

**BOROUGH OF GETTYSBURG  
TROXELL COUNCIL CHAMBERS  
59 EAST HIGH STREET, GETTYSBURG, PA 17325  
COUNCIL BUSINESS MEETING MINUTES  
SEPTEMBER 12, 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, Mr. John Lawver, and Mr. Chad Carr. Ms. Patricia Lawson 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; Parking Manager Rebecca Fissel; and Public Works Director Robert Harbaugh. Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc. was absent.

**Others present included:** Jill Sellers, President of Main Street Gettysburg; Heather Laughman, Chair for Businesswomen Influencing Gettysburg (BIG); Scott English, owner 66-68 West High Street; Jean Green, 4 Straban Court; Muhammed Ashraf, owner of City Mart, 150 Carlisle Street; Ben Sites and Daniel Foy of GCSolutions, 2325 Ocracoke Island Ct. Chambersburg. 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 August 22, 2022 work session consistent with section 708(a)(1), section 708(a)(2), 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 monthly general business meeting consistent with section 708(a)(1), section 708(a)(2), section 708(a)(4) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the terms and conditions of employment, and the policies and procedures for complaints relating to Borough employees; (2) 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; (3) to receive and consider information relative to the implementation of the proposed Decision and Order entered by the Hearing Examiner of the Pennsylvania Labor Relations Board in Case No. PF-C-20-42-E, captioned Teamsters Local Union No. 776 v. Borough of Gettysburg; (4) to receive informational updates on pending grievances filed by Teamsters Local Union No. 776 on behalf of the Gettysburg Borough Police employees labor organization and to**

receive, review and consider information and to discuss strategy in connection with matters on which identifiable complaints have been made or are expected to be filed; and (5) 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. Berger to approve the September 12, 2022 agenda as presented. Motion carried unanimously.**

**Moved Mr. Berger seconded Mr. Moon to approve minutes of the Council Meeting of August 8, 2022; CDBG Public Hearing, Zoning Text Amendment Public Hearing and Special Meeting, and the Work Session on August 22, 2022 as presented. Motion carried unanimously.**

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

**Muhammed Ashraf, owner of City Mart, 150 Carlisle Street** expressed his frustration with the struggles he has had with the planning department to get permits for his business. He proposed to build a hotel and retail space but with ordinance requirements to have parking to the rear of his property is difficult for a small business.

**Ben Sites of GCSolutions, 2325 Ocracoke Island Ct., Chambersburg** said that they are investors and had planned to buy a duplex for a vacation rental, but the limit of only one use per property negatively affects his business. Denying small businesses, the opportunity to offer vacation rentals reduces the quality and quantity of visitors to Gettysburg.

**Heather Laughman, Chair for Businesswomen Influencing Gettysburg (BIG)** announced that plans continue for the Gettysburg Halloween Parade to take place on Tuesday, October 25<sup>th</sup> at 7:15 PM with a rain date of Thursday, October 27<sup>th</sup>.

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

##### **Department of Planning /Zoning/Code Enforcement**

**Planning Director Marshall** announced that the Planning Commission has rescheduled their September 19<sup>th</sup> meeting to September 26<sup>th</sup> due to not having a quorum available.

**Moved Mr. Moon, seconded Mr. Berger to enact a proposed Ordinance amending the text of the Gettysburg Borough Zoning Ordinance in order to revise and clarify definitions and use regulations relative to short-term lodging uses within the Borough of Gettysburg. Motion carried unanimously.**

**President Heyser** asked that the Planning Director read the definitions for clarification for everyone.

**Planning Director Marshall** read the following definitions:

**BED-AND-BREAKFAST USE:** The use of a single-family detached dwelling and/or accessory structure which includes the rental of transient lodging accommodations and bathroom access, with a maximum of 10 rooms, which does not provide any cooking facilities or the provision of meals for guests other than breakfast, and which use is operated by a person or persons who maintain a permanent residency on or at the property, parcel or lot where the use is conducted.

**INN:** A public accommodation that may or may not consist of a private dwelling, which contains 20 or fewer bedrooms, used for providing transient lodging accommodations and which does not provide any cooking facilities for guests.

**TT. Inn Use:** The use shall be operated by a person or persons who maintain a permanent residency on or at the property, parcel or lot where the use is conducted or who reside within a ten (10) mile radius of the facility, or alternatively, the inn shall provide on-site staff and employee presence at all times when guests are present at the facility.

**UU. Vacation Rental Use:** A vacation rental use shall be limited to only one such use per each property, parcel or lot.

**Solicitor Eastman** announced that the public hearing was held on August 22, 2022 authorizing the ordinance for intended enactment which was advertised on September 1, 2022 as required.

**Councilman Moon** responded to the public comments regarding the housing stock stating that the Borough of Gettysburg is a very small town with only a limited amount of housing available, and is not affordable to the 40 percent or more residents who are low income. He pointed out that many properties have been purchased by investors that are mostly from out of town to use as vacation rentals. He said that after hearing from constituents about the housing difficulties, Borough Council acted on the needs of the community which is Council's first concern.

## **Department of Historic & Environmental Preservation**

**Department of Historic & Environmental Preservation Director English** gave the following report: the Electronic Recycling Event will be held on Saturday, September 17<sup>th</sup>; and the Storm Water Authority 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 recommendations of the Borough of Gettysburg Historic Architectural Review Board (HARB) following its review on August 17, 2022 and grant Certificates of Appropriateness for the following applications as presented: COA 22-0054 MAJOR PROJECT: 225 York Street-Gettysburg SUNOCO Mini Mart – Ravi Singh and Carly Marshall, Code Enforcement to approve the lighting as submitted with the stipulation that hoods must be applied to all lighting fixtures and is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated July 5, 2022; COA-22-0080 MAJOR PROJECT: 100 Baltimore Street – Curt H. Grim to replace the existing wood windows with the divided Jeldwen clad wood window that replicate the current arched windows on the second floor and is consistent with the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated June 28, 2022; COA-220019 MAJOR PROJECT: 404 Baltimore Street – M. Glatfelter, Mr. G's Ice Cream to replace the existing asbestos roof system with a Woodland GAF roof system and retain all three dormers and is consistent with the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated August 15, 2022; COA-220084 MAJOR PROJECT: 29 Hanover Street – Dean G. Harner to replace the existing 5-V crimp style historic roof with 5-V crimp style roof with all accessories, flashings, and snowbirds, and is consistent with the Secretary of the Interior Guidelines and the *Gettysburg Design Guide* as presented to the Board in the application dated August 9, 2022; COA-220085 MAJOR PROJECT: 163 York Street – Twin Bridges Farm LLC to demolish the existing brick portico above the Open Minds' side entrance due to the brick separating from the building, and to restore the wall face using stucco at a reduced height to match the height of the building roof that is consistent with the Secretary of the Interior Guidelines and the *Gettysburg Design Guide* as presented to the Board in the application dated June 28, 2022. Motion carried unanimously.

**Councilman Lawver** asked what the status is on the burnt houses at 529 and 531 Baltimore Street due to a vehicle accident that occurred on March 1, 2021.

**Planning Director Marshal** responded that plans were submitted to HARB, but they made a change to the plans so the owners must resubmit.

### **Parking Department**

**Parking Manager Fissel** reported that with more people using the Parking Applications that the revenue has been reduced in the parking meters.

**Councilman Moon** said that he noticed that in Zone 20130 the thirty and sixty minutes were the same rate of \$1.35. **Parking Manager Fissel** responded that one-hour is the minimum and said that she will review the zone to make sure it is working properly.

## **Public Works Department**

**Public Works Director Harbaugh** gave the following report: preparing to pave Sheely Alley and Dobbin Alley, from South Street to Schimmelpfening Alley beginning the week of September 19<sup>th</sup> through the week of September 26<sup>th</sup>.

**Councilman Lawver** asked when the phone company would be removing the wires from the old unused Met Ed poles so that they could be removed. He asked if the Borough Solicitor should prepare a letter to the Public Utilities Commission about these unsafe poles.

**Public Works Director Harbaugh** responded that it is not only the phone company, but other utility companies that need to switch their lines to the new poles so that Met-Ed can remove the old poles. He said that new poles were placed on Middle, High and Washington Streets as well as other locations throughout the Borough that need old cables removed.

**Borough Council** agreed to authorize the Borough Solicitor to prepare a letter regarding the unsafe Met-Ed poles and send it to all utility companies that need to remove their cables. The Public Works Director will provide a list of the unsafe poles.

## **Borough Engineer**

**President Heyser** in the absence of Chad Clabaugh reported that Construction for South Street is 100% complete minus the administrative contract and the CDBG project closeout; the contract with Matthews Construction was in the amount of \$358,746.00 (based on estimated quantities). The only adjustment to cost was for the field measured step quantity (approved in AFP #2 in June) which added \$1,170.00 bringing the total contracted amount to \$359,916.00; previous applications for payments (#1, and #2) totaled \$243,988.50 leaving the amount of \$115,927.50 owed reflected in the motion; the only change order processed in the project was for updated Davis Bacon Wage Rates but had no effect on this project; a few minor modifications were made to the project which are reflected in the Field Order #1. These items did not constitute any change in contract price; all other contracts (with Wye Electric for the lighting, and Clear View Excavating for the storm drains) associated with the South Street Project have been closed out; and after this payment is made the South Street Project will be deemed finalized.

**Moved Mr. Berger seconded Mr. Lawver to Motion to approve the application for payment #3/Final in the amount of \$115,927.50 to Matthews Construction Services, LLC in connection with the South Street CDBG Curb and Sidewalk Improvements project. Motion carried unanimously.**

## **Police Department**

**Chief Glenn** gave the following report: he along with Officer Wenrich and Officer McDonald attended the Overdose Awareness Walk on August 31<sup>st</sup> and spoke about the police use of NARCAN and how it has significantly declined this year. He noted that both Officer Wenrich and Officer McDonald were acknowledged for NARCAN saves; due to the number of speeding complaints that the department had received he has assigned officers to provide speed checks periodically.

**Councilman Moon** suggested speeding checks on Fourth Street due to some complaints that were received.

**Council President Heyser** said that the motion for the Master Sergeant job description will be placed on hold until a few minor errors are corrected.

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

**Manager Gable** gave the following report: the general fund checking account has 2.3 million dollars with a total of all Borough fund accounts at 8.4 million dollars; pillow tax continues to level out; parking revenue is still strong; some staff members will be attending the PA Municipal League (PML) Conference scheduled for October 6<sup>th</sup> to 9<sup>th</sup> in Pittsburgh; and PA State Association of Borough (PSAB) Conference scheduled for October 14<sup>th</sup> to 16<sup>th</sup>.

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

**Moved Mr. Lawver seconded Mr. Moon to authorize a COLA increase for retired police pensioner Kevin Wilson, to be paid from the Police Pension Plan effective August 1, 2022. Motion carried unanimously.**

**Moved Mr. Moon seconded Mrs. Butterfield to adopt a Resolution appointing Caleb McClure as a member of the Gettysburg Borough Human Relations Commission to complete the unexpired term of Jay Eckman whose term on the Human Relations Commission will expire on April 15, 2024. Motion carried unanimously.**

## **Reports**

### **Main Street Gettysburg**

**Jill Sellers, President of Main Street Gettysburg** gave the following report: Gettysburg Christmas Festival – Events, activities, and sponsors are coming together;

Gettysburg College Discount ID Program – we worked with the Parent Relations Office to reboot this program. We confirmed participation with 45 local businesses and updated our website accordingly. Participating businesses will receive a window sticker from the college to indicate their participation. We appreciate the opportunity to continue this program and partnership with Gettysburg College; Brick Program – As of September 2, 2022, 97 bricks have been donated since installation last year. As of today, the total is 103. Deadline has been extended to September 30<sup>th</sup>. Installation is scheduled for Monday, November 7, 2022, with a rain date of Wednesday, November 9, 2022; Joint Seminar – On August 15, 2022, Jill met with Destination Gettysburg, Chamber of Commerce, and Adams County Economic Alliance to discuss partnering to present a seminar for businesses on preparation for recession. The group considered a webinar speaker, invitations, venue, and cost sharing. Main Street Gettysburg continues to develop this opportunity; and Gettysburg Area School District Traffic Control – Appreciation for the traffic directors on Baltimore and Lefever Streets.

### **Gettysburg Area Recreation Authority**

**Councilman Carr** gave the following report: Adams County Heritage Festival is scheduled for Sunday, September 18<sup>th</sup> from 12:00 PM to 4:00 PM; and a children's bicycle parade will take place at the Biser Fitness Trail at 1:00 PM with a participating child winning a bike.

### **Gettysburg Municipal Authority**

**Councilman Berger** gave the following report: Utilities Manager Mark Guise and Buchar Horn are contacting property owners to see if they are willing to have their well monitored during the aquifer test at the Andrew's Well; continue reviewing other options for the Herr's Ridge water tower; meeting with property owners regarding the needed easements to maintain the layout alignment of the Interceptor phase 2 project; and GMA would like to be included in discussions regarding the Baltimore Street Revitalization Project.

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

**Councilwoman Butterfield** gave the following report: the SAHGB knows which trash bins along Steinwehr Avenue are never used and which places need more or larger bins that continue to overflow; Marci Cropp, Treasurer for BID along with Attorney Todd King and Borough Solicitor Eastman continue to resolve the financial tax issue. Ms. Cropp reports the Borough is being very cooperative and recognized Finance Assistant Tammy Murdorf for her help.

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

**Mayor Frealing** reported that there was no meeting in August and 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** gave the following report: COG presentation was about how municipalities can prevent lawsuits, and must follow through with dealing with traffic issues that are created by the public.

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

**Councilwoman Butterfield** gave the following report: PennDOT grant availability was announced today which would include sidewalks, roads, bridges, streetscapes and noted that Baltimore Street probably would be eligible. She will get the application to Main Street and Public Works.

### **Overdose Awareness Task Force**

**Councilman Moon** gave the following report: attended the Adams County Farmers Market on Saturday, August 27<sup>th</sup> to distribute information and hand out NARCAN to citizens; Annual Overdose Awareness Memorial Walk will be held on Wednesday, August 31<sup>st</sup> from 5:00 PM to 9:00 PM beginning at the Adams County Courthouse and ending at the Gettysburg Area Recreation Park; and anyone interested in information or to receive NARCAN free for their home can contact him at [mmoon@gettysburgpa.gov](mailto:mmoon@gettysburgpa.gov). He pointed out that Opioid abuse affects people from all walks of life and that overdose on prescription drugs is at an all time high.

### **Trail Feasibility Study**

**Councilman Berger** said that there is nothing new to report at this time.

### **Healthy Adams Bicycle Pedestrian Inc. (HABPI)**

**Councilwoman Lawson** reported that HABPI paid to have a bike repair station installed at the Gettysburg Area Recreation Park to do minor repairs, and noted that GARA and the public works crew installed it.



## Other Reports

### Recycling

**Councilwoman Butterfield** reported that the electronic device turn-in for TVs, and computers will be held on Saturday, September 17<sup>th</sup> and that pre-registration is required; paper shredding event will be held on Friday, May 19, 2023. To register for these events, contact Mrs. Butterfield directly at 717-337-0724 or on the Borough Website [www.gettysburgpa.gov](http://www.gettysburgpa.gov).

### Elected Official's Comments

**Mayor Rita Frealing** reported that the Gettysburg College first-year walk went well; she plans to attend the Adams County Heritage Festival and will be the Grand Marshal of the children's bicycle parade; interacted with the Eisenhower Institute to help keep college students informed; and plans to meet with someone to discuss speeding concerns.

**Councilman Carr** announced that the Adams County Community Foundation's Annual Giving Spree will be held on November 3<sup>rd</sup> and encouraged everyone to support the local nonprofits at [ACCFGivingSpree.org](http://ACCFGivingSpree.org) and citizens and tourists expressed their disappointment that there has not been a New Year's Eve Celebration or fireworks, so anyone interested in helping to save the Gettysburg Borough's New Year's Eve Celebration can donate at [gettysburgalive.com](http://gettysburgalive.com).

**Councilwoman Butterfield** announced that the Trap Neuter Return (TRN) brochures have been printed for Forever Love Rescue with information about the feral cat program. She noted that an anonymous donor paid for the printing of the brochures.

**Councilwoman Butterfield** said that the Adams County Commissioners asked her to represent Adams County in the Southcentral Assembly that meets bi-monthly in Harrisburg. It would include a collaboration of eight counties and 215 municipalities that meet to discuss problems within the counties.

**Councilman Lawver** asked the status of the Radar Bill for municipalities to be able to use radar for speed enforcement and said that it's important for Council to support it. Police Chief Glenn responded that the Radar Bill did pass the senate in favor of the radar bill; but the State House has not taken action, and so it will be reintroduced at their next session.

## **Public Comment**

**Muhammed Ashraf, owner of City Mart, 150 Carlisle Street** said that he proposed to build a hotel and retail space, which would bring job opportunities with his plan, and said that he would like to be able to provide parking in front of his building and not to the rear. Mr. Ashraf said that Council needs to help small businesses stay in the Borough..

**Moved Mr. Lawver, seconded Mr. Moon to adjourn the meeting to an executive session at 8:35 PM. Motion carried unanimously.**

Respectfully submitted,

Sara L. Stull  
Borough Secretary