

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL BUSINESS MEETING MINUTES
JANUARY 10, 2022**

President Wesley Heyser called the meeting to order at 7:00 PM with the following **Councilors present:** Vice President Matthew Moon, Mr. Christopher Berger, Mrs. Judith Butterfield, and Mr. John Lawver. Ms. Patricia Lawson and Mr. Chad Carr were present via telecommunications. **Staff present included:** Mayor Rita Frealing; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Barley Snyder; Director of Historic & Environmental Preservation Debra English; Planning Director Carly Marshall; Finance Assistant Tammy Murdorf; Code Compliance Officer Peter Griffieon; Public Works Director Robert Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.; Police Chief Robert Glenn, and Parking Manager Rebecca Fissel were absent.

Others present included: Jill Sellers, President of Main Street Gettysburg; Melissa Vayda, 2205 North Second Street, Harrisburg; Colten Nelson, representing the United Lutheran Seminary, 61 Seminary Ridge; and David Sites, Sites Reality, 571 West Middle Street. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by *Community Media-ACCTV*.

President Wesley Heyser announced an executive session of the Borough Council of the Borough of Gettysburg was conducted following the adjournment of the January 3, 2022 organization meeting of the Borough Council, commencing at 5:30 PM, consistent with section 708(a)(4) and section 708(a)(5) of the Sunshine Act.

President Wesley Heyser announced an executive session of the Borough Council will be conducted immediately following the adjournment of this evening's meeting consistent with section 708(a)(1), section 708(a)(4) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, and the terms and conditions of employment, of current or prospective Borough employees; (2) to receive, review and discuss information in connection with issues on which identifiable complaints have been made or are expected to be filed; and (3) to review and discuss matters of Borough business which, if conducted in public, would violate a lawful privilege or could lead to the disclosure of information or matters of confidentiality protected by law.

Moved Mr. Moon seconded Mr. Lawver to approve the January 10, 2022 agenda as presented. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Berger to approve minutes of the Council Business Meeting of December 13, 2021 and Council Organization Meeting of January 3, 2022 as presented. Motion carried unanimously.

Public Comment (Restricted to Items on the Agenda)

Melissa Vayda, 2205 North Second Street, Harrisburg introduced herself and said that she was present regarding a motion on the agenda for a zoning text amendment that would allow vacation rentals in the Institutional District. She said that she has been working with the United Lutheran Seminary about opening a business on the campus.

Current and Old Business

Department of Planning /Zoning/Code

Planning Director Marshall announced that Forever Love Cat Rescue in Gettysburg will be hosting a community meeting on Saturday, January 22 at 1:30 PM in the Borough Council Chambers. They will discuss and answer questions regarding the Trap, Neuter and Release (TNR) Program.

Planning Director Marshall explained that the motion for a zoning text amendment is needed to allow for vacation rentals as a permitted use in the Institutional District which would include the United Lutheran Seminary. She said that the applicant is pursuing a lease for the Refectory building on the campus to open a catering business, gift shop and coffee shop on the first floor. The second floor currently has a vacant apartment that the applicant would like to convert to a vacation rental.

Moved Ms. Lawson seconded Mrs. Butterfield to accept the application of Melissa Vayda for a Zoning Text Amendment related to Vacation Rentals in the Institutional District. The vote passed 5 YEA/2 NAY with a roll call vote. YEA: Mrs. Butterfield, Mr. Carr, Ms. Lawson, Mr. Moon and Mr. Heyser. NAY: Mr. Berger and Mr. Lawver.

David Sites of Sites Reality said that he has been working with the United Lutheran Seminary to lease the Refectory building that was formerly leased by Stacey Biggerstaff who provided a catering service. He noted that Melissa Vayda would be working with the Seminary regarding her café business and that she plans to have it open for the public to use.

Melissa Vayda said that she would like to reinvigorate the Seminary Campus and has been working closely with them to develop a business plan utilizing the Refectory building. The plan is to open a café, gift shop and coffee shop on the first floor that would also serve the public. She said that the second floor plan is to utilize it as a vacation rental for overnight stays which could be used for guests, dignitaries or families visiting along with using it for weddings and community events.

