

COUNCIL MEETING MINUTES OCTOBER 9, 2006

President Streeter called the meeting to order at 7:30 PM with the following Councilors present: Mr. Jamie Fleet, Ms. Holly Giles, Mr. Bill Monahan, Mr. John Murphy, Mr. Dick Peterson, Mr. Marty Qually and Mayor William Troxell. Ms. Caroline Smith and Mr. Bob Miller were out of town. Staff present included Manager John Lawver, Borough Secretary Sara Stull, Solicitor Harry Eastman, Director of Planning Walter Powell, Parking Manager Bill Little and Finance Director Mona Overton.

Representing the press were Scot Pitzer of the *Gettysburg Times*, Missy Hofmann of the *Gettysburg Times*, Meg Bernhardt of the *Evening Sun*, Max Stevens with *WGET*

Moved Mr. Peterson, seconded Mr. Monahan to approve the agenda as presented. Motion carried unanimously.

Moved Mr. Monahan, seconded Ms. Giles to approve the council minutes of September 11th as presented. Motion carried unanimously.

Citizens in attendance:

Norris Flowers, Andrea Proulx and Stacey Fox with the Gettysburg Convention and Visitors Bureau were here to present a \$1,000 donation to Council towards the Train Station dedication.

Chuck Teague, Gettysburg Police Department Chaplain, SGT Doug McKinney, PFC Keith Stambaugh, Bea Savage, Code Enforcement Officer, Darlene Brown and Laura Northup, Adams County Housing Authority and Deb Small were here to observe the meeting.

Mayor Troxell announced Trick or Treat would be held on Tuesday, October 31st from 6-8 PM.

Mr. Streeter announced a budget workshop for Council would be held on Thursday, October 19th at 6:30 PM.

Moved Ms. Giles, seconded Mr. Qually to authorize the solicitor to advertise for enactment an ordinance amending the Regulated Rental Unit Occupancy Ordinance, Chapter 4, Part 3 of the Code of Ordinances. Motion carried unanimously.

Mr. Murphy honored Jay Schmitt who served on Borough Council for many years, died October 8th at the age of 93. Jay served as Borough Council Vice President and also as the finance chairman during his tenure on Council.

Mr. Murphy reported a borough flag was given to Councilman Qually's brother to take with him to Bagdad. When he returns the flag will be placed on display at the borough.

Moved Mr. Murphy, seconded Mr. Peterson to approve all bills and payrolls as presented. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Peterson to approve a 3.82% COLA, to retired police officer Fred Gantz to be paid from the police pension fund effective August 1, 2006. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Peterson to adopt Resolution naming John D. Lawver Jr., Borough Manager, the Chief Administrative Officer for the Gettysburg Police Pension Plan and the Gettysburg Non-Uniform Pension Plan. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Peterson to adopt 2006 budget adjustments as presented. Motion carried unanimously.

Mr. Murphy asked the status of the meeting held with Frank Leber, Bond Council. Mr. Monahan responded after a lengthy meeting it was determined a bond won't be needed for the REDDI project.

Mr. Murphy asked the status of the RFP's for the REDDI project. Mr. Monahan responded the RFP's should go out later in the week. He noted Council would have flexibility of choosing a contractor, not necessarily the low bidder.

Moved Mr. Peterson, seconded Mr. Murphy to approve HARB consent agenda as presented. Motion carried unanimously.

Moved Mr. Peterson, seconded Mr. Monahan to extend a conditional offer of employment as chief of police to Joseph F. Dougherty, subject to a finding by the Civil Service Commission that he is eligible for the position and subject to the terms and conditions set forth in the Borough Manager's letter dated October 3, 2006. Motion carried unanimously.

Mr. Streeter noted if all proper documents were in order would like having Joe Dougherty begin work on Monday, October 16th with his swearing in at 3:00 PM.

Moved Mr. Peterson, seconded Mr. Murphy to reappoint Dottie Fidler to the Shade Tree Commission for a five-year term, to expire in October 2011. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Monahan to authorize the release of the remaining financial security for the completion of required improvements for the Chapel Field Residential Development in the amount of \$1,507.00 pursuant to Section 509(j) of

the Pennsylvania Municipalities Planning Code consistent with the written certification of the Borough Engineers, C.S. Davidson, Inc., dated September 21, 2006. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Murphy to authorize the solicitor to advertise for enactment an ordinance amending the Gettysburg Borough Zoning Ordinance, Chapter 27 of the Code of Ordinances to allow residential development on certain subdivided lots without meeting dimensional requirements. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Murphy to authorize the solicitor to advertise for enactment an ordinance amending the Gettysburg Borough Subdivision and Land Development Ordinance, Chapter 22 of the Code of Ordinances regarding fees and to allow residential development on certain subdivided lots without meeting dimensional requirements. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Peterson to authorize the solicitor to advertise for enactment an ordinance amending the Gettysburg Borough Zoning Ordinance, Chapter 27, Part 18, Flexible Residential Option of the Code of Ordinances to designate the Gettysburg Borough Planning Commission as the official review and approval agency. Motion carried unanimously.

Moved Mr. Qually, seconded Ms. Giles to authorize the solicitor to advertise for enactment an ordinance amending the Gettysburg Borough Zoning Ordinance, Chapter 27 of the Code of Ordinances by amending the Gettysburg Borough Zoning map by changing the zoning district designation for certain land from the R-2 Moderate Density Residential District and the Industrial District to the RO Residential Office District. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Peterson to conduct a public hearing on Monday, November 13, 2006 at 7:00 PM relative to the proposed ordinances which, if enacted, would amend the Gettysburg Borough Zoning Ordinance, the Gettysburg Borough Zoning map and the Gettysburg Borough Subdivision and Land Development Ordinance consistent with the requirements of the Pennsylvania Municipalities Planning Code and to further authorize the solicitor to cause the proper public notices to be advertised in connection with said public hearing. Motion carried unanimously.

Solicitor Eastman informed Council they would need to schedule a public hearing relative to the application of Times Square II, LLC for a proposed planned residential development on East Water Street to be known as Penn Square Town homes. He has not seen the amended plans yet. Mr. Monahan asked why this is a concern. Solicitor Eastman explained the extension is for the developers that Council must approve. They may need to have another extension if it goes beyond the November 30th deadline.

Mr. Streeter announced a Public Hearing would be scheduled for Monday, November 27, 2006 at 3:00 PM pertaining to Kennie's Markets.

Moved Mr. Peterson, seconded Mr. Qually to accept the J. P. Harris tax exoneration report for 2002 as presented. Motion carried unanimously.

Ms. Stull reported the Second Ward polling place will be moved from Dunlap's Restaurant to the Seminary in the A.R. Wentz Library Building beginning on November 7, 2006 General Election.

Moved Mr. Qually, seconded Mr. Peterson to adopt a resolution authorizing the sale of certain real property situate in the Borough of Gettysburg at 117 Breckenridge Street to South Central Community Action Programs, Inc. for the development, rehabilitation and sale of the same to qualified persons for single-family home ownership for a low or moderate income family. Theodore H. Streeter, President of Borough Council and Sara L. Stull, Borough Secretary are hereby authorized to execute and deliver the Agreement of Sale and all settlement documents to include a deed of conveyance necessary to convey the aforesaid real property to South Central Community Action Programs, Inc. Motion carried unanimously.

With no further business, moved Mr. Monahan, seconded Mr. Murphy to adjourn the meeting at 9:15 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary