

THE BOROUGH OF LITTLESTOWN
10 South Queen Street ▪ Littlestown, PA 17340 ▪ Council Chamber
BOROUGH COUNCIL MEETING ▪ AUGUST 26, 2014

1096

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.

Additional Borough Representation:

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

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:

Suzanne Radcliffe
David Radcliffe
Robert Fischer
Leonard Loski
Dale Werner
Richard Schue
Harry McKean
Paul Deeffenbach
Paul Boggs
Dave Wallace
Fred Miller

MINUTES

***JULY 22, 2014 MEETING
MINUTES***

A motion was made by Council Vice President Westcott and seconded to waive the reading of the July 22, 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 July 18, 2014 through August 21, 2014 in the amount of \$151,874.09. Motion adopted.

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PAYROLL

A motion was made by Council Member Bucher and seconded to approve the payroll from July 18, 2014 through August 21, 2014 in the amount of \$135,545.61. Motion adopted.

REVENUE & EXPENSE REPORT

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

NEW BUSINESS

REQUEST FROM BETTY BUCHER

Ms. Betty Bucher spoke in regards to the Fire Company tearing down the old school building to build a new fire company. Her fear is that if the building is torn down then what kind of history will the town be leaving for future generations. Ms. Bucher is not against the Fire Company getting a new building but she would like them to reconsider tearing down the old school house and instead remodel the building so it can accommodate space for the Fire Company and a community center, as it once was for our local organizations.

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 7:18 p.m. with Borough Authority Chair, Louey presiding.

PAYMENT No. 19 - TAH

A motion was made by Borough Authority Vice-Chair Westcott and seconded to approve Payment Application No. 19 for contract 12-1 for an additional sum of \$50,727.88. Motion adopted.

PAYMENT No. 16 - SWAM

A motion was made by Borough Authority Vice-Chair Westcott and seconded to approve Payment Application No. 16 for contract 12-2 for an additional sum of \$24,052.00. Motion adopted.

FINAL PAYMENT - DAVIDSON

A motion was made by Borough Authority Vice-Chair Westcott and seconded to approve Application for Final Payment for contract 12-3 for an additional sum of \$32,716.11. Motion adopted.

CHANGE ORDER No.6 – SWAM

A motion was made by Borough Authority Vice-Chair Westcott and seconded to approve Change Order No. 6 to SWAM, for contract 12-2 for an increase to the contract in the amount of \$478.17. Motion adopted.

BOB FISCHER

Mr. Bob Fischer, a developer was inquiring to the status of the moratorium and when he may be able to start building. He has started a well however he does not want to proceed due to the costs involved if the moratorium is not going to be lifted anytime soon.

Borough Engineer, Josh Fox stated that there is a one year testing required by DEP to make sure that the plant is operating as it was designed to operate, however the Borough and the Authority is not subject to follow that time line when it comes to lifting the moratorium.

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Borough Authority Chair, Louey stated that she is not speaking for the whole Authority however she feels that an 8.5 million dollar upgrade to the plant should have at least a one year period of running before the moratorium is lifted. She does not want to risk lifting the moratorium to soon without knowing that the upgrades to the plant can handle and do what is was designed to do.

Mr. Fischer was informed that the moratorium may not be lifted until a year of testing has been performed.

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 7:38pm.

RECONVENE

The meeting of the Littlestown Borough Council was reconvened at 7:38pm.

NEW BUSINESS (Cont'd)

A motion was made by Council Member Bucher and seconded to approve the following:

PAYMENT No. 19 - TAH

Payment Application No. 19 for contract 12-1 for an additional sum of \$50,727.88;

PAYMENT No. 16 - SWAM

Payment Application No. 16 for contract 12-2 for an additional sum of \$24,052.00

FINAL PAYMENT - DAVIDSON

Application for Final Payment for contract 12-3 for an additional sum of \$32,716.11; and

CHANGE ORDER No.6 – SWAM

Change Order No. 6 to SWAM, for contract 12-2 for an increase to the contract in the amount of \$478.17

Motion Adopted.

UNFINISHED BUSINESS

COLONIAL COURT – LOT 27

This item was postponed until the next meeting due to a restriction on the deed in regards to the lot being designated for Recreation use. The Borough Solicitor will review the matter to make sure that if the lot can be sold and if the buyers would be able to purchase title insurance.

***REQUEST FROM DON LOVELL
WATER/SEWER BILL***

A motion was made by Council Vice President Westcott and seconded to deny the request from Don Lovell to reduce his water/sewer bill. Motion adopted.

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REPORTS

**BOROUGH SOLICITOR
DONALD SMITH PROPERTY**

A motion was made by Council Member Moser and seconded to direct the Borough Solicitor and Borough Engineer to proceed with a cost estimate for the Donald Smith Property located at Ocker Avenue extended. Council President Baird stated that this was a non-agenda item and asked from public comment. **Vote 5-1 Motion adopted with Council Member Wheeler casting the vote in opposition.**

REPORTS OF BOARDS

**PLANNING COMMISSION
5 S QUEEN ST BUSINESS**

A motion was made by Council Vice President Westcott and seconded to approve the recommendation from the Planning Commission to allow Gateau Monique Bakery to open at 5 South Queen Street. Council President Baird stated that this was a non-agenda item and asked from public comment. **Motion adopted.**

6 E KING ST BUSINESS

A motion was made by Council Vice President Westcott and seconded to approve the recommendation from the Planning Commission to allow 1st Choice Computer Solutions to open at 6 East King Street. Council President Baird stated that this was a non-agenda item and asked from public comment. **Motion adopted.**

410 N QUEEN ST BUSINESS

A Dollar General Store would like to open at 410 N. Queen Street, the old Wogans building. The Planning Commission had tabled any review until a site plan could be presented to the Planning Commission. The question arose as to why any of the businesses needed to go before the Planning Commission for approval. Borough Solicitor Todd King had stated that if the business falls within the Borough Code and Zoning then the Zoning Officer can issue the required permits. If there are issues or there it is a Land Subdivision Plan then it would either go to the Planning Commission or Zoning depending what the issue(s) are with the application.

The Zoning Officer was asked why he took it to the Planning Commission and he replied that is how it has always been done but if the Solicitor gives says to do it others wise then he will.

Council agreed that these businesses should not have to play the waiting game and if there are no issues with the submitted application and the business conforms to all of the Borough Codes and Zoning then there is no reason why the Zoning Officer should not be issuing the required permits. Council agreed that the change needed to be made to allow these businesses to get what they need to open in a more timely fashion.

RECESS

Council President Baird recessed the meeting of the Littlestown Borough Council for an executive session to discuss potential litigation.

The meeting was recessed at 8:42pm.

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RECONVENE

Council President Baird reconvened the meeting of the Littlestown Borough Council at 8:55pm.

ADJOURN

With no further business the meeting of the Littlestown Borough Council was adjourned at 8:55pm.

Sandy Conrad
Secretary/Treasurer
(SEAL)