

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
NOVEMBER 12, 2019

President Susan Naugle called the meeting to order at 7:00 PM with the following Councilors present: Vice President Jacob Schindel, Mr. Wesley Heyser, Mr. Christopher Berger, Ms. Patricia Lawson, Mr. John Lawver and Mrs. Judith Butterfield. Staff present included: Mayor Theodore Streeter; Borough Manager Charles Gable; Borough Secretary Sara Stull; Borough Solicitor Harold Eastman, Puhl Eastman, and Thrasher; Police Chief Robert Glenn; Finance Director Nicolette James; Parking Manager Rebecca Fissel; Director of Historic and Environmental Preservation Debra English; Director of Planning, Zoning and Code Enforcement Carly Marshall; Public Works Director Robert Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Wendy Allen, Lincoln Into Art, 329 Baltimore Street; Nancie Gudmasted, Shriver House, 309 Baltimore Street; Jon Murdock, 74 Springs Avenue; Tim and Rebecca Woodward, Gettysburg Polish Pottery, 102 Baltimore Street; and Tammy Murdorf, Borough Finance Assistant. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by Community Media-ACCTV.

President Naugle praised Officer Shannon Hilliard on behalf of the Borough, who recently received a Top Gun award from the Pennsylvania DUI Association stating this is “quite an honor”.

President Naugle announced the Remembrance Day Dedication and parade will be held on Saturday, November 23rd, noting that it is one of a kind in the nation and special for Gettysburg.

President Naugle announced that an executive session of the Borough Council was conducted immediately prior to the commencement of the October 28, 2019 work session consistent with section 708(a)(1) and section 708(a)(5) of the Sunshine Act.

President Naugle announced that 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)(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 of employees, prospective employees and/or former employees of the Borough; (2) to discuss information and strategy in connection with a Petition to Vacate Grievance Award filed in the Court of Common Pleas of Adams County to Docket No. 2019-SU-687 and the Appeal of the Court of Common Pleas' Decision to the Commonwealth Court of Pennsylvania; (3) to discuss information in connection with litigation filed in the United States District Court for the Middle District of Pennsylvania to Docket No. 1:19-cv-01412 captioned Linda Atiyeh, et al., Plaintiffs v.

Borough of Gettysburg, et al., Defendants; and (4) to review and discuss Borough business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of confidential information protected by law.

Moved Ms. Lawson, seconded Mr. Schindel to approve the November 12, 2019 agenda as presented. Motion carried unanimously.

The following meeting minutes were approved: Council Meeting of October 15, 2019; Council Budget Work Session of October 21, 2019; Council Work Session of October 28, 2019; and the Council Budget Work Session of November 4, 2019.

Special Presentation

New Staff Introductions

Manager Gable announced that Rebecca (Becka) Fissel who has worked in the parking department for many years and was the interim manager has been formerly named the parking manager.

Manager Gable introduced the newly hired staff members: Debra English as Director of Historic and Environmental Preservation began work on November 4th, and Carly Marshall as Director of Planning, Zoning, and Code Enforcement will begin on December 11th.

Presentation to Wendy Allen

President Naugle praised Wendy Allen for spearheading the recent Long, Long, Long, Long Diner Party which brought hundreds of diners to tables along Baltimore Street to raise funds for the proposed improvements along that street. She also recognized her for years of effort that led to the 100 Nights of Taps event during which the mournful bugle call is played at local landmarks, and for her involvement in the annual ceremonies marking the anniversary of President Lincoln's Gettysburg Address.

Mayor Streeter presented Wendy Allen with a key to the Borough in recognition of her voluntarism on behalf of the community. She was given a standing ovation which included approximately thirty members in the audience which included business owners and activists.

There was no public comment at this time.

Finance Department

Moved Ms. Lawson seconded Mr. Schindel to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Manager Gable announced that the Pennsylvania Municipal League reported that Destination Gettysburg brought in over \$240,000 in revenues during its annual conference held in Gettysburg by using the local hotels, restaurants etc.

Moved Mr. Berger, seconded Mr. Schindel to adopt a resolution appointing Maher Duessel, a firm of certified public accountants registered in the Commonwealth of Pennsylvania, as the independent auditor of the Borough of Gettysburg during fiscal year 2020 in order to make an independent examination of the accounting records of the Borough for fiscal year 2019 and to perform such other duties and to exercise the powers as conferred upon an independent auditor under the Borough Code. Motion carried unanimously.

