

COUNCIL MEETING
MAY 11, 1992

President Simpson called the meeting to order at 7:30 PM. Council members present included: Mr. Murphy, Mr. Troxell, Mr. Schmitt, Mr. DeHaas, Mrs. Gustafson, Ms. Giles, Mr. Zellner, and Mr. Ditzler. Also in attendance: Mayor Linn, Chief Gantz, Mr. Oyler, Mr. Sterner, Mr. Lawver, Mr. Weikert, Mr. Little, Dr. Powell, Tracy Lower representing the Times and Dave Perlis representing the Evening Sun.

Moved Mr. Schmitt, seconded Mrs. Gustafson to approve the agenda as presented with the exception of moving Dr. Powell to follow the citizens comments. Motion carried.

Moved Mr. Schmitt, seconded Mrs. Gustafson to approve the minutes of the April meeting as presented. Motion carried.

Bids were opened for the removal of asbestos at 59 East High Street were as follows:

1. First Capital Insulation of York:
Base Bid - \$19,470.00
Alt. No. 1 - 2,396.00
Total Bid - \$21,866.00
2. American Abatement Group of New Bloomfield:
Base Bid - \$21,994.00
Alt. No. 1 - 2,000.00
Total Bid - \$23,994.00
3. L & C Europa Contracting of Windgap, Pa:
Base Bid - \$23,800.00
Alt. No. 1 - 10,000.00
Total Bid - \$33,800.00
4. Percs, Inc. of Camp Hill:
Base Bid - \$15,959.00
Alt. No. 1 - 1,877.00
Total Bid - \$17,836.00

Mr. Sterner will review with the engineer and report with his recommendations at the June Council meeting.

Citizens in attendance:

1. Margo Gilbert, opening an Art Gallery this month on the square. She is concerned with the hours of the Farmers Market that is scheduled from 8-1 Saturdays. She feels this is prime shopping time and would like the Market to end late morning.

2. Frank Herring, Gettysburg Baptist Church, 60 North Fourth Street. Attending for approval of his Land Development Plans.

3. Randall Inskip, owner and Bob Sharrah, consultant for property located at the Southeast corner of Hanover and Sixth Streets. Attending for approval of DER ACT 537 Water and Sewer Module Plans.

4. Allen Weikert, 67 East Middle Street, HARB approval for application for a fence.

5. Bill Walker, representing the Gettysburg College.

Dr. Powell gave a brief summary of the CDBG Proposals that Council will need to review and adopt.

Moved Mr. Schmitt, seconded Mr. DeHaas to adopt the Fair Housing Resolution and Fair Housing Notice and to reappoint Dr. Walter Powell as the Fair Housing Officer. Motion carried unanimously.

Moved Mr. Schmitt, seconded Mr. Zellner to adopt the Statement Of Assurances - Small Communities Program Division. Motion carried unanimously.

Moved Mr. Schmitt, seconded Mr. Murphy to adopt a Residential Antidisplacement And Relocation Assistance Plan Under Section 104 (d) Of The Housing And Community Development Act Of 1974, As Amended. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Schmitt to adopt the Minority Business Enterprise Plan. Motion carried unanimously.

Moved Mr. DeHaas, seconded Mr. Zellner to approve the final allocation of 1992 Community Development Block Grant Funds (CDBG) in the amount of \$118,846 to be allocated as follows: \$11,392.28 General Administration, CDBG Program; \$10,000 Administrative Support for Homeownership Coordinator, Adams County Interfaith Housing Corporation; \$7,000 Adams County Office for Aging to provide assistance to senior citizens under the "CHORE" program; \$17,826.90 Adams County Shelter For The Homeless to provide a full-time caseworker; \$16,000 Borough of Gettysburg, Recreation Department. Funds to provide new playground equipment; \$28,000 Adams County Housing Authority to lower debt service on land to be used for Frederick Douglas Homes Project on West High Street; \$28,626.82 Borough of Gettysburg for Historic Preservation Rehabilitation of 135 West Street. Motion carried.

Moved Mr. Murphy, seconded Mr. DeHaas to approve all bills and payrolls for the month. Motion carried.

Mr. Murphy reviewed the financial report noting that budget look good so far this year. See report for more detailed graphics and spreadsheet.

Mr. Zellner reported that Met Ed is working on repairing the light poles on York and Hanover Streets due to an accident.

Moved Mr. Zellner, seconded Mr. Schmitt to adopt an Ordinance amending the National Electrical Code. Motion carried.

Moved Mr. Zellner, seconded Mrs. Gustafson to adopt an Ordinance amending the Property Maintenance Code. Motion carried.

Moved Mr. Zellner, seconded Mr. Ditzler to adopt an ordinance amending the BOCA Basic Plumbing Code. Motion carried.

Ms. Giles reported Jessie Smith resigned from the Planning Commission. If anyone has any recommendations please notify before the next Council meeting.

Moved Mr. DeHaas, seconded Mr. Schmitt to approve to advertise the BOOT Ordinance. Motion carried.

Mrs. Gustafson reported that wood and brush pickup and small metal items will begin on Wednesday, starting with the North end of town.

Mrs. Gustafson noted that the Health Committee checked with other Townships concerning animal Ordinances. Health Committee recommends that the Borough not be adopt a cat ordinance. She will contact Mrs. Carter to inform her of the decision.

Mr. DeHaas reported that work on the new bridge on Race Horse Alley at the Silk Mill Apartments will begin on July 6, 1992. The project should be completed by July 24, 1992.

Mr. DeHaas reported the following street jobs will be financed through the Highway Aid Fund totalling \$69,100: Race Horse Alley Bridge, Base repairs on N. Stratton St. - York St. to railroad tracks, S. Stratton St. - York St. to E. Middle St., S. Stratton St. - E. Middle St. to Wall Alley, Johns Avenue - King St. to Long Lane and the Purchase of a new tar kettle. In addition, the following projects will be financed from the General Fund for a total of \$30,800: Race Horse Alley (N. Stratton St. to Third St.), N., Stratton St. to Reese Alley and Reese Alley to Little Alley, Zerfing Alley - Baltimore St. to S. Stratton St., Parking Lot at new Firehouse, Widen Race Horse Alley - N. Washington St. to Cold Storage Bldg., Zerfing Alley - West from Baltimore St. past the Catch Basin. The above projects will be completed this summer. The Highway Committee is requesting the transfer of \$8,000 from the Snow Fund to the Highway Fund to cover the costs of decisions made by Council.

Moved Mr. DeHaas, seconded Mr. Zellner to approve the transfer of \$8,000 from the General Fund to the Highway Aid Fund to cover costs of street job projects scheduled for this summer. Motion carried.

Mr. Schmitt reported for the Property Committee that they met with Frank Leber, Bond Counsel and things are progressing very well for the new office. Final decisions will be made at the May 18th meeting.

Mr. Troxell reporting for the Sidewalk Committee noted that they will be doing an update as one has not been done since 1985.

Moved Mr. Ditzler, seconded Mr. Schmitt to amend the Ordinance to extend the "no parking" zone on the West side of South Washington Street, north of Gettys Street. The current zone will be extended from the present no parking area to the existing fire hydrant zone, (approximately 82'). Motion carried.

Managers report:

1. Urge Council to attend the Property Committee meeting scheduled for May 18th at 10:30 AM. Frank Leber will be attending to discuss financing.

2. He and Chief Gantz attended the PELRAS Conference in State College on May 7th & 8th. Very beneficial, found that other towns have greater problems than we have.

3. Hearing is scheduled on the Unfair Labor Charge on May 14th with Bob Durant representing the Borough. We should proceed with the 1993 negotiations at this time. Sterner highly recommends that Durrant be appointed as the Borough's negotiator and spokesman for both 1993 and the remaining 1992 police labor negotiations.

4. Earl Kauffman will be retiring from our Highway department. Request that the tree he planted at the Rec Park on his last day be designated in his memory.

Moved Mr. DeHaas, seconded Mr. Troxell to approve proceeding with the 1992-1993 Police negotiations with Bob Durrant representing the Borough. Motion carried unanimously.

