

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL BUSINESS MEETING MINUTES
DECEMBER 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, Ms. Patricia Lawson, Mr. John Lawver, and Mr. Chad Carr. **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 Glenny; Director of Historic & Environmental Preservation Debra English; Code Compliance Officer Peter Griffioen; Parking Manager Rebecca Fissel; Public Works Director Robert Harbaugh, and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc. Planning Director Carly Marshall was absent.

Others present included: Jill Sellers, President of Main Street Gettysburg and Scott English, owner 66-68 West High 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 will be conducted immediately following the adjournment of this evening's monthly general business meeting consistent with section 708(a)(1) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment and the terms, conditions and benefits of employment of Borough employees; and (2) 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. Lawver seconded Ms. Lawson to approve the December 12, 2022 agenda as presented. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to approve minutes of the Council Meeting of November 14, 2022 as presented. Motion carried unanimously.

Public Comment (Restricted to Items on the Agenda)

There were no public comments.

Current and Old Business

Department of Historic & Environmental Preservation

Moved Mr. Moon seconded Mr. Lawver to accept the recommendation of the Borough of Gettysburg Historic Architectural Review Board (HARB) following its review on November 16, 2022 and grant Certificates of Appropriateness for the following

applications as presented: COA 22-0111 MAJOR PROJECT: 313 N. Stratton Street – Regina G. Piper to approve the design only for the proposed new carport structure pending it must meet building code compliance as submitted and is consistent with the *Gettysburg Design Guide* as presented to the Board in the application dated October 7, 2022; COA-220112 CRITICAL PROJECT: 17 Chambersburg Street – Carl Yingling to approve the application as submitted to replace and repoint the deteriorating brick on the east side of the third floor wall and repaint the brick using brick paint that is consistent with the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated October 3, 2022; COA-220217 MAJOR PROJECT: 124 W. High Street – Alex and Lizbeth Amato to approve the application as submitted with the additional information for the proposed windows and door, and that the contemporary project is not precluded by the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated October 26, 2022; COA-220120 CRITICAL PROJECT: 4 SW Confederate Avenue – Ian and Ashley Miller 1) to demolish the free-standing garage/wood shed that is consistent with *Gettysburg Code of Ordinances/Gettysburg Historic District, the Secretary of the Interior Guidelines for Demolition*, and the *Gettysburg Design Guide* as presented to the Board in the application dated October 26, 2022; 2) to approve the application as submitted for the new garage construction design with additional information for the additional light fixture information to be provided to the Board that is consistent with the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* for new construction in the application dated October 26, 2022; 3) to approve the application as submitted for the new pool house construction with additional light fixture information to be provided to the Board that is consistent with the *Secretary of Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated October 26, 2022. Motion carried unanimously.

Parking Department

Parking Manager Fissel reported that Bryce Albert was recently hired as a part-time Parking Enforcement Officer and began work on November 29th.

Moved Mr. Carr, seconded Mr. Moon to enact an ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 4, Part 5 and Part 10 of the Code of Ordinances of the Borough of Gettysburg, for the purpose of updating the legal holidays on which payment for on street and off-street metered parking is excepted and for the purpose of updating the defined holidays in the Borough's Regulated Parking Permit System ordinance. Motion carried unanimously.

Public Works Director Harbaugh gave the following report: the crew continues to gather the large blocks used for recent parades and events; one more special event to prepare for on New Year's Eve; and leaf collection will continue throughout the remainder of this year.

Borough Engineer

Chad Clabaugh, Borough Engineer gave the following report: explained two grant opportunities that are available to apply for using federal funds noting that the application deadline is later this month. The funds will be used to repair failing pipes to include structures under Chambersburg Street and portions of the Stevens Run Tiber rehabilitation. He noted that the 50-percent share for the pipes project could reach \$1.8 million, but said that other grants are being investigated to help reduce the amount. The Steven Run repairs could reach \$4 million but the application is for \$500,000 to be applied to walls that the Borough owns. He said that this match would be 15-percent or \$75,000.

Moved Ms. Lawson seconded Mr. Moon authorizing the grant application submittal for the COVID-19 ARPA H2O GRANT to fund water resource components, including the Chambersburg Street Storm Pipe Replacement, of the Gettysburg Inner Loop Phase B project. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Berger authorizing the grant application submittal for the COVID-19 ARPA PA SMALL WATER AND SEWER GRANT to fund components of the Stevens Run Channel Wall Replacement and Rehabilitation project. Motion carried unanimously.