Planning Department/Zoning/Code Enforcement

Moved Mr. Berger, seconded Mr. Schindel to authorize the preparation and publication for intended enactment at the next monthly general business meeting of the Borough Council to be held on December 9, 2019 of an ordinance for the purpose of establishing the proposed West Broadway Islands Neighborhood Improvement District. Motion carried unanimously.

The motion to adopt a resolution relative to the approval and adoption of a policy of the Borough of Gettysburg for the reduction of the use of disposable plastic products was tabled until December to give members of Council that were missing the information a chance to review the resolution.

Moved Mr. Heyser, seconded Ms. Lawson to adopt a resolution appointing Jon Murdoch as a member of the Code Enforcement Appeals Board in order to fill a vacancy on the Appeals Board due to the expiration of a term of office that occurred on March 15, 2017 and to serve for the remainder of a five-year term on the Appeals Board which expires on March 15, 2022. Motion carried unanimously.

Historical and Environmental Preservation

Moved Mr. Heyser, seconded Mr. Schindel to approve and authorize the issuance of Certificates of Appropriateness for the following applications: COA-19-0058, 58 West Water Street – Jonathan and Jessica Diehl, Applicants, for proposed deck addition and privacy fence projects conditioned upon the Applicants procuring all necessary permits and paying all fees associated therewith; COA-19-0094, 53 East Middle Street (GAR Hall) – Historic Gettysburg-Adams County, Applicant, for proposed installation of nine (9) aluminum storm windows; and COA-19-0095, 135-

137 Chambersburg Street – George and Beverly Ott, Applicant, for proposed replacement of shingle and slate upper main roof with a corrugated powder-coated metal roof; each matter as set forth in the minutes of the October 16, 2019 meeting of the Historic Architectural Review Board (HARB) consistent with the findings and recommendations of HARB as set forth therein and as adopted and incorporated herein by this reference. Motion carried unanimously.

Councilman Heyser pointed out that one of these projects was completed before getting permits and approval. He said that the Code Enforcement officials should be made aware of this.

Parking Department

Moved Mr. Berger, seconded Ms. Lawson to authorize the solicitor to prepare, finalize and publish for intended enactment by the Borough Council of a proposed ordinance amending Chapter 15 of the Code of Ordinances of the Borough of Gettysburg for the purposes of increasing the amounts of fines for violations of Borough parking ordinance regulations, adding an area on the north side of East High Street to the on-street parking meter zone, increasing parking time limits in certain areas from two hours to three hours, adding head-in parking to the parking garage provisions, making certain revisions in order to clarify and confirm existing policies and procedures, and making certain corrections and non-substantive editorial revisions. Motion carried unanimously.

Public Works Department

Robert Harbaugh, Public Works Director gave the following report: final paving was completed on West Broadway; curbing and paving were completed on East Broadway and the sidewalks are scheduled to be completed by Thanksgiving; paving completed on Monument Alley; a section of Kuhn Alley was closed due to damages caused by recent flooding occurring in Stevens Run and causing the Tiber to collapse.

Borough Engineer

Chad Clabaugh, Borough Engineer gave the following report: the zoning map review has been placed on hold until January when the new Borough Planning Director is on staff.

Moved Ms. Lawson, seconded Mr. Berger to approve the Operation and Maintenance Agreement Stormwater Management Practices for KELCO (Kennies Market). Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Schindel to approve Contract Change Order No. 1 for C. E. Williams Sons, Inc. in the credit amount of -\$762.00 for Broadway Street Improvements. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Schindel to approve Application for Payment No. 2 for C. E. Williams Sons, Inc. in the amount of \$458,859.80 for Broadway Street Improvements. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Schindel to approve Contract Change Order No. 1 for Fares Farhat General Construction, LLC. in the amount of \$2,345.67 for the 2019 Bridge Maintenance Program project. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Schindel to approve the final Application for Payment No. 1 for Fares Farhat General Construction, LLC. in the amount of \$90,740.63 for the 2019 Bridge Maintenance Program project. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Berger to approve the final Application for Payment No. 9 for E.K. Services, Inc. in the amount of \$1,000.00 for Stratton Street Storm Sewer Improvements. Motion carried unanimously.

Police Department

Chief Glenny reported that arrests for driving under the influence of drugs are on the rise in Gettysburg. He said that of some 240 DUI arrests so far this year, between a quarter and a third involved drugs other than or in addition to alcohol, with marijuana being most common. Councilman Lawver asked if the DUI-D drops over the summer months. Chief Glenn responded that the DUI-D stays steady year-round.

Chief Glenny praised Patrol Officer First Class Shannon Hilliard, who received a DUI Top Gun award on October 24th in Pittsburgh from the Pennsylvania DUI Association. He said that in addition to receiving the award for the fourth year in a row, Officer Hilliard was also the top municipal officer in the state in terms of total DUI arrests.

Borough Manager

Manager Gable reported that he and Borough Secretary Stull have begun meeting with representatives to discuss the 2020 Census. He said that all residents including college students will be included in the count. Manager Gable and Chief Glenn will continue in January to work with Penn DOT to provide a large truck count.

Moved Ms. Lawson, seconded Mr. Berger to authorize the Borough Secretary, Sara L. Stull, to give notice and cause the same to be published that the proposed budget providing an annual estimate of revenues and an annual estimate of expenditures for fiscal year 2020 has been prepared and will be made available for public inspection for a period of not less than ten (10) days commencing on Monday, November 25, 2019 and ending at the close of business on Monday, December 9, 2019, prior to the completion and adoption of the budget for fiscal year 2020 by the Borough Council. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Heyser to authorize the solicitor to prepare, finalize and publish a proposed ordinance for intended enactment at the next monthly general business meeting of the Borough Council to be held on December 9, 2019 for the purposes of fixing the real property tax rate for the Borough of Gettysburg for fiscal year 2020 at 3.8320 mills, the occupation tax rate at 30 mills and the fire protection services appropriations tax rate at 0.2500 mills. Motion carried unanimously.

Liaison Reports

Main Street Gettysburg

Deb Adamik announced that plans continue for the upcoming Gettysburg Christmas Festival scheduled for the weekend of December 6th through 8th. There will be food vendors, craft vendors with over sixty sponsors. The ice rink arrived and will be open soon for skaters to enjoy throughout the holiday season. To date there is over \$70,000 donated for the Christmas Festival from sixty businesses and individuals. Informational public meetings are scheduled for November 13th at 9:30 AM at the Gettysburg Heritage Center, and 7:00 PM at the Borough Council Chambers. Deb also noted that hotels are filling up for the weekend festivities.

Gettysburg Area Recreation Authority

Councilman Schindel reported that GARA will manage the ice-skating rink which is due to open on November 22nd and remain open through January 5th. It is located between Johns and Steinwehr Avenues. The cost is \$5.00 per person which includes skates and, the operating hours are Monday to Thursday, 3:00 to 7:00 PM; Friday, 3:00 to 8:00 PM; and Saturday and Sunday from 1:00 to 8:00 PM.

Mr. Schindel announced that GARA has a Board opening to replace Erin Peddigree who was recently named the new director.

Gettysburg Municipal Authority

Council President Naugle reported on the following: approved to invest funds as certificates of deposit mature with the PA Local Government Investment Trust (PLGIT); quarterly financial reports are on track; the NAWSC Cross Connection is moving slowly as they continue to work with plumbers to get certified; approved a temporary agreement to dispose of sewage waste until Amblebrook is developed; GMA received complaints regarding odor of the wastewater treatment plant which happens in the spring and fall due to winds.

Adams County Council of Governments

Councilman Lawver reported that they toured the new Tech Center in New Oxford that anyone in Adams County can use.

Trail Feasibility Study

Christopher Berger reported that the first draft of the study by Campbell and Thomas is expected to be completed soon.

Councilwoman Butterfield reported that Waste Connections continues to interview for a replacement for Doug Key, Operations Manager. They said that once someone is hired they will schedule a time for them to come to Gettysburg to meet officials.

There were no public comments at this time.

Moved Mr. Lawver seconded Mr. Schindel, to adjourn the meeting at 8:40 PM to an executive session. Motion carried unanimously

President Naugle dismissed the meeting at 9:15 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary