

COUNCIL meeting MINUTES  
APRIL 12, 1993

President Simpson called the meeting to order at 7:30 PM with all of Council present. Also in attendance: Mayor Linn, Chief Gantz, Mr. Oyler, Mr. Sterner, Dr. Powell, Mr. Weikert, Mr. Little, Ms. Filer, Tracy Lower representing the Times and Sharon Hare representing the Evening Sun.

Moved Mr. Ditzler, seconded Mr. Schmitt to approve the agenda as presented. Motion carried.

Moved Mr. DeHaas, seconded Mr. Schmitt to approve the Council minutes of March 8th as presented. Motion carried.

Citizens in attendance:

Bill Walker and associate John McAndrew representing Gettysburg College.

David Sandstedt, owner of Tomte Towne Miniatures, attended representing the Retail Merchants. Extended a thank you to the highway crew for their outstanding work with snow removal during the blizzard.

Jean Odom, SCCAP, has proposed that the School Board donate Meade School to the Borough for use as a day care center. The Borough then would lease the property to SCCAP under a long term lease, or if legal donate the building to SCCAP. Mrs. Odom included a suggested budget for the operation of the building as a day care center.

Megan Shreve, director of the Wee Care Learning Center, supported Mrs. Odom's request, noting that there is a tremendous need for child care in Adams County.

John Kulp, Lake Heritage, also indicated support for the Meade School project. The Wee Care Learning Center would be able to better serve the public at the new location. He urged Council to request support from the school board, and subsequently donate Meade School to SCCAP for its conversion to a day care center.

Moved Mr. DeHaas, seconded Mr. Schmitt to adopt an Ordinance increasing the transient retail business license fee and requiring the license to be displayed on a vehicle, cart, or other mobile device. The fees will be as follows: \$25.00 Daily, \$100.00 Monthly, and \$300.00 Yearly. Motion carried.

Mr. Ditzler reported that the Safety Committee approved the removal of commercial parking on East Middle Street near the intersection of Third Street.

Moved Mr. Ditzler, seconded Ms. Giles to advertise the ordinance prohibiting the parking of commercial vehicles at certain locations. Yeas: Mrs. Rice, Mr. Zellner, Ms. Giles, Mrs. Gustafson, Mr. Schmitt, Mr. Troxell and Mr. Ditzler. Nays: Mr. DeHaas.

One bid was received and opened for the sale of 34 East Middle Street:

Cindie Straub, Biglerville, submitted a bid in the amount of \$1,100.

Moved Mr. Troxell, seconded Mr. Schmitt to reject the bid submitted by Cindie Straub. Motion carried unanimously.

Mrs. Gustafson reported the Health Committee planned spring clean up to begin the week of May 3rd. Permits should be purchased prior to April 30th at the Borough Office.

Moved Ms. Giles, seconded Mr. Schmitt to reappoint Marion Ruff to the Property Maintenance Appeals Board. This is a 2 year term and will expire in December 1994. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. Schmitt to nominate Walton Davis to fill the empty seat on the Borough Planning & Zoning Commission. This term will expire in December 1995. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. Schmitt to nominate Wayne Mayers to the Shade Tree Commission. This will fill the term of Robert Barnes who recently passed away. The term will expire in October 1995. Motion carried unanimously.

Moved Mr. Zellner, seconded Mr. Schmitt to name C.S. Davidson Company of York and Gettysburg, as the Boroughs' engineer. There will be no retainer, and fees will be on a per job basis. Motion carried unanimously.

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

#### Managers report:

Snow removal was a success and we received several thank you letters and commendations for the Highway crew. The total snow cost totaled \$21,000. The federal disaster relief will likely reimburse us about \$10,000.

Property Committee will meet on Monday, April 19 at 1:00. Anyone available should attend this meeting to discuss the new office and take a tour.

Police negotiations for 1992 are complete with the award of Professor Riggler. The 1993 arbitration is scheduled for May 3 in Carlisle.

Moved Mr. Schmitt, seconded Mr. DeHaas to approve the Drug and Alcohol Policy. This is needed for federal assistance with the snow/blizzard application to be submitted by April 15, as well as other federal grant programs including CDBG. Motion carried unanimously.



Moved Mr. DeHaas, seconded Mr. Zellner to table the request of Russell Arkin, Fahnestock Building, for the Borough forgiving the promissory note of 1984. Originally he was the recipient of a CDBG grant, but at that time requested that it be considered a loan. Attorney Oyler will review this and report at the May Council meeting. Motion carried unanimously.

