of Police/Borough Manager, Charles Kellar
Tim Topper, Director of Public Works
Borough Engineer, Josh Fox
Borough Solicitor, Bob Campbell

Borough Authority Members Present:

Borough Authority Chair, Karen Louey
Borough Authority Vice-Chair, Dave Westcott
Borough Authority Secretary, Marilyn Zanger
Borough Authority Member, Richard Messinger
Borough Authority Member, Terry Moser

Others in Attendance:

Harry McKean
Clark Craumer (Sara Childs Plan)
David Koontz, Jr.
Bryan Westfall
Ronald Ecksard
Matt Meek
Lenny Lesago

MINUTES

***FEBRUARY 25, 2014 MEETING
MINUTES***

A motion was made by Council Member Bucher and seconded to waive the reading of the February 25, 2014 minutes and approve as written. Motion adopted.

**APPROVAL AND
PAYMENT OF BILLS**

ACCOUNTS PAYABLE

A motion was made by Council Member Bucher and seconded to approve the accounts payable for the General, Pool, Water and Sewer Funds from February 18, 2014 through March 20, 2014 in the amount of \$113,620.11. Motion adopted.

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PAYROLL

A motion was made by Council Member Bucher and seconded to approve the payroll from February 18, 2014 through March 20, 2014 in the amount of \$85,147.86. Motion adopted.

REVENUE & EXPENSE REPORT

A motion was made by Council Member Bucher and seconded to approve the Revenue and Expenditure report for February. Motion adopted.

UNFINISHED BUSINESS

WATER/SEWER TAPPING FEES

There was no action taken on this. Council directed the Secretary to put it on the April 8, 2014 agenda.

45/47 W. MYRTLE STREET

A motion was made by Council Member Bucher and seconded to approve the subdivision plan for 45/47 West Myrtle Street. Motion adopted.

CONFIDENTIALITY POLICY

There was no action taken on this since the review from the Labor Attorney was not completed.

NEW BUSINESS

AMERICAN TOWER LEASE

Borough Secretary Conrad informed Council that American Tower would like the Borough to do an extended long term lease. The information was presented before Council for them to read. The Lease Extension will be placed on the April 8, 2014 agenda.

***KRISTY WAGAMAN –
BOUNCE HOUSE REQUEST***

A motion was made by Council Vice-President Westcott and seconded to deny, based on liability issues, the request from Kristy Wagaman to have a Bounce House in the Community Park on May 4, 2014. Motion adopted.

***BARTS CENTENARY –
EASTER EVENT REQUEST***

A motion was made by Council Member Bucher and seconded to approve the request from Barts Centenary United Methodist Church to hold an Easter Event in Crouse Park on April 12, 2014 from 10am to 1pm contingent upon a certificate of liability insurance being received in the Borough Office before the event date. Motion adopted.

RECESS

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

BOROUGH AUTHORITY

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

PAYMENT NO. 14 - TAH

A motion was made by Borough Authority Vice-Chair Westcott and seconded to approve the Application of Payment, Payment No. 14 to T-A-H Construction for contract 12-1 in the amount of \$160,804.60. Motion adopted.

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PAYMENT NO. 13 - SWAM

A motion was made by Borough Authority Vice-Chair Westcott and seconded to approve the Application of Payment, Payment No. 13 to Swam Electric for contract 12-2 in the amount of \$44,703.68. Motion adopted.

ADJOURN

Borough Authority Vice-Chair Westcott made a motion to adjourn the meeting of the Littlestown Borough Authority. Motion adopted.

The meeting of the Littlestown Borough Authority was adjourned at 7:16pm.

RECONVENE

The meeting of the Littlestown Borough Council was reconvened at 7:16pm.

NEW BUSINESS

PAYMENT NO. 14 - TAH

A motion was made by Council Member Bucher and seconded to approve the Application of Payment, Payment No. 14 to T-A-H Construction for contract 12-1 in the amount of \$160,804.60. Motion adopted.

PAYMENT NO. 13 - SWAM

A motion was made by Council Member Bucher and seconded to approve the Application of Payment, Payment No. 13 to Swam Electric for contract 12-2 in the amount of \$44,703.68. Motion adopted.

NON-AGENDA

BOB FISHER – QUARRY PROPERTY

Borough Manager Kellar informed Council that HRG and himself have met with Mr. Fisher on several occasions to discuss the quarry property. Mr. Fisher is having a water study performed on the quarry to see if it would be feasible to update the quarry to produce the amount of water he will need for the Murphy Farm Development vs drilling a well. Either way the water source would be dedicated back to the Borough and put into their water source.

A few members of council did not like the idea of the quarry property being dedicated back to the Borough. The Murphy Farm Development would have to produce enough revenue to allot for the expenses that would come with it.