Moved Mr. Schmitt, seconded Mr. DeHaas to adopt a Resolution honoring the long service and retirement of Earl Kauffman. Motion carried.

Mr. Lawver reported that all the trees have been planted. Will contact the railroad to see when they will complete work. Also June or July we will have the bid opening for the tank replacement at the Highway Shed.

Chief Gantz reported that they have been using a new radar gun that posts vehicle speed on a sign for drivers to view as they pass by. This is a loaner, and unfortunately radar is not permitted for local police use.

Chief Gantz reported that the bike patrol has been instituted with good success.

Moved Mr. Schmitt, seconded Mr. Ditzler to approve Chief Gantz attendance at annual Police Chief's convention in Detroit. Motion carried unanimously.

Mr. Weikert reported that Randall Inskip, Owner and Bob Sharrah, Consultant submitted ACT 537 Plans to be approved for property located on the Southeast corner of Hanover and Sixth Streets. Gettysburg Municipal Authority has approved handling the water and sewer for the building project.

Moved Mr. DeHaas, seconded Mr. Troxell to approve sending Randall Inskip's Planning Module for Land Development to DER for approval. Motion carried.

Mr. Weikert requested the Times place a notice in the newspaper advising residents to mow grass and not to put leaves on the streets.

Ms. Weaver noted that the Adams County Boroughs Association will be meeting on May 18th at 6:30 PM.

Moved Mr. Ditzler, seconded Mr. Zellner to approve the reports of the Treasurer, Chief of Police, Code Enforcement Officer, and Parking Department. Motion carried.

Moved Mrs. Gustafson, seconded Mr. Zellner to approve HARB "consent agenda". Motion carried.

With no further business the moved to adjourn at 9:40 PM.

Respectfully submitted,

Sara L. Weaver
Borough secretary

FAIR HOUSING RESOLUTION

LET IT BE KNOWN TO ALL PERSONS of the Borough of Gettysburg that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the Pennsylvania Human Relations Act. It is the policy of the Borough of Gettysburg to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex, national origin, handicap or disability, or familial status (families with children). Therefore, the Borough of Gettysburg does hereby pass the following resolution.

BE IT RESOLVED, that within available resources the Borough of Gettysburg will assist all persons who feel they have been discriminated against because of race, color, religion, ancestry, sex, national origin, handicap or disability or familial status (families with children) to seek equity under federal and state laws by filing a complaint with the Pennsylvania Human Relations Commission and the U.S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED, that the Borough of Gettysburg shall publicize this Resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the Pennsylvania Human Relations Act, and any local laws or ordinances.

FURTHER PUBLICITY will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution and other applicable fair housing information through local media and community contacts; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

EFFECTIVE DATE: MAY 11, 1992

BY: JEAN E. SIMPSON, PRESIDENT
BOROUGH COUNCIL

STATEMENT OF ASSURANCES
Small Communities Program Division

APPLICANT NAME:

The applicant or grantee hereby assures and certifies that:

- (A) It possesses legal authority to apply for the grantee, to execute the proposed program, and meets the general qualifications criteria of Act 179.
- (B) Its governing body has duly adopted or passed as an official act, a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- (C) It has established a citizen participation mechanism which:
- (1) Provides an opportunity for citizens to participate in the development of the application, encourages the submission of views and proposals, particularly by residents of blighted neighborhoods and citizens of low and moderate income, and provides for timely responses to the proposals submitted.
 - (2) Provides citizens with adequate information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements.
 - (3) Provides citizens with an opportunity to submit comments concerning the community development performance of the applicant.
 - (4) Provides for one or more public hearings on the proposed application before adoption of a resolution or similar action by the local governing body authorizing the filing of the application.
 - (5) Adheres to the Department's CDBG Citizen Participation Plan.
 - (6) Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable.
 - (7) Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.
- (D) In the event the applicant or grantee wishes to request a major revision to its original application or subsequent grant, the applicant or grantee will provide for public hearings to obtain the views of citizens on community development and housing needs and proposed revisions.
- (E) It will provide citizens with reasonable access to records regarding its CDBG assisted activities and management.

**LEGAL
AUTHORITY****OFFICIAL
RESOLUTION****CITIZEN
PARTICIPATION****ACCESS TO
INFORMATION**

(F) The program described in the application will continue to give maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention or elimination of slums or blight; the use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. It will ensure that not less than 70 percent of funds received as a result of this application will be used for activities that principally benefit persons of low and moderate income.

PROGRAM PRIORITIES

(G) It will comply with the requirements and policies of 24 CFR Part 85 entitled: "Uniform Administrative Requirements for Grantees and Cooperative Agreements to State and Local Governments", as specified in 24 CFR Part 570.502; OMB Circular A-110 entitled: "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations"; OMB Circular A-87 entitled: "Cost Principles for State and Local Governments"; OMB Circular A-122 entitled: "Cost Principles for Nonprofit Organizations"; OMB Circular A-128 entitled: "Audits of State and Local Governments", Treasury Circular 1075; and A-21 "Cost Principles for Educational Institutions".

FINANCIAL REQUIREMENTS

(H) It will comply with the Architectural Barriers Act of 1968, P.L. 90-480, as amended (42 U.S.C. 4151 *et. seq.*). This requires that every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided under this Part to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1-R 1971, subject to the exceptions contained in 41 CFR 101-19.604. The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

ARCHITECTURAL BARRIERS

(I) It will comply with:

- (1) Title VI of the Civil Rights Act of 1964, P.L. 88-352 (42 U.S.C. 2000d *et. seq.*) and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no persons in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits.

CIVIL RIGHTS

Title VI states that:

"No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Section 1.4b(2)(i) of the regulations issued pursuant to Title VI requires that:

"A recipient in determining the types of housing accommodations, facilities, services, financial aid, or other benefits which will be provided under any such program or activity, the class of persons to whom, or the situations in which, such housing, accommodation, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of persons to be afforded an opportunity to participate in any such program or activity, may not directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin or have the effect of defeating or substantially impairing accomplishments of the objectives of the program or activity as respect to persons of a particular race, color, or national origin."

- (2) Title VIII of the Civil Rights Act of 1968, as amended by Fair Housing Amendments Act of 1988 (42 U.S.C. 3601-20) which states that no person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services, or in the availability of residential real estate-related transactions; and requires that grantees administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing.

FAIR
HOUSING

Executive Order 11063 and the regulations contained in 24 CFR Part 107 requires that all action necessary and appropriate be taken to prevent discrimination because of race, color, religion (creed), sex, or national origin in the sale, rental, leasing, or other disposition of residential property and related facilities or in the use or occupancy thereof where such property or facilities are owned or operated by the Federal Government or provided with Federal assistance by HUD and in the lending practices with respect to residential property and related facilities of lending institutions insofar as such practices relate to loans insured, guaranteed or purchased by the Federal Government.

- (3) Section 109 of the Housing and Community Development Act of 1974, P.L. 93-383 (42 U.S.C. 5309) and the regulations issued pursuant thereto (24 CFR Part 570.602), which provide that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under this Part.

EQUAL
OPPORTUNITY

- (4) Age Discrimination Act of 1975, P.L. 94-135 (42 U.S.C. 6101 *et seq.*).

AGE

- (5) §504 of the Rehabilitation Act of 1973, P.L. 95-602 (29 U.S.C. 794) and HUD implementing regulations at 24 CFR Part 8.

HANDICAPPED
PERSONS

- (6) Executive Order 11246, Equal Opportunity in Federal Employment, September 24, 1965 (30 FR 12319), as amended by Executive Order 12086, October 5, 1978 (43 FR 46501), and the regulations issued pursuant thereto (24 CFR Part 130 and 41 CFR Chapter 60), which provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal or Federally assisted construction contracts. Contractors and subcontractors on Federal and Federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.

(7) Executive Order 11625, October 13, 1971 which prescribes additional arrangements for developing and coordinating a national program for Minority Business Enterprise (36 FR 19967).

(8) Executive Order 12138, May 18, 1979 (44 FR 29637) which creates a National Women's Business Enterprise Policy.

(9) Pennsylvania Human Relations Act of October 27, 1957, P.L. 744, (43 P.S. 951-963) which provides that no employee, applicant for employment, independent contractor, or any other person shall be discriminated against because of race, color, religious creed, ancestry, national origin, age, or sex.

(J) It will comply with Section 3 of the Housing and Urban Development Act of 1968, P.L. 90-448, as amended (12 U.S.C. 1701(u)) requiring that to the greatest extent feasible opportunities for training and employment be given to low and moderate income residents of the applicant's county and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the applicant's county.

EMPLOYMENT

(K) It certifies that it has developed and adopted a residential antidisplacement and relocation assistance plan.

DISPLACEMENT

(L) It will comply with the Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970, as amended by (42 U.S.C 4601) and the regulations at 42 CFR Part 24 which apply to the acquisition of real property by a State agency for an activity assisted with CDBG funds and to the displacement of any family, individual, business, nonprofit organization or farm that results from such acquisition; and

ACQUISITION/
RELOCATION

Will comply with Section 104(k) of the Housing and Community Development Act of 1974, as amended which requires that (i) reasonable relocation assistance be provided (at a minimum, the assistance shown in 24 CFR Part 570.606(c) shall be provided) to persons displaced as a result of the use of CDBG funds to acquire or substantially rehabilitate property and (ii) will develop, adopt and provide to persons to be displaced a written notice of the relocation assistance for which they are eligible; and

Will comply with the Eminent Domain Code Act of June 22, 1964, Special Session, P.L. 84, as amended, 26 P.S. 1-101 *et seq.*

(M) It will not attempt to recover any capital costs of public improvements assisted in whole or in part by CDBG funds or with amounts resulting from a guarantee under Section 108 of the 1974 Housing and Community Development Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvement, unless (i) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (ii) for purposes of assessing any amount against properties owned and occupied by persons of moderate income who, the grantee certified to the State, as the case may be, that it does not have sufficient CDBG funds to pay the assessments in behalf of all of the low and moderate income owner-occupant persons.

BENEFIT
ASSESSMENTS
FOR
PUBLIC
IMPROVEMENTS

(N) It will comply with the provisions of the Hatch Act, P.L. 85-554 (5 U.S.C. 1501 *et seq.*) which limits the political activity of employees.

HATCH ACT

(O) It will comply with the labor standards set forth in Section 110 of the Housing and Community Development Act of 1974, as amended, and HUD's implementing regulations. The standards include, where applicable, the following:

LABOR
STANDARDS

- (1) The Davis-Bacon Act, P.L. 86-624, as amended (40 U.S.C. 276a-276a-5).
- (2) Contract Work Hours & Safety Standards Act, P.L. 87-581 (40 U.S.C. 327 *et seq.*).
- (3) Copeland "Anti-kickback" Act (40 U.S.C. 276c).
- (4) 29 CFR Parts 1, 3, 5, 6, and 7.

(P) Its chief executive officer or other appropriate officer/officers consents to assume the status of a "responsible federal official" under the National Environmental Policy Act of 1969 (NEPA) P.L. 91-190 (42 U.S.C. 4321 *et seq.*). The applicant will assume responsibility for environmental review, decision-making and action under NEPA and HUD regulations at 24 CFR Part 58. The applicant further certifies that it has complied with and will comply with 24 CFR Part 58 and the statutes and authorities contained in 24 CFR Part 58.5 in the administration of its project.

ENVIRONMENTAL
CLEARANCE

(Q) It will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of a program are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify HUD of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for the listing by the EPA.

VIOLATING
FACILITIES
LIST

(R) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

CONFLICT OF
INTEREST

(S) It will comply with Title IV of the Lead Base Paint Poisoning Prevention Act, P.L. 91-695, as amended, (42 U.S.C. 4831) and the regulations issued pursuant thereto (24 CFR Part 35).

LEAD BASED
PAINT

(T) It will comply with the Cost Effective Energy Conservation and Effectiveness Standards, P.L. 95-557 (42 U.S.C. 1425(b) and the regulations issued pursuant thereto (24 CFR Part 39).

