

**BOROUGH OF GETTYSBURG  
TROXELL COUNCIL CHAMBERS  
59 EAST HIGH STREET, GETTYSBURG, PA 17325  
COUNCIL BUSINESS MEETING MINUTES  
AUGUST 8, 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. Chad Carr. Ms. Patricia Lawson and Mr. John Lawver attended via telecommunications. **Staff present included:** Mayor Rita Frealing; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Barley Snyder; Police Chief Robert Glenn; Director of Historic & Environmental Preservation Debra English; Planning Director Carly Marshall; Planning Management Assistant Karen Mesher; Parking Manager Rebecca Fissel; and Public Works Director Robert Harbaugh. Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc. was absent.

**Others present included:** Wendy Flax, Office Administrator, Main Street Gettysburg; Timbrel Wallace, Board Chair for Main Street Gettysburg; Michelle Deverin, Area Public Sector Sales Manager and Jeff Latane, Director of Collection Operations, representing Waste Management of PA Inc.; Scott English, owner of 66-68 West High Street; Gary and Suzanne Casteel, 131 South Washington Street; and Bradley Kommeth, Adams County DES, 126 York 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 immediately following the adjournment of the July 26, 2022 work session consistent with section 708(a)(2) 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 monthly general business meeting consistent with section 708(a)(2), section 708(a)(4) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to provide informational updates and to discuss strategy related to the negotiation of a new collective bargaining agreement with the International Brotherhood of the Teamsters Local No. 776 for the Gettysburg Borough Police employees labor organization; (2) to receive, review and consider information and to discuss strategy 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, could lead to the disclosure of information or matters of confidentiality protected by law.

**Moved Mr. Moon seconded Mr. Carr to approve the August 8, 2022 agenda as presented. Motion carried unanimously.**

**Moved Mr. Moon seconded Mr. Carr to approve minutes of the Council Meeting of July 11, 2022; and Council Work Session on July 25, 2022 as presented. Motion carried unanimously.**

### **Special Presentations**

#### **Robert C. Hoffman Charitable Endowment Trust Grant Award**

**Timbrel Wallace, Main Street Gettysburg Board Chair, and Wendy Flax, Office Administrator** presented Borough Council with \$12,000 from a grant funded by the Robert C. Hoffman Charitable Endowment Trust. The grant was awarded for the proposed downtown visitor welcome center with public restrooms located on Baltimore Street. The funds are planned to assist with the architecture and design plans of the building.

#### **Waste Management of Pennsylvania**

**Michelle Deverin, Area Public Sector Sales Manager and Jeff Latane, Director of Collection Operations, who are representatives with Waste Management of PA, Inc.,** attended the meeting to present their rebuttals to the allegations reiterating the points addressed in a letter by Jeffrey Viola, Waste Management Assistant General Counsel. It was in regards to the notice of a contract breach letter that they received from Borough Officials dated July 28<sup>th</sup>.

Ms. Deverin said that the notice alleged that there was a failure in supplying garbage cans in a complete or timely manner noting that there was no specific time frame in the contract, but said that most requests by customers have been fulfilled. The notice also alleged that there was poor and incomplete communication, but noted that the company mailed Borough-wide welcome letters in which several hundred were returned due to address problems. Ms. Deverin noted that they have had some customer service failures, but has since tried to improve the situation by purchasing an address list from a third-party source. She also agreed that there have been missed pickups, but said that it resulted from driver shortages and customer address list. She said that the on-street Big Belly trash and recycling compactors were ordered when they were awarded the contract, but due to the supply chain they have not yet been received yet. Ms. Deverin said that they expect to have them later this month. She went on to say that customer complaints are down.

**President Wesley Heyser** said that Borough Council may seek new bids for a trash and recycling contract due to the poor performance and the many complaints by citizens,

but noted that he would rather not seek new bids because of the confusion it may lead among customers. He said that corrective action must be taken, but he does not have the confidence that Waste Management will do better. The contract was awarded during the Borough Council meeting on February 14, 2022, and garbage service began on April 1<sup>st</sup>.

Council members expressed their frustrations with the poor service given to the residents of the Borough. Council and staff have spent countless hours fielding calls and complaints from customers. The Big Bellies that were to arrive have not been delivered yet. Council members showed pictures of overflowing garbage cans in several locations and stated that this is unacceptable. There were numerous calls received from frustrated citizens about getting billed when garbage was not picked up, and incorrect billing rates, inability to get people in customer service or they were given the wrong information, their garbage cans were never delivered to them, and pickups were occurring before 7:00 AM as allowed by Borough Ordinance.

**Jeff Latane** stated that these issues are educational pieces for their workforce and pointed out that this is the first time he has heard about some of these issues, and that they will need to be discussed further with Waste Management officials.

**Councilman Berger** noted that Waste Management officials were invited to the March Electronic Device Recycling Event to see how the program is managed; but no one came which was disappointing.

**Councilwoman Butterfield** said that people are already signing up for the September 17<sup>th</sup> Electronic Device Recycling Event and hopes that Waste Management will be able to successfully manage it. Ms. Deverin asked Councilwoman Butterfield to contact her to review the details of the event.

#### **Public Comment (Restricted to Items on the Agenda)**

There were no public comments.

#### **Current and Old Business**

**Department of Historic & Environmental Preservation Director English** gave a brief update on the 1,884 Gettysburg Borough Storm Water Authority (GBSWA) bills that were mailed in mid-June, with a total amount due of \$515,250. The total received to date is \$381,513 with 566 bills remaining unpaid totaling \$123,737. She noted that the discount period ends on August 15<sup>th</sup>, and final bills are due by September 30<sup>th</sup> before the delinquent status begins on October 1<sup>st</sup>.

**Moved Mr. Moon seconded Mr. Berger to accept the recommendation of the Borough of Gettysburg Historic Architectural Review Board (HARB) following its**

review on July 20, 2022 and grant a Certificate of Appropriateness for the following application as presented: COA 220076 CRITICAL PROJECT: 12 Chambersburg Street – Open Minds to complete the traditional façade with a new arched stone entrance door and a new arched stone window using a new stone masonry veneer that will create a more formal entrance way and cohesive look that is similar to the Lincoln Square façade of Open Minds and is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide for Rehabilitation* as presented to the Board in the application dated July 5, 2022. Motion carried unanimously.

### **Parking Department**

**Parking Manager Fissel** reported that there are 51 Residential Parking Permits (RPP) issued to date, and noted that there are approximately 220 total permits. The deadline for RPP renewals is September 1<sup>st</sup>.

**Councilwoman Butterfield** said that she received a complaint about the twenty-minute parking spaces not giving people enough time to shop. She said that she spoke with representatives at the Gettysburg Area Retail Merchants Association (GARMA), and they want the Borough to continue with the twenty minute parking areas.

**Parking Manager Fissel** explained that the intent of the twenty-minute meters was to allow people to park for quick pickups at a restaurant or store.

### **Public Works Department**

**Public Works Director Harbaugh** gave the following updates: South Street Project has been completed; two manholes that need to be corrected will be completed as soon as the Gettysburg Municipal Authority (GMA) receives the manhole risers; routine maintenance work has been completed on Stevens Run; and crews are currently painting traffic lines, crosswalk lines, parking stall lines, and thermoplastic pavement markings.

### **Borough Engineer**

**President Heyser** in the absence of Chad Clabaugh reported that the South Street Project is 100% complete minus the administrative contract and Community Development Block Grant (CDBG) documentations. The contract was completed without any changes to the scope or cost of the project. The final payment to Mathews Construction will be paid when all final documents are received and approved.

**Moved Mr. Berger, seconded Mr. Moon to approve the application for payment #3-Final in the amount of \$44,660.15 to WYElectric, LLC in connection with the South Street CDBG Site Lighting project. Motion carried unanimously.**

## **Police Department**

**Chief Glenny** gave the following report: attended the PA Chiefs of Police Association Conference that was held in the Poconos in July, and said that he spoke with vendors about technology advancements and grants available for police officers; officers were dispatched to a reported robbery, but upon arrival learned that it was an altercation between the victim and suspects.

**Councilman Carr** offered his assistance in writing grants.

**Councilman Lawver** asked if there were any reported incidents regarding traffic on West Middle Street. Chief Glenny responded no, but that traffic accidents are up throughout the Borough.

## **Office of the Manager/Treasurer/Secretary**

**Manager Gable** gave the following report: Borough Tax Collector has scheduled lobby office hours during the month of August, which are posted in the lobby and on the Borough website at [www.gettysburgpa.gov](http://www.gettysburgpa.gov); PA Municipal League (PML) Conference is scheduled for October 6 to 9 in Pittsburgh; and PA State Association of Borough (PSAB) conference is scheduled for October 14-16. Manager Gable will make the reservations, so if interested in attending either conference members should let him know by the end of this month.

**Manager Gable** gave an update on the financial conditions of the Borough noting that we completed the 12-month Certificate of Deposit (CD) in the amount of \$79,0000 for each CD designated for the reserve account as approved for the fund balance policy. He reported that the general fund checking account has 3.238 million dollars with a total of all Borough fund accounts at 8.425 million dollars.

**Moved Mr. Moon seconded Ms. Lawson to accept all bills and payrolls as presented. Motion carried unanimously.**

**Moved Mr. Moon seconded Mr. Carr to approve the Minimum Municipal Obligation (MMO) for the Gettysburg Police Pension Plan in the amount of \$190,925 and the Non-Uniformed Pension Plan in the amount of \$104,668 for 2023. Motion carried unanimously.**

**Moved Mr. Moon seconded Mr. Carr to approve the 2022 Municipal Fire Box Maps as submitted by the Adams County Department of Emergency Services. Motion carried unanimously.**

**Bradley Kommeth, Adams County DES** said that the Adams County Department of Emergency Services created and approved the Fire Box Map that creates the order in which fire departments respond to emergencies first. He noted that there are minimal changes in the Borough.