Police Department

Chief Glenn gave the following report: an arson behind Domino's Pizza on York Street and another located in Straban Township were handled well by the police department; a deer went through a window at the Blue and Gray Restaurant on Lincoln Square and the officers and public works crew were able to capture it and take it to a nearby farm. He noted that this occurred in the morning before the restaurant opened so there were no injuries.

Office of the Manager/Treasurer/Secretary

Manager Gable reported that there is currently \$2.2 million in the General Fund Checking Account.

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

Moved Mr. Carr seconded Mr. Lawver to approve the distribution of the Eichelberger-Stahle Funds to Borough residents as required and recommended. Motion carried unanimously.

Moved Mr. Berger seconded Mr. Lawver to authorize the Borough Manager, Chares R. Gable and the Borough Assistant Manager, Sara L. Stull, to transfer fund balance reserve money to the Pennsylvania Local Government Investment Trust (PLGIT) from the following governmental funds:

- **Fund 01** **General Fund**
- **Fund 18** **Capital Projects Fund**
- **Fund 30** **Capital Reserve Fund**
- **Fund 23** **Debt Services Fund**
- **Fund 40** **Revolving Loan Fund, and**
- **Fund 96** **American Rescue Plan Fund (ARPA).**

Motion carried unanimously.

Moved Mr. Moon seconded Mr. Carr to adopt a resolution appointing Christopher Berger as a member of the Gettysburg Municipal Authority for a five (5) year term, commencing in January 2023 and expiring in January 2028. Motion carried unanimously.

Moved Mr. Moon seconded Ms. Lawson to appoint Sarah Kipp as a member of the Gettysburg Borough Planning Commission for a four (4) year term, commencing in January 2023 and expiring in January 2027. Motion carried unanimously.

Moved Mr. Carr seconded Mr. Berger to adopt and authorize entry into a settlement agreement with Steinwehr Avenue Heart of Gettysburg, Inc. relative to the remittance of delinquent BID special assessments mistakenly paid to the Borough of Gettysburg by the Adams County Tax Claim Bureau and to authorize and ratify the application of \$9,705.92 from the Borough's General Fund and transfer of said amount to its Debt Service Fund for the payment in full of the remaining balance of the BID's PIB Loan and to authorize the payment to the BID from the General Fund of the amount of \$2,802.96 representing the remaining balance of the BID special assessments previously paid to the Borough in error. Motion carried unanimously.

Solicitor Eastman explained that the Adams County Tax Office will show on their reports submitted to the Borough of Gettysburg if there were any taxes collected for the Steinwehr BID.

President Heyser said that this is unusual to have this tax issue noting that there are not many municipalities that have a Business Improvement District.

Moved Mr. Moon seconded Ms. Lawson to adopt a resolution to authorize the entry into a reimbursement agreement and Memorandum of Understanding between the Borough of Gettysburg and the Commonwealth of Pennsylvania, Department of Transportation in connection with the Borough's grant application made pursuant to the Federal Lands Access Program (FLAP). Motion carried unanimously.

Moved Mr. Carr seconded Mr. Moon to enact 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 annual tax on earned income, as levied by the Borough of Gettysburg, as incentives for the use and benefit of certain individuals, who reside in the Borough and who are qualified and certified as active volunteers for the provision of fire protection services in the Borough, as provided by and through the Gettysburg Fire

Department. Motion carried 5 YEA with 2 Abstentions. Mr. Heyser and Mr. Lawver both abstained since they could benefit from this tax credit.

Councilman Carr said that he was pleased to have this incentive to keep people in the Borough to serve as volunteer fire personnel at the Gettysburg Fire Department.

Moved Mr. Berger seconded Mr. Moon to adopt a resolution for the purpose of establishing the annual criteria for a volunteer providing fire protection services in the Borough of Gettysburg to be certified as an active volunteer in order to claim certain tax credits against tax liability imposed by the annual tax on real estate and the annual tax on earned income, as levied by the Borough of Gettysburg, pursuant to the ordinance enacted by the Borough Council pursuant to Pennsylvania Act 172 of 2016, as amended. Motion carried 5 YEA with 2 Abstentions. Mr. Heyser and Mr. Lawver both abstained since they could benefit from this tax credit.

Moved Ms. Lawson seconded Mr. Moon to approve and authorize the Borough's entry into a Memorandum of Understanding with the Adams County Conservation District for the administration of the Pennsylvania Chapter 102 Erosion and Sediment Control rules and regulations to include the review of erosion and sediment control (E&S) plans and the administration of the National Pollutant Discharge Elimination System (NPDES) permit program. Wesley K. Heyser, President of the Borough Council and Sara L. Stull, Borough Secretary, are hereby authorized to sign, attest and deliver the proposed Memorandum of Understanding on behalf of the Borough of Gettysburg. Motion carried unanimously.