Colten Nelson representing the United Lutheran Seminary said that they would like to have food service available on the campus; and that they are not planning to lease other buildings or dormitories but only the Refectory building.

Councilman Heyser expressed concerns that, even though the Seminary indicated that this is the only property they would change after the ordinance is amended to allow for vacation rentals, they could opt to make changes to other properties.

Councilman Berger said that he is okay with the café business plan but not for vacation rentals.

Councilman Carr said that the property is located on the Seminary Campus and that it should only be used for them and not open to the public.

Councilman Lawver said that he is not against the business project, but the Zoning Ordinance amendment would have affects on the entire Institutional District.

Planning Director Marshall pointed out that Council could limit the number of rentals within the Institutional District.

Department of Historic & Environmental Preservation

Director of Historic & Environmental Preservation English reported that HARB did not meet in December.

Public Works Department

Public Works Director Harbaugh gave the following report: the South Street Project continues to be on track with the storm drain and street lighting portion; GMA and Columbia Gas continue on High Street with both the water line and gas line replacements; public works crew continues to pick-up Christmas trees noting that trees should be place on the curb or in the alley and not on the streets. Residents can also take trees to the Borough shed or drop them off at the Recreation Park in the designated area.

Borough Engineer

Engineer Clabaugh gave a brief update on the South Street CDBG Curb and Sidewalk Improvements project stating that the construction contract bid opening will be held on January 18, 2022.

Moved Mr. Moon seconded Ms. Lawson to purchase the Garden Wall material for use on the South Street. Project from Hanover Architectural at an estimated cost of \$6,500. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Berger to authorize Clabaugh Excavating Inc. to construct the garden wall and close in the basement entry associated with the South Street. Project at their estimate of \$11,400. Motion carried unanimously.

Moved Mr. Berger seconded Mr. Moon to authorize the negotiation and completion of an agreement with Kenneth and Debbie Kauffman for the abandonment of the basement entry at 344 Washington Street. Motion carried unanimously.

Police Department

Manager Gable reported that the police department has been working on installing both the new Records Management System (CODY), and the electronic door system to their evidence rooms and to detective room that were approved in the 2022 Budget.

Office of the Manager/Treasurer/Secretary

Manager Gable reported that the Borough expects to end 2021 with a sizeable six-figure surplus once all figures are finalized. He noted that the 2021 revenues were reduced because of the pandemic but the income rebounded. The parking revenues increased and the lodging (pillow) tax was on par with pre-pandemic levels. Manager Gable pointed out that the surplus is not significant when compared to the Borough's total budget.

Councilman Carr asked if we received all overhead for 2021 for the police department. Manager Gable responded that the first pay of the year is 2021 pay rates so we don't have the final overtime rates at this time.

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

Moved Mr. Moon, seconded Mr. Lawver to accept the J. P. Harris Tax Exoneration report for tax year 2010 and 2011 as presented. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Berger to authorize a COLA increase for retired police pensioner Douglas McKinney, to be paid from the Police Pension Plan effective January 1, 2022. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Moon to adopt a resolution No. 011022-1 appointing Rodger Goodacre as a member of the Gettysburg Borough Zoning Hearing Board for a five (5) year term, commencing in January 2022 and expiring in January 2027. Motion carried unanimously.

Moved Mr. Berger seconded Mr. Lawver to adopt a resolution No. 011022-2 appointing Timothy Good as a member of the Gettysburg Municipal Authority for a five (5) year term, commencing in January 2022 and expiring in January 2027. Motion carried unanimously.

Moved Mr. Moon, seconded Mrs. Butterfield to appoint Rebecca Brown as an alternate member of the Gettysburg Borough Shade Tree Commission to complete the unexpired term of Richard Ezell expiring in October 2022. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Lawver to appoint Michael Malewicki as a member of the Gettysburg Borough Storm Water Authority for a five (5)year term, commencing in January 2022 and expiring in January 2027. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Lawver to appoint Tammy Murdorf as a representative to the York Adams Tax Bureau (YATB) and to appoint Lisa Angstadt as an alternate representative to the York Adams Tax Bureau. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Berger to appoint Tammy Murdorf as a voting delegate to the Adams County Tax Collection Committee (ACTCC) and to appoint Lisa Angstadt as an alternate voting delegate to the Adams County Tax Collection Committee. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Moon to adopt Resolution No. 011022-3 supporting the Pennsylvania Commission for the United States semi-quincentennial (AMERICA250PA). Motion carried unanimously.