ENERGY
CONSERVATION

(U) It will comply with the Pennsylvania Flood Plain Management Act 166 (32 P.S. §697.101 - 679.601) and the regulations issued pursuant thereto (Title 16, Chapter 38).

FLOOD
PLAIN

(V) It will comply with the Pennsylvania Steel Products Procurement Act of March 3, 1978, (P.L. 6, No. 3, §1, 73 P.S. §1881 *et seq.* 1).

STEEL
PRODUCTS

(W) It will comply with the Separations Act of May 1, 1913, P.L. 155, 1, as amended, December 22, 1981, P.L. 546, No. 159, §1, 53 P.S. §1003, as applicable.

SEPARATIONS
ACT

(X) It will comply with Section 6002 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6962) and the regulations issued pursuant thereto (40 CFR Part 249) for the procurement of materials composed of the highest percentage of recovered material practicable.

RESOURCE
CONSERVATION

(Y) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

LOBBYING

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreement) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(Z) It has adopted and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and a policy of enforcing state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

EXCESSIVE
FORCE

Gara L. Weaver
(SIGNATURE)

MAY 11, 1992
(DATE)

Secretary
(NAME/TITLE)

Borough of Gettysburg
(MUNICIPALITY)

Adams
(COUNTY)

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE
PLAN UNDER SECTION 104 (d) OF THE HOUSING AND COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED.

THE BOROUGH OF GETTYSBURG will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974 as amended, described in 24 CFR Part 570.606.

All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in demolition or conversion, the BOROUGH OF GETTYSBURG will make public and submit to DCA the following information in writing:

1. A description of the proposed assisted activity;
2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity.
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The location on a map and number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least ten (10) years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g. a 2 bedroom unit with two 1-bedroom units) is consistent with the housing needs of low/moderate income households.

The BOROUGH OF GETTYSBURG will provide relocation assistance, as described in 570.606(b), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the BOROUGH OF GETTYSBURG will take the following steps to minimize the displacement of persons from their homes:

1. The Borough will not undertake housing projects using CDBG funds that will permanently displace low/moderate income persons unless absolutely necessary for the public's safety, health or welfare, and only after adequate public input from affected residents and the appropriate social service agencies;
2. In the event of CDBG funded projects leading to displacement, the Borough will offer relocation counseling and will carefully coordinate the relocation with appropriate local social service agencies.



BOROUGH OF GETTYSBURG
ADAMS COUNTY, PENNSYLVANIA

34 EAST MIDDLE STREET
GETTYSBURG, PA 17325
717-334-1160

Francis I. Linn, Mayor
Charles W. Sterner, Treasurer
and Borough Manager

Jean E. Simpson, President, Council
John A. Murphy, Vice President
Sara L. Weaver, Borough Secretary
Donald G. Oyler, Borough Solicitor

RESOLUTION

Motion by Mr. DeHaas, seconded by Mr. Zellner that Borough Council approve a resolution to authorize the preparation and submission of an application for FY-1992 Community Development Block Grant Funds in the amount of \$118,846 to be allocated as follows: \$11,392.28 for the Borough to administer the CDBG Program, \$10,000 in Administrative Funds to assist Adams County Interfaith Housing Corporation's Homeownership Program Coordinator, \$7,000 to the Adams County Office For Aging to provide Senior Citizens assistance under the "CHORE" program, \$17,826.90 to the Adams County Shelter For The Homeless to provide a full-time caseworker, \$16,000 to the Borough of Gettysburg's Recreation Department to provide new playground equipment, \$28,000 to the Adams County Housing Authority to lower the debt service on land to be used for the Frederick Douglass Homes Project, and \$28,626.82 to the Borough of Gettysburg for the Historic Preservation of 135 West Middle Street. This resolution was adopted unanimously.

Resolved this 11th day of May 1992

Attest: Francis I. Linn
Francis I. Linn, Mayor

Attest: Sara L. Weaver
Sara L. Weaver, Borough Secretary