Moved Mr. Lawver seconded Mr. Carr to approve and adopt the proposed Gettysburg Borough Employee Transparency and Accountability Policy. Motion carried unanimously.

Moved Mr. Berger seconded Mr. Lawver to adopt a resolution for the purposes of setting, updating and confirming the Borough's fees and charges for the issuance of licenses, permits and the provision of municipal services in fiscal year 2023. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the General Fund in the amount of \$6,051,389 and an estimate of annual expenditures in the amount of \$6,051,389. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the Fire Protection Services Fund in the amount of \$125,000 and an estimate of annual expenditures in the amount of \$125,000. Motion carried unanimously.

Moved Mr. Lawver seconded Mr. Carr to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the

Community Development Block Grant (CDBG) Fund in the amount of \$261,599 and an estimate of annual expenditures in the amount of \$261,584. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the Capital Projects Fund in the amount of \$114,790 and an estimate of annual expenditures in the amount of \$613,740. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Berger to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the Debt Service Fund in the amount of \$639,435 and an estimate of annual expenditures in the amount of \$640,360. Motion carried unanimously.

Moved Mr. Carr seconded Ms. Lawson to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the Capital Reserve Fund in the amount of \$1,064 and an estimate of annual expenditures in the amount of \$192,650. Motion carried unanimously.

Moved Mr. Berger seconded Mr. Lawver to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the Liquid Fuels Fund in the amount of \$175,325 and an estimate of annual expenditures in the amount of \$87,050. Motion carried unanimously.

Moved Mr. Carr seconded Mr. Lawver to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues and receipts for the Revolving Loan Fund in the amount of \$17,600 and an estimate of annual expenditures in the amount of \$15,000. Motion carried unanimously.

Moved Mr. Carr seconded Mr. Berger to adopt the Borough of Gettysburg budget for fiscal year 2023 containing an estimate of annual revenues for the ARPA Fund in the amount of \$1,500 and an estimate of annual expenditures in the amount of \$749,000. Motion carried unanimously.

Moved Mr. Moon seconded Ms. Lawson to adopt a resolution fixing the tax rates of the Borough of Gettysburg for fiscal year 2023 at 4.1770 mills on each dollar of real estate assessed valuation for general Borough purposes, 30 mills on each dollar of occupational assessed valuation for general Borough purposes, and at 0.2500 mills on each dollar of real estate assessed valuation for fire protection services appropriations tax purposes. Motion carried unanimously.

Moved Mr. Lawver seconded Mr. Moon to set the first monthly general business meeting of the Borough Council for fiscal year 2023 on Monday, January 9, 2023 commencing at 7:00 p.m. and to authorize the provision of public notice for the business meeting. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Carr to set monthly general business meetings of the Borough Council for fiscal year 2023 commencing at 7:00 p.m. on the following dates, and to authorize the provision of public notice for the business meetings:

- Monday, January 9, 2023
- Monday, February 13, 2023
- Monday, March 13, 2023
- Monday, April 10, 2023
- Monday, May 8, 2023
- Monday, June 12, 2023
- Monday, July 10, 2023
- Monday, August 14, 2023
- Monday, September 11, 2023
- Tuesday, October 10, 2023
- Monday, November 13, 2023, and
- Monday, December 11, 2023.

Motion carried unanimously.

Moved Mr. Carr seconded Mr. Lawver to set monthly work session meetings of the Borough Council for fiscal year 2023 commencing at 7:00 p.m. on the following dates, and to authorize the provision of public notice for the work session meetings:

- Monday, January 23, 2023
- Monday, February 27, 2023
- Monday, March 27, 2023
- Monday, April 24, 2023
- Monday, May 22, 2023
- Monday, June 26, 2023
- Monday, July 24, 2023
- Monday, August 28, 2023
- Monday, September 25, 2023
- Monday, October 23, 2023, and
- Monday, November 27, 2023.

Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to set the fiscal year 2024 budget work session meetings of the Borough Council for fiscal year 2023 commencing at 7:00 p.m. on the following dates, and to authorize the provision of public notice for the budget work session meetings:

- Monday, October 16, 2023
- Monday, October 23, 2023
- Monday, October 30, 2023, and
- Monday, November 6, 2023.

Motion carried unanimously.

