

## **COUNCIL MEETING MINUTES SEPTEMBER 8, 2008**

President Edwin Peterson called the meeting to order at 7:30 PM with the following Councilors present: Ms. Holliday Giles, Mr. Theodore Streeter, Ms. Caroline Smith, Mr. Michael Birkner, Mr. John Butterfield, Ms. Susan Naugle, Mr. Robert Krummerich, Ms. Alice Estrada and Mayor William Troxell. Staff present included Manager John Lawver, Borough Secretary Sara Stull, Solicitor Harold Eastman, Chief Joseph Dougherty, Finance Director Ramona Overton and Planner Merry Bush.

Others present included Regina Campo and Jennifer Lucas, Gettysburg College, Wendy Heiges, 22 East Middle Street, Bob DeFayette, 100 King Street, Gene Golden, borough vent, Judie Butterfield, 999 Sunset Avenue, Kathy Gilbert, 39 South Street, Darlene Brown PICPI-ACHA, Chuck Teague, 125 East Middle Street and Josh Turner, 30 Bonnie Field Circle.

Representing the press were Scot Pitzer of the *Gettysburg Times*, Bill Schwartz, photographer with the *Gettysburg Times*

Moved Ms. Giles seconded Mr. Streeter to approve the agenda as presented. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. Streeter to approve the August 11, 2008 minutes as presented. Motion carried unanimously.

President Peterson announced an executive session was conducted following the Borough Council meeting held August 11<sup>th</sup>, 2008, consistent with section 708 (a)(1) of the sunshine act to discuss matters involving employment and conditions of employment of Borough employees.

Mayor Troxell introduced and welcomed Regina Campo and Jennifer Lucas of Gettysburg College. Mrs. Naugle thanked the women for their generous help in devising a personnel workshop with the borough administration and staff. She presented them with pictures from artist Wendy Weikel Heiges. Mrs. Naugle also thanked Mrs. Heiges for donating the pictures.

Citizens in attendance:

Mr. Gene Golden read a prepared statement addressing his concerns with Marilyn Phillips, a Disabled Activist. He witnessed her traveling up and down Chambersburg and York Streets, pointing to her assistant to measure at certain businesses for handicapped accessibility. Business owners became very upset and some even closed their doors for business. Mr. Golden holds Council responsible for allowing her to terrorize this town and feels they need to do something to protect the business owners and residents. He asked that Council hold a meeting of all interested parties to resolve these issues.

Mr. Peterson asked Mr. Golden if he has contacted the Borough office concerning these issues. Mr. Golden responded no.

Manager Lawver responded that Borough Council is aware of this matter and is working on resolving it but it's difficult with the ADA regulations. He pointed out there was a meeting held with representatives from PHRC, PHMC, NPS, Penn DOT, Attorneys and they continue to work together for solutions. Manager Lawver noted he has met with several business owners and continue taking calls to help explain the situation.

Ms. Kathy Gilbert expressed her concern also noting she would like to replace her porch on Chambersburg Street but unsure of because of the ADA regulations. She also noted she looks forward to serving on the Borough's new Recycling Committee with Judie Butterfield.

Mrs. Carol Miller expressed her concern about the borough and Penn DOT streets that need paved. She asked why the Borough can't pave after Labor Day. Mrs. Miller also asked if the Borough could paint yellow on the curbs along Hay Street due to ghost tour traffic parking in this area. She also requested a sign be placed on Hay Street delineating North and South.

Manager Lawver explained Penn DOT regulates paving and their requirement states paving can only be done April through October. Also the Borough no longer paints curbs because the Commonwealth doesn't acknowledge it. The yellow curbs on Chambersburg Street were done by Penn DOT when they installed the new traffic lights. Manager Lawver will follow up on the Hay Street signs.

Mayor Troxell announced the Gettysburg Police Department Management Review from the Governor's Center is complete and ready for Council to review. A meeting will be scheduled at a later date with the Governor's Office to review with Council.

Chief Dougherty reported he had requested this report from the Governor's Office last year for his department to help better understand what is needed to make his department better.

Ms. Estrada commented she read the report and it is a validation of a good department. She noted there wasn't anything glaring in this report.

Mrs. Naugle commended the Chief for taking a lead in this report and feels this is a clear blueprint of the police department.

Mr. Peterson announced the State Fireman's Convention will be held on September 24<sup>th</sup> through September 27<sup>th</sup>, with a parade on Saturday, September 27<sup>th</sup>.

Ms. Giles read a letter from Attorney Neva Stanger thanking Manager Lawver for all his hard work regarding ADA compliance issues. He has spent many hours on this and works with the area business's to help them understand the ADA regulations.

Ms. Estrada asked how people know what to do, that Ms. Smith spoke with someone who received a letter from Marilyn Phillips and wasn't sure what to do. Manager Lawver responded he has been fielding many calls from business owners and advises them on the ADA regulations.

Ms. Giles reported Main Street Gettysburg is willing to transfer the GRIP money to PICPI for administration to be used for Elm Street but will need a letter from Council advising them to do so.

Mr. Streeter reported he and Ms. Estrada attended a meeting in York where representatives introduced a pilot control on taxes. They discussed Payments in Lieu of Taxes which are federal payments to local governments that help offset losses in property taxes due to nontaxable Federal lands within their boundaries.