A few members of the public informed Council that either way the Borough would have the expense of either a well or the quarry. It was also noted that the study is not costing the Borough anything. All of the testing and upgrades would be paid for by the developer.

Josh Fox indicated that the process of the study is moving slow and Mr. Fisher is aware that it is his decision to move forward with the study. If he feels this is not going to be beneficial to him then he will discontinue with the study and the quarry property will remain unusable.

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A motion was made by Council Member Bucher and seconded to approve the Borough Engineering and the Borough Manager to continue the study with Mr. Fisher with the understanding that this is paid for by the Developer and Mr. Fisher is to be aware that Council will not stand behind this if the proposed development cannot produce enough revenue to financially support the production of the quarry. Council President Baird stated that this was a non-agenda item and asked for public comments. **Motion adopted.**

ADDITIONAL SERVICES – WWTP

A motion was made by Council Vice-President Westcott and seconded to approve the Authorization for Additional Services for the WWTP Resident Project Representation, Contract Administration, Project Management, and Financial Assistance with an amount not to exceed \$32,000.00. Council President Baird stated that this was a non-agenda item and asked for public comments. **Motion adopted.**

PLANNING COMMISSION

CHILDS – 325 W. MYRTLE ST.

A motion was made by Council Member Bucher and seconded to approve the recommendation from the Planning Commission approving the Sara Childs Final Minor Subdivision Plan for 325 West Myrtle Street contingent upon the review and approval of the deed description by the Borough Solicitor. Council President Baird stated that this was a non-agenda item and asked for public comments. **Motion adopted.**

KURT DUTTON, ESQ.
46 PENNSYLVANIA AVE

A motion was made by Council Member Bucher and seconded to approve the recommendation from the Planning Commission approving the No-Impact Home Business, which will be a law office, for Kurt Dutton, Esq at 46 Pennsylvania Ave. Council President Baird stated that this was a non-agenda item and asked for public comments. **Motion adopted.**

KYATIC TATTOO STUDIO
MOVE TO 103 S. QUEEN ST.

A motion was made by Council Member Bucher and seconded to approve the recommendation from the Planning Commission approving Kyatic Tattoo to move his business from 34 South Queen Street to 103 South Queen Street. Council President Baird stated that this was a non-agenda item and asked for public comments. **Motion adopted.**

MYRTLE LOUISE MUSEUM
14-16 S. QUEEN ST.

Members of Council were concerned with amending the zoning ordinance to allow museums as a use by right in the TCMU district because this could create properties becoming tax exempt which would result in loss revenue for the Borough.

A motion was made by Council Member Bucher and seconded to approve the recommendation from the Planning Commission to request County Planner Robert Thaeler to draft an amendment to the zoning ordinance to allow museums as a use by right in the TCMU district. **Motion died due to lack of second.**

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J&J CONSTRUCTION
MOVE TO 27 W. KING ST.

A motion was made by Council Member Bucher and seconded to approve the recommendation from the Planning Commission approving J & J Construction to move to 27 West King Street and that the property will continue as a mixed use structure. Council President Baird stated that this was a non-agenda item and asked for public comments. **Motion adopted.**

PUBLIC COMMENT

LEONARD LOSEGO

Mr. Losego came before Council with a concern of a high water/sewer bill. Mr. Losego was contacted by the Borough Office during the process of uploading the readings. The purpose of the call was to inform Mr. Losego that he had a very high usage reading. The Borough Crew met Mr. Losego at his rental property on Glenwyn drive and the found that his water softner was non-stop running. Mr. Losego could not understand why the bill was so high because he was informed by a few people in the real estate business that it was a closed loop system. Members of Council stated that the water had to go into a drain because if it was a closed looped system Mr. Losego would have experienced flooding in his house from the water softner.

Council President Baird asked Mr. Losego what it was he was seeking from Council. Mr. Losego wanted Council to help him with his bill by relieving some of the charges. The Council informed him that they were unable to do so because the water went through the meter and into the sewer system therefore he was responsible for the bill. The only thing that Council could do was work out a payment plan with him to get the bill paid off. Mr. Losego was instructed to contact the Borough Manager to work out a payment arrangement. Mr. Losego informed Council that he would be doing more research on the situation and he may be at the next meeting to discuss the matter further.

RECESS

Council President Baird recessed the meeting of the Littlestown Borough Council at 8:41pm.

RECONVENE

The meeting of the Littlestown Borough Council was reconvened at 9:12pm.

ADJOURN

With no further business the meeting of the Littlestown Borough Council was adjourned at 9:12pm.

Sandy Conrad
Secretary/Treasurer

(SEAL)