Moved Mr. Moon, seconded Ms. Lawson to adopt a resolution No. 011022-4 appointing Kierstan Demps as an alternate member of the Gettysburg Borough Planning Commission for a four (4) year term, commencing in January 2022 and expiring in January 2026. Motion carried unanimously.

Liaison Reports

Main Street Gettysburg

President Sellers gave the following report: announced that they were designated as an official nonprofit organization for the US semi-quincentennial America250PA; researching funding options for the Baltimore Street project; working on year end reports and strategic planning; and noted that there were 1,462 volunteer hours recorded for 2021 to help with events and projects.

Gettysburg Municipal Authority (GMA)

Councilman Berger gave the following report: sewer rates will increase five percent; preparing a draft archeological easement agreement for property owners regarding the Interceptor Phase II Replacement project; Heritage Land Tank painting is complete and the contractors are working on the plumbing with pressure testing to follow; Utilities

Manager Mark Guise will attend the Borough Council Work Session to give updates on GMA projects.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Butterfield reported that the next BID meeting will be held on Thursday, January 13th and said that the BID asked if the Borough's Code Compliance Officer could attend.

Adams County Heroin Awareness Task Force

Councilman Moon reported that the next Task Force meeting will be held on Tuesday, January 18th.

Trail Feasibility Study

Councilman Berger reported that the trail feasibility study has been completed, but they are waiting for the National Park Service to complete their study.

Healthy Adams Bicycle Pedestrian Inc. (HABPI)

Councilwoman Lawson reported that they were awarded the Department of Community and Natural Resources (DCNR) Grant in the amount of \$252,500 for continued work on the Gettysburg Inner Loop bicycle-pedestrian trail.

Other Reports

Recycling Report

Councilwoman Butterfield reported that the Borough received the 904 Recycling Grant in the amount of \$ 9,999.45. She noted that Bicky Redman who assisted with the garbage hauler contracts and Cindy Sanderson who provided the solid waste booklets both recently retired from the Adams County Office of Planning and Development. The Borough appreciated the help that they both provided to the Borough over the years.

Gettysburg Fire Department Report

Councilman Heyser announced that Larry Weikert was appointed as the fire chief for the Gettysburg Fire Department.

Adams County EMS Report

Councilman Heyser announced that the new Executive Director Brian Wheeler will begin the first week in February. He lives in Carroll Valley and has been in Adams County since 1999, and retired in December 2017 as Fire Chief at Fort Detrick after 26.5

years of service. In March 2018, he accepted the Fire Chief's position for Susquehanna Area Regional Airport Authority in Harrisburg.

Elected Officials' Comments

Councilman Heyser expressed the importance of reviewing the Borough's Fire Codes this year noting recent apartment building fires in other areas.

Councilman Lawver noted that there are areas around town that have not cleared snow and ice from sidewalks. Manager Gable responded that the Code Compliance Officer worked on Saturday placing door hangers regarding snow and ice removal.

Councilman Carr said that he is excited to be part of this team and looks forward to working with Council and staff. He congratulated Mayor Frealing upon her appointment as the Mayor of Gettysburg.

Councilwoman Lawson said that the pandemic is far from over and that medical facilities are stretched to their limit. She expressed the importance of getting vaccinated, washing hands and being cautious during this public health crisis.

Mayor Frealing said that she has been busy meeting with the Borough Police Officers, National Park Service Superintendent, state representatives and was asked to serve on the Pennsylvania Municipal League Board. She said that she would like to meet with Councilors in their Wards to hear what issues the citizens may have. Mayor Frealing said that she has also planned to conduct monthly meetings with Chief Glenny, Manager Gable, and Council President Heyser.

Councilman Heyser noted that Council members held meetings in their respective Wards prior to the pandemic and would support restarting these meetings for citizens.

Public Comment

There was no public comment at this time.

Adjournment

Moved Mr. Moon, seconded Ms. Lawson to adjourn the meeting at 8:30 PM to an executive session. Motion carried unanimously.

Respectfully submitted,

Sara L. Stull
Borough Secretary