Mr. Little reported the Parking Department's new phone number is 334-3222. Also they will be running an ad in the newspaper for a new parking enforcement officer due to the recent resignation of Reyna Fallon.

Ms. Filer noted that a bench will be donated to the park during Earth Week by Giant Food Stores. Also an employee picnic will be held on Sunday, May 23 at the Park.

Moved Mr. Schmitt, seconded Mr. Troxell to adopt the Fair Housing Resolution, Fair Housing Notice, Statement of Assurances, and naming Dr. Walter Powell as the Fair Housing Officer. Motion carried unanimously.

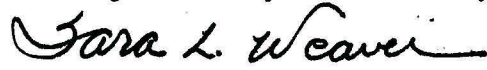
Eric Persson distributed a Main Street newsletter which will continue on a monthly basis.

Moved Mr. Ditzler, seconded Mr. Schmitt 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 Mr. Schmitt moved, seconded by Mr. Ditzler to adjourn the meeting at 9:10 PM. Motion carried.

Respectfully submitted,



Sara L. Weaver  
Borough Secretary



**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  
J. William Ditzler, Vice President  
Sara L. Weaver, Borough Secretary  
Donald G. Oyler, Borough Solicitor

**ALCOHOL AND DRUG POLICY FOR GETTYSBURG BOROUGH**

April, 1993

1. **PURPOSE** The purpose of this policy are as follows:
  - (a) to establish and maintain a safe and healthy working environment for all employees.
  - (b) to insure the reputation of Gettysburg Borough and its employees as good, responsible persons worthy of the responsibilities and trust given to them by the citizens of the Borough.
  - (c) to reduce the incidence of accidental injury to persons or property.
  - (d) to reduce absenteeism, lateness and indifferent job performance.
  - (e) to provide assistance toward rehabilitation for any employee who seeks the Boroughs help in overcoming any addiction to, dependence upon or problem with alcohol or drugs.
2. **BENEFITS, INCONVENIENCE, COOPERATION** Those employees with drug and alcohol abuse problems make up only a small fraction of the work force, and the Borough regrets any inconvenience that may be caused to the many non-abusers by the problems of the potential few. It is believed, however, that the benefits to be delivered by the reduction in the number of accidents, the greater safety of employees, will more than make up for any inconvenience or loss the rest must be subject to. The Borough earnestly solicits the understanding and cooperation of all employees in implementing the policies set forth here.



3. DEFINITIONS

- (a) alcohol or alcoholic beverage- means any beverage that may be legally sold and consumed and that has an alcoholic content in excess of .5% by volume.
- (b) drug- means any substance (other than alcohol) capable of altering the mood, perception, pain level, or judgement of the individual consuming it.
- (c) prescribed drug- means any substance prescribed by a licensed medical practitioner for the person consuming it.
- (d) illegal drug- means any drug or controlled substance, the sale or consumption of which is illegal.

4. EMPLOYEE ASSISTANCE PROGRAM

- (A) any employee who feels he/she has developed a problem such as addiction to, or dependence upon drugs or alcohol is encouraged to seek assistance. Assistance may be sought by writing in confidence to, or asking for a personal appointment with the Borough Manager of the Borough of Gettysburg.
- (b) each such request for assistance will be treated as confidential by the Borough Manager, and only those persons who "need to know" will be made aware of the request.
- (c) the Borough Manager will be in charge with the responsibility for developing contacts with hospitals and community organizations offering alcohol or drug treatment programs (e.g., Care Units, Alcoholics Anonymous, Narcotics Anonymous and Community Agencies) and for referring employees seeking assistance to an appropriate treatment organization.
- (d) rehabilitation itself is the responsibility of the employee. Any employee with Blue Cross/Blue Shield coverage under the Borough's plan is covered for alcohol rehabilitation as inpatient at an approved treatment center subject to the provisions of the Blue Cross/Blue Shield contract.
- (e) for persons undergoing treatment for alcohol or drug abuse the Borough will consider this as a medical condition and apply the same general rules as those undergoing medical treatment for other illnesses.
- (f) upon completion of treatment an employee will be returned to active status without reduction of pay or seniority.

5. REJECTION OF TREATMENT - FAILURE OF REHABILITATION

Any employee suffering from an alcohol or drug problem who rejects treatment or who leaves a treatment program prior to being properly discharged will be subject to immediate termination. No employee will be eligible for this Employee Assistance Program more than one time. The recurrence of an alcohol or drug problem may be cause for termination.