Mr. Streeter announced a Third Ward meeting is scheduled for Wednesday, October 15<sup>th</sup> at the Rec Park with the new Elm Street Director, Stephanie Calp.

Ms. Smith announced the College Community meeting will be held on Wednesday, October 1<sup>st</sup> at 6:00 pm in Council chambers.

Mr. Birkner announced the Transit Authority will hold a special meeting with all parties involved on Tuesday, September 23<sup>rd</sup> from 2 -5 pm at the Adams County Emergency Service Center.

Mr. Birkner reported REDDI has completed a building drawing and that Mr. Bill Monahan has presented it to PHMC for review.

Moved Mr. Birkner, seconded Mr. Streeter to approve HARB consent agenda as presented. Motion carried unanimously.

Moved Mr. Butterfield, seconded Mr. Birkner to approve Gettysburg Fire Department to hold a Fire Prevention Program on October 7, 2008 from 5:30 pm to 8:00 pm on the square at no cost upon completion of all required permits. Motion carried unanimously.

Mr. Butterfield reported the Civil Service Commission will begin the necessary process for the upcoming Police Sergeants exam.

Mr. Butterfield announced PLG will hold their annual Salsa Dance on Friday, October 3, 2008 from 6:00 pm to 10:30 pm. The Borough will provide trash receptacles.

Moved Mr. Butterfield, seconded Mrs. Naugle to enact an Ordinance of the Borough of Gettysburg Amending Chapter 1 of the Code of Ordinances Relating to the Administration and Government of the Borough of Gettysburg. Motion carried unanimously.

Mrs. Naugle reported she met with Attorney McQuaide and Andy Larson, GAIDA member, regarding the Gettysburg Area Industrial Development Authority and will continue to search for four candidates to serve on this five member board. They are currently reviewing the old GAIDA records that have been retrieved.

Mrs. Naugle reported she continues to search for candidates to serve on the open seats of all boards and commissions of the Borough.

Moved Ms. Giles, seconded Mr. Butterfield to appoint Dale Gettel, Borough Code Enforcement Officer, to fill the open seat of Beatrice Savage on the Gettysburg Historical Architectural Review Board (HARB) as inspector for the Borough. This term will expire in August 2012. Motion carried unanimously.

Mrs. Naugle noted there remains one open seat on HARB due to the resignation of Richard Clark, but the candidate must be a broker.

Mr. Krummerich reported any citizens that paid taxes to the York/Adams Tax Bureau may contact them to have it transferred to CENTAX.

Moved Mr. Krummerich, seconded Mr. Streeter to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Ms. Estrada asked for an update on the County Comprehensive Plan. Mr. Peterson responded no action has been taken yet. He will contact Dick Schmoyer, Adams County Planning for a follow up. Manager Lawver noted this was included on the grant writers list but that more than one municipality would be required to participate.

Moved Mr. Streeter, seconded Mr. Butterfield to release financial security in the amount of \$12,881.55 to WellSpan Health for the completion of required improvements in connection with the development and construction of a healthcare facility known as Gettysburg Ambulatory Surgical Center, West Street Plaza, Phase I, consistent with the certification of C.S. Davidson, Inc. dated August 29, 2008. Motion carried unanimously.

Solicitor Eastman introduced the proposed Rules and Regulations of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, regarding conduct of public meetings. Some discussion took place concerning the draft. Mr. Butterfield suggested anyone with comments should send them to Mr. Streeter for review with the AD Hoc Committee.

Solicitor Eastman will provide Council with information pertaining to the Loitering Ordinance at next month's Council meeting.

Manager Lawver reported the Waste Management garbage contract has been extended for one year expiring December 2009.

Manager Lawver reported H.R. Grey consultants will hold training on ADA regulations in council chambers to the borough highway department, Dale Gettel, CEO, Penn DOT, Cumberland Township, CS Davidson, GMA, Council and Solicitor Eastman. They will work with the highway department to review the handicapped areas throughout town.

Manager Lawver reported Penn DOT is scheduled to pave Hanover Street/Route 116 in 2009 and West Middle and Chambersburg Streets in 2010.

Moved Mr. Butterfield, seconded Mr. Streeter to accept the J. P. Harris tax exonerations for tax years 2005 & 2006 as presented. Motion carried unanimously.

Ms. Overton reported the CDBG funds for the PATH Program at The Center/El Centro was denied. She requested to have the \$10,000 transferred to be used for ADA regulations.

Ms. Naugle expressed her concern with the state decision to reject the PATH Program. Ms. Overton noted public service funds are to be used for new programs or expanding programs and that this program has been an on going program.

Moved Ms. Giles seconded Mr. Birkner to reallocate \$10,000 of CDBG funds from The Center/El Centro, Path Program to be used for ADA compliance. Motion carried unanimously.

Mr. Butterfield asked for an update regarding the two new police officers. Chief Dougherty reported all paperwork has been completed and forwarded to the state for approval and certification. The officers will begin their duties after certification is received.

With no further business to come before Council, moved Ms. Giles, seconded Mr. Butterfield to adjourn the meeting at 9:20 pm.

Respectfully submitted,

Sara L. Stull  
Borough Secretary