Reports

Main Street Gettysburg

Jill Sellers, President of Main Street Gettysburg gave the following report: **BID**—On behalf of the Steinwehr BID, thanks to the Council for resolving the back tax assessments; **A Gettysburg Christmas Festival**—thanks to our sponsors, partners, volunteers, and the Borough for helping us create a wonderful event to celebrate the holidays! Special thanks to: Borough Staff, Public Works, Parking Department, Police Department and the many volunteers; **Festival Gift Shop located at 340 Baltimore Street (Brown House)**—thanks to Public Works Director, Robert Harbaugh, for installing the decorations on the outside of the house. The shop was visited by over 1,000 visitors, supporting it as a festival fundraiser and providing information to the public about the future welcome center; and **Christmas in Gettysburg Movie**—Main Street Gettysburg coordinated with the producers to capture film during the festival, which will be incorporated into their movie. We identified highlights of the festival that would support the script. We look forward to further filming in the new year.

Councilman Heyser said that the Gettysburg Christmas Festival, was a great event and that many people local and tourist attended the festivities. He thanked everyone that worked hard to provide this nice event.

Councilwoman Lawson asked what type of film is taking place in Gettysburg.

Jill Sellers responded that it is an independent film so that they can promote Gettysburg and there are investors paying for the production. It will be a limited release and they also plan to have a theater release hopefully in Gettysburg as well as DVD's for the local shops.

Manager Gable reported that during the Christmas Festival the Racehorse Alley Parking Garage parking rates were increased from \$12 to \$15 on Saturday, December 3rd which yielded a record total of \$5,463. The three-day event totaled \$17,493 which included all parking revenues. He noted that the amount has doubled from the 2019 Christmas Festival.

Gettysburg Area Recreation Authority

Councilman Carr said that there was nothing new to report at this time.

Gettysburg Municipal Authority

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

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Butterfield said that there is no regular meeting in December; thanked Manager Gable for placing the beautiful photo of the lighted Christmas trees along Steinwehr Avenue on the front of tonight's agenda.

Adams County Boroughs Association (ACBA)

Mayor Frealing reported that the next meeting of ACBA will be held on Monday, January 16, 2023.

Adams County Council of Governments (COG)

Councilwoman Butterfield reported that Harlan Lawson of the Adams County Office of Planning and Development (ACOPD) provided a slide show that was presented to the Broadband Task Force to give basic concepts and terms for the broadband, and noted that there was a 65-percent voter turnout.

Adams County Transportation Planning Organization (ACTPO)

Councilwoman Butterfield said that they will conduct their meetings quarterly with the next meeting to be held on Thursday, January 26, 2023.

Healthy Adams Bicycle Pedestrian Inc. (HABPI)

Councilwoman Lawson said that HABPI has been busy with the proposed trail to gain access to the Adams County Historical Society located on the Biglerville road which is set to open their new facility in April 2023, and noted that the trail will not be completed at that time. She said that HABPI plans to request for PennDOT to lower the current speed limit of 40mph to 25mph.

Overdose Awareness Task Force

Councilman Moon said that there was no meeting held in December and that the next meeting is scheduled for Tuesday, January 17, 2023.

Trail Feasibility Study

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

Recycling

Councilwoman Butterfield gave the following report: Tiger Frennett, a Gettysburg College student, will be doing a class project; Christmas Tree pickup information will be featured in her December newspaper article and will be posted on the Borough Website; Adams County Home Coalition met and will be offering a low income tax credit program; Forever Love Rescue dropped off rack cards, and the outsourced billing has been going smoothly; and The South Central Assembly will meet on Monday, December 21, 2022.

Elected Official's Comments

Mayor Frealing said that she has been busy meeting with community leaders. She thanked Borough Council for adding two police officers in the 2023 Budget.

Councilman Lawver asked Solicitor Eastman for the status of drafting a letter to the Public Utilities Commission regarding the utility companies' removal of its old cables from the Met-Ed poles so that they can be removed.

Solicitor Eastman responded that he recently received the list of poles from the Public Works Director and will proceed with drafting a letter to the Public Utilities Commission.

Councilman Carr thanked Borough Council and staff as he wraps up his first year on Council and especially Councilman Moon for his guidance.

Council President Heyser announced that when his term ends December 2023 he will not be running for another term on Borough Council. We need members of the community to step up to serve on Borough Council and said that there is currently a good solid group of people that have worked well together. He said that his future plan is to get more involved with the Gettysburg Fire Department.

Public Comment

There were no public comments.

Moved Mr. Lawver, seconded Mr. Moon to adjourn the meeting to an executive session at 8:25 PM. Motion carried unanimously.

Respectfully submitted,



Sara L. Stull
Borough Secretary