**Moved Mr. Carr seconded Mr. Moon to authorize entry into and execution of a new four-year collective bargaining agreement, commencing on January 1, 2023 between the Borough of Gettysburg and the International Brotherhood of the Teamsters Local No. 776, labor union for the Gettysburg Borough full-time and regular part-time nonprofessional employees. Motion carried unanimously.**

**Moved Mr. Carr seconded Ms. Butterfield to authorize the solicitor to prepare an ordinance pursuant to Pennsylvania Act 172 of 2016, as amended, authorizing certain tax credits against tax liability imposed by the annual tax on real estate and the tax on earned income, as levied by the Borough of Gettysburg, as incentives for the use and benefit of certain individuals who qualify as active volunteers for the provision of fire protection services in the Borough by and through the Gettysburg Fire Department. Motion carried 6 YEA/ 1 Abstention with Councilman Heyser abstaining.**

**Councilman Heyser** noted that he is a volunteer firefighter and said that a tax credit would give volunteers an incentive to reside in the Borough.

**Moved Mr. Moon seconded Ms. Lawson to appoint Borough Manager Charles Gable as the voting delegate at the Pennsylvania Municipal League Leadership Summit on October 6-9, 2022. Motion carried unanimously.**

## **Reports**

### **Gettysburg Area Recreation Authority**

**Councilman Carr** gave the following report: recently purchased a tractor and golfcart; preparing application to the PA Department of Conservation and Natural Resources (DCNR) for a grant to be used for restrooms and playground equipment; and planning to hire a replacement for Steve Williams who plans to retire.

### **Gettysburg Municipal Authority**

**Councilman Berger** gave the following report: that the Cumberland Township's Planning Commission voted to recommend that the Township Supervisors not approve the proposed water tower at Herr's Ridge. It has created controversy and has been shut down by the Cumberland Township Supervisors voting no for the continuation. GMA is currently reviewing other options.

## **Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)**

**Councilwoman Butterfield** reported that there was no meeting scheduled in July, and during the upcoming August 11<sup>th</sup> meeting they will see the town guides new guided walking tour featuring Steinwehr Avenue. Members of the BID will gather in the morning to take the tour and then enjoy lunch graciously provided by the Dobbin House Restaurant, which will be followed by their regular meeting.

## **Adams County Boroughs Association (ACBA)**

**Mayor Frealing** announced that the remaining 2022 meetings for ACBA are scheduled for September 19<sup>th</sup> and November 21<sup>st</sup>.

## **Adams County Council of Governments (COG)**

**Councilwoman Butterfield** reported that there was no meeting in July, and that President David Bolton was at our Farmers Market on municipalities day to talk about what the Adams County Council of Governments (COG) has to offer. She reported that there was no meeting of the Collaboration Committee as everyone was on vacation except her.

## **Adams County Transportation Planning Organization (ACTPO)**

**Councilwoman Butterfield** gave the following report: ACTPO passed the Long Range Transportation Plan (LRTP), which identifies the County's long range transportation needs, and also lists the projected future funding allocations for highway, bridge, safety, and active transportation projects for the next 28 years; the 2023-26 Transportation Improvement Program (TIP) was passed at the last meeting shows an increased budget from 33 to 41 million and noted the bridge update that by changing a grade for a bridge from fair to poor increases eligibility for funding; and the Adams County Transit Authority report for May was 8850 trips and \$104K for gas.

## **Trail Feasibility Study**

**Councilman Berger** said that he spoke to Dennis Hickethier, Board Member of Healthy Adams Bicycle/Pedestrian Inc.(HABPI) for an update on the South Gettysburg Trail that begins at the Gettysburg National Military Park Visitor Center. He said that the cause for the trail delay is that the National Park Service (NPS) plans to complete a study at the location since this portion of the trail is located on NPS property.

## **Other Reports**

### **Recycling**

**Councilwoman Butterfield** reported that the next community Electronic Device turn-in for TVs, peripherals, and computers will be held on Saturday, September 17<sup>th</sup>. Borough residents interested can sign-up by contacting her directly at 717-337-0724 or on the Borough Website [www.gettysburgpa.gov](http://www.gettysburgpa.gov). She noted that her upcoming August newspaper article will focus on the electronic recycling event, and flyers will be placed at the Farmers Market and at the upcoming Night Out Event.

### **Elected Official's Comments**

**Mayor Rita Frealing** reported that she attended the PA State Mayors Association Conference held in Lancaster where she attended sessions regarding hiring police officers, police departments using drones, and applying for grants for police departments. She mentioned that *Gettysburg Connection Magazine* did a four-part series on an interview that they had with Chief Glenny.

**Councilman Carr** acknowledged Assistant Borough Manager/Borough Secretary Sara Stull for her service of 33 years with the Borough of Gettysburg.

### **Public Comment**

There were no public comments.

**Moved Mr. Lawver, seconded Mr. Moon to adjourn the meeting to an executive session at 8:50 PM. Motion carried unanimously.**

Respectfully submitted,

Sara L. Stull  
Borough Secretary