

**BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
DUE TO COVID-19 PANDEMIC, MEETING
CONDUCTED VIA TELECOMMUNICATIONS
DEVICES THROUGH ZOOM PLATFORM
COUNCIL MEETING MINUTES
AUGUST 10, 2020**

President Jacob Schindel called the meeting to order at 7:00 PM and asked the Borough Secretary Sara Stull to conduct a roll call of Council members in attendance. The following **Councilors were present:** Mr. Christopher Berger, Ms. Patricia Lawson, Mr. John Lawver, Mr. Matthew Moon, and Mrs. Judith Butterfield. Vice President Wesley Heyser was absent. **Staff present included:** Mayor Theodore Streeter; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Puhl Eastman, and Thrasher; Parking Manager Rebecca Fissel; Planning Director Carly Marshall; Director of Historic & Environmental Preservation Debra English; Public Works Director Robert Harbaugh; Borough Intern Mike McHenry; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc. Police Chief Robert Glenney was absent.

Others present included: Deb Adamik, President of Main Street Gettysburg; John Buchheister, owner of The Maryland Sutler, 250 Baltimore Street; David Hann, 440 Clark Drive, Hammonton, NJ; Michelle Thomas, 1518 Old Harrisburg Road, Gettysburg; Kramer Hardman, 156 York Street, Apt 3; Jenine Weaver. Voices United in Gettysburg Adams County, 18 Sunnie Way; and Blessing Shahid, 54 East Stevens Street. Jim Hale representing the *Gettysburg Times*; and Mark Wherley, Community Media-ACCTV filming through Zoom platform.

President Schindel opened the meeting and announced that President Trump is considering the Gettysburg National Military Park as the venue to deliver his Republican National Convention speech on August 27th.

President Schindel announced that an executive session of the Borough Council of the Borough of Gettysburg was conducted immediately prior to the July 13, 2020 Council general business meeting, beginning at 6:30 PM, consistent with sections 708(a)(1), 708(a)(4) and 708(a)(5) of the Sunshine Act.

President Schindel announced that an executive session of the Borough Council was conducted immediately following the July 27, 2020 Council work session consistent with sections 708(a)(1), 708(a)(4) and 708(a)(5) of the Sunshine Act.

President Schindel announced that an executive session of the Borough Council will be held immediately following the adjournment of this evening's general business meeting consistent with sections 708(a)(1), 708(a)(4) and 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the appointment, termination or reinstatement of employment, the terms and conditions of

employment, the promotion or demotion, and the possible furloughing or laying off of current Borough employees due to the financial impact upon the Borough of the COVID-19 disaster emergency; (2) to provide and consider information in connection with the Court's decision entered in the appeal filed in the Commonwealth Court of Pennsylvania to Docket No. 1460 CD 2019 captioned Borough of Gettysburg v. International Brotherhood of Teamsters Local Union No. 776, Police Labor Organization; (3) to provide and consider information in connection with issues upon which identifiable complaints are expected to be filed; and (4) to review and discuss matters of Borough business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or matters of confidentiality protected by law.

Moved Ms. Lawson, seconded Mr. Lawver to approve the August 10, 2020 agenda as presented. Motion carried unanimously 6-to-0 by roll call vote. Mr. Schindel noted that he would abstain from votes pertaining to his property.

Moved Mrs. Butterfield, seconded Ms. Lawson to approve minutes of the Council Meeting on July 13, 2020 and Council Work Session on July 27, 2020 as presented. Motion carried unanimously 6-to-0 by roll call vote.

Public Comment

John Buchheister, owner of The Maryland Sutler, 250 Baltimore Street asked Council to bring the full parade route back for the Remembrance Day Parade instead of the shortened route. The reduced route has been used since 2017 but would pose pandemic concerns with the packed parade route with spectators. He pointed out that the former full route passed through Lincoln Square and down Baltimore Street, which was the same route that President Abraham Lincoln used when he processed to the cemetery for the dedication.

David Hann, 440 Clark Drive, Hammonton, New Jersey is a parade sponsor of the Sons of Union Veterans of the Civil War, and expressed his concerns regarding the shorter parade route that creates a "nightmare" for the large number of uniformed reenactors who take part in the parade. He urged Council to consider returning to the full parade route instead of the shortened route.

Michelle Thomas, 1518 Old Harrisburg Road, said that "two white racists pointed their pistols in my son's face," when a fight occurred on July 4th. He did not instigate the fight, and she felt that it was a hate crime. Ms. Thomas expressed her frustration that the District Attorney did not do more, and that it only resulted in disorderly and harassment charges. She felt that he is "trying to sweep it under the carpet".

Kramer Hardman, 156 York Street, Apt 3 expressed his concerns with how the recent protesting events have been managed. He said that the anti-racism protesters have been antagonized by the counter-protesters during demonstrations on Lincoln Square. Mr. Hardman urged Council to take the first step and consider establishing a community task force to address racism.

Blessing Shahid, 54 East Stevens Street said that she moved to Gettysburg from Philadelphia five years ago for a better life and education for her young son, but instead he was subjected to racist comments in kindergarten. She said that for a historic town, Gettysburg has done little to preserve black history. Ms. Shahid pointed out that this was the first year that Juneteenth Day was celebrated, which is a holiday celebrating emancipation.

Current and Old Business

Department of Planning Department/Zoning/Code Enforcement

Moved Mr. Berger, seconded Mrs. Butterfield to authorize the setting of a public hearing of the Borough Council to be held on Monday, September 28, 2020, at 6:30 PM and to authorize the provision of public notice of the hearing consistent with section 609 of the Pennsylvania Municipalities Planning Code relative to proposed amendments to the text of the Gettysburg Borough Zoning Ordinance in connection with the regulation of nonconforming buildings, structures and uses, and the amendment of general and supplemental zoning ordinance provisions regulating building setbacks and lot requirements. Motion carried unanimously 6-to-0 by roll call vote.

Moved Mr. Berger, seconded Mr. Moon to authorize the setting of a public hearing of the Borough Council to be held on Monday, September 28, 2020, at 6:45 PM and to authorize the provision of public notice of the hearing consistent with section 609 of the Pennsylvania Municipalities Planning Code relative to proposed amendments to the text of the Gettysburg Borough Zoning Ordinance in connection with the regulations for apartment conversions of existing buildings constructed subsequent to October 13, 1975 and a reduction of the minimum lot area requirement for apartment conversions pursuant to section 27-1502 of the Zoning Ordinance; and minimum habitable floor area requirements. Motion carried unanimously 6-to-0 by roll call vote.

Department of Historic & Environmental Preservation

Department of Historic & Environmental Preservation Director English reported that a \$600 grant for training was received from the Certified Local Government for Historic Restoration. The training will include four HARB members and two Borough staff.

Moved Mrs. Butterfield, seconded Mr. Lawver to re-appoint Gary Shaffer to the Gettysburg Historical Architectural Review Board for a five-year term, expiring in August 2025. Motion carried unanimously 6-to-0 by roll call vote.

Moved Ms. Lawson, seconded Mr. Lawver to re-appoint Joan Hodges to the Gettysburg Historical Architectural Review Board for a five-year term, expiring in August 2025. Motion carried unanimously 6-to-0 by roll call vote.

Moved Ms. Lawson, seconded Mr. Moon to accept the recommendation of the Borough of Gettysburg Historic Architectural Review Board (HARB) following its review on July 15, 2020 and grant Certificates of Appropriateness for the following application as presented: COA-20-0033, 110 Chambersburg Street – Philip B. Schindel for the complete rehabilitation of the existing 2-story block garage to a carriage-style exterior for commercial use to the rear of 110 Chambersburg Street as presented in the application dated June 25, 2020 pending the approval of all zoning requirement changes; COA-20-0053, 303 S. Washington Street– Lois Edwards for replacement of existing dilapidated fence and wood retaining wall with new picket wood fence and stone block retaining wall as presented in application dated June 17, 2020; COA-20-0043, 250 Buford Avenue – Mike Torrao Dr. Mark Rarrick for replacement of rolled roof system with architectural shingles gray in color as presented in the application dated May 11, 2020; and COA-20-0024, 9-17 York Street ISAM LLC/Linda Atiyeh for installation of the six (6) first-floor globe lights on the front façade at 11 York Street for Lu Lu’s Finest Ice Cream shop but denied the 13 gooseneck lights pending further information on the number, size and spacing as presented in the application dated June 24, 2020. A roll call vote was taken, and the motion carried 5-to-0 with President Schindel abstaining from the vote.

Parking Department

Parking Manager Fissel gave the following report: 26 Local Privilege Parking (LPP) Permits sold to date; Residential Parking Permits (RPP) are due September 1st and that 21 permits have been renewed to date; and 13 reserved parking space signs were purchased for the Parking Garage.

Public Works Department

Public Works Director Harbaugh gave the following report: Stevens Run Wall Project is complete, except for the pending emergency DEP permit by CS Davidson; second public parklet located on York Street for Nerd Herd should be completed this week; landscaping on Broadway will begin mid-September through mid-October for final completion of this project; continue to prepare trail at Rec Park to begin paving later in August; and street line painting is scheduled to begin this week.

Borough Engineer

Borough Engineer Chad Clabaugh gave the following report: the attorney for the Presbyterian Church recorded a new deed which lists all of the parcel/tracts contiguous with the church; notice to proceed was received for the CDBG Curb Ramp Project with the expected start date of August 6th; preconstruction meeting was held for the Race Horse

Alley Parking Garage maintenance and they began work on August 3rd; and the 5-year Street Maintenance Plan will be limited due to budget constraints from the COVID-19 Pandemic, with a concise report to include plan options will be presented at an upcoming Council meeting.

Office of the Manager/Treasurer/Secretary

Manager Gable gave the following report: the 2020 Census is still ongoing with door-to-door visitation to begin for people that did not respond to the mailings; and COVID-19 emergency zero-interest loan program has granted \$54,000 to 18 local businesses with each receiving \$3,000.

Manager Gable gave the following financial update: the Borough will have received 88% of budget for real estate tax Revenue by the end of July due to the extended payment deadlines; EIT Tax collections are up approximately \$7,000 over last year and LST Tax collections are only \$4,600 behind noting that next week will be critical to see what comes in from employers since it will include the months of April and May in which the greatest job losses occurred; admission tax was hard hit with some businesses not reopening which could result in a possible revenue loss of \$80,000 to \$100,000, noting the Majestic Theater is closed and was a large source of this revenue stream; there is a slight drop in fines received due to the stoppage of issuing parking tickets; pillow tax that is designated for police services was the hardest hit sector of revenue projecting 45%-50% of this revenue stream in 2020 which would be a loss of \$80,000-\$90,000, noting that Gettysburg College has closed the Gettysburg Hotel to convert it to student housing; and parking is anticipated to have an annual loss around 45% or \$425,000.

Manager Gable noted that the Borough, by court order, is currently carrying an extra police officer that was not budgeted, and that legal bills continue adding up surrounding this situation. He said that, if this is not remedied in the next couple months, the 2021 budget will begin in a deeper hole than already envisioned.

Manager Gable announced that Borough Secretary Sara Stull is celebrating 31-years of service with the Borough this month.

Moved Mr. Lawver, seconded Ms. Lawson to approve all bills and payrolls for the month as presented. Motion carried unanimously 6-to-0 by roll call vote.

Moved Mr. Moon, seconded Ms. Lawson to adopt the ACNB Bank Corporate Authorization Resolution for approved signers for the Borough of Gettysburg: Jacob Schindel, President, Wesley Heyser, Vice President, Charles Gable, Borough Manager and Sara Stull, Borough Secretary. Motion carried unanimously 6-to-0 by roll call vote.

Moved Mr. Lawver, seconded Mr. Berger to accept the J. P. Harris Tax Exoneration report for tax year 2014, 2013, 2011 and 2010 as presented. Motion carried unanimously 6-to-0 by roll call vote.

Moved Mr. Berger, seconded Ms. Butterfield to adopt a resolution for the purpose of canceling the imposition of the tax imposed upon the privilege of using for profit amusement devices, within the Borough of Gettysburg, for the twelve (12) month period beginning July 1, 2020 and ending June 30, 2021, pursuant to the provisions of the Amusement Device Tax ordinance, as codified in Chapter 24, Part 3 of the Code of Ordinances of the Borough of Gettysburg. Motion carried unanimously 6-to-0 by roll call vote.

Moved Mr. Berger, seconded Mr. Moon to approve the Minimum Municipal Obligation (MMO) for the Gettysburg Police and Non-Uniformed Pension Plans for 2021. Motion carried unanimously 6-to-0 by roll call vote.

Ms. Lawson asked if the pillow tax that is designated for police services be temporarily suspended since we are not getting those revenues due to the economic situation. Manager Gable responded no that the Borough still needs to fund the MMO.

Liaison Reports

Main Street Gettysburg

Deb Adamik, President of Main Street Gettysburg gave the following report: local businesses continue to apply for the grant programs offered; the Long Long Long Dinner has been cancelled this year due to the pandemic, noting it takes a numerous amount of volunteers to manage the event; a survey is being conducted by the businesses to see if there is any interest to have the Christmas Festival in December, noting it may be a smaller event then last year; and Main Street Gettysburg Cares Program created a Gettysburg Pro Website to serve as an online business directory to promote all businesses in town.

Gettysburg Area Recreation Authority

Councilman Schindel gave the following report: the park is busy and being used by little league, softball, football and others; sanitizing stations have been placed around the park; paving the skatepark; and construction of the Pump Track is complete and kids are using it.

Gettysburg Municipal Authority

Councilman Berger gave the following report: Cemetery Hill Water Tank needs to be cleaned and drained; getting cost estimates for the Interceptor Phase II project; and decrease in revenue on both water and sewer due to less usage by businesses.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Butterfield reported that Friendly's Restaurant on Steinwehr Avenue is not reopening, and that it is a corporate decision that the franchise is leaving Pennsylvania.

Adams County Boroughs Association (ACBA)

Mayor Streeter announced that the next meeting is scheduled for Monday, September 21st.

Adams County Transportation Planning Organization (ACTPO)

Councilwoman Butterfield reported that the Adams County Transportation Improvement Program (TIP) Survey has been completed, and that the four-year program was approved and can be reviewed on ACTPO Website.

Adams County Heroin Awareness Task Force

Councilman Moon reported that overdoses are up this year compared to last year largely attributed to people having difficulty acquiring assistance and care with their addictions; and that the York Adams Drug and Alcohol Association has a supply of NARCAN for any organizations or non-profits that need it.

Trail Feasibility Study

Councilman Berger reported that the feasibility study is complete and can be viewed on the HABPI Website.

Healthy Adams Bicycle Pedestrian Inc. (HABPI)

Councilwoman Lawson gave the following report: they continue to apply for grants; annual Kids Bike Parade; and hosting a "Ride for Trails" bike ride on October 3rd beginning at the Recreation Park; and participating in the upcoming Giving Spree.

Elected Officials Report

Councilwoman Butterfield reported that the next electronic device recycling will be held on Saturday, September 19th, and Borough residents must preregister by calling Judie Butterfield.

Councilors Lawson, Moon and Butterfield gave a brief report on their research of LGBTQ ordinances already in place in other municipalities. Council will discuss the proposed Non-Discrimination Ordinance at the upcoming Council Work Session on August 24th.

Public Comment

David Hann, 440 Drive Road, Hammonton, New Jersey is a parade sponsor of Sons of Union Veterans of the Civil War and said that he will place their events on their Facebook page to better inform the reenactors.

Moved Ms. Lawson, seconded Mr. Berger, to adjourn the meeting to an executive session at 8:45 PM. Motion carried unanimously 6-to-0 by roll call vote.

Respectfully submitted,

Sara L. Stull
Borough Secretary