6. ALCOHOLIC BEVERAGES

- (a) no alcoholic beverages will be brought into or consumed on Borough premises except in connection with Borough-authorized events.
- (b) being under the influence of alcoholic beverages while at work or on duty is cause for termination.
- (c) any employee whose off-duty abuse of alcohol results in excessive absenteeism or tardiness or is the cause of accidents or poor work will be referred to the Employee Assistance Program for rehabilitation. If the employee refuses or fails rehabilitation, he/she may be terminated.

7. PRESCRIPTION DRUGS

- (A) no prescription drug shall be brought on Borough premises by any person other than the person for whom the drug is prescribed by a licensed medical practitioner, and shall be used only in the manner, combination and quantity prescribed.
- (b) any employee whose abuse of prescription drugs results in excessive absenteeism or tardiness or is the cause of accidents or poor work, will be referred to the Employees Assistance Program for rehabilitation. If the employee refuses or fails rehabilitation he/she may be terminated.

8. ILLEGAL DRUGS

- (a) the use of an illegal drug or controlled substance or the possession of the same ON OR OFF DUTY is cause for termination.
- (b) the sale, trade or delivery of illegal drugs or controlled substance by an employee to another person is cause for termination and for referral to law enforcement authorities.
- (c) the "occasional" or "recreational" use "off-duty" of drugs or or controlled substance will not be excused. It has been shown in recent years that involvement with these either "occasionally" or "recreational" may be expected to result in:



- (1) financial and domestic difficulties resulting in:
  - (i) unstable performance
  - (ii) theft and embezzlement
- (2) embarrassment to the employer due to:
  - (i) arrest of employee
  - (ii) poor public relations, unsatisfactory work short tempers, etc.
- (3) a growing ring of drug use as users supply others

9. EMPLOYMENT OR PERSONS ADDICTED TO OR DEPENDENT ON ALCOHOL OR DRUGS

A person presently using illegal drugs or having a history of alcohol or drug dependence will not be knowingly employed by the Borough unless there is evidence of rehabilitation which is satisfactory to the Borough.

10. SAFETY OF WORK FORCE AND WORK RULES

- (A) in order to insure the safety of the work place and the work force, the following rules will apply to all employees effective on the receipt of this policy. Each employee, as a condition of continued employment, will be required, upon request of the Borough Manager to:
  - (1) submit to search of any vehicle brought upon or parked on Borough premises
  - (2) submit to search of any envelope, package, purse, briefcase or container on Borough premises.
  - (3) submit to search of any desk, file cabinet, chair, or furniture, or equipment on Borough premises.

11. EFFECTIVE DATE - NOTE TO EMPLOYEES - FEDERAL & STATE LAW

- (a) the policies set forth in this policy guide are effective immediately. Each present employee of the Borough of Gettysburg will be furnished a copy of this policy and will sign a receipt for said policy. Employees hired at a later date will be furnished a copy of the policy and sign the receipt upon being employed.
- (b) these policies will be implemented in a manner that will comply with all applicable federal and state law.

GETTYSBURG BOROUGH COUNCIL

5 April 1993

Dear Members of Council:

We will hold a public hearing at 7PM April 12 (just before Council meeting) to consider the 1993 Community Development Block Grant Application, which must be submitted to the Pennsylvania Department of Community Affairs by 14 May. This year the Borough will receive \$140,000 in "CDBG" funds. So far letters of interest for CDBG support from the Borough have been submitted by Adams County Interfaith Housing Corporation, South Central Community Action Programs, Inc. (SCCAP), and the Meade School Project.

During the regularly scheduled Council meeting, you will need to take several actions to enable the Borough to proceed with the application, including:

1. A Resolution authorizing the 1993 application;
2. Adoption of Fair Housing Resolution (see attached);
3. Designation of a "Fair Housing Officer"(see attached);
4. Adoption of the "Statement of Assurances"(see attached).

If you have any questions beforehand, please feel free to contact me!

Walt Powell



## 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: APRIL 12, 1993

BY: JEAN E. SIMPSON, PRESIDENT  
BOROUGH COUNCIL



## FAIR HOUSING NOTICE

This notice will serve to advise all residents of the BOROUGH OF GETTYSBURG that the following actions, if based on race, color, religion, sex, national origin, familial status (families with children), or handicap, are considered discriminatory.

Refusing to sell or rent to, deal or negotiate with any person.

Discriminating on terms or conditions for buying or renting housing.

Discriminating by advertising that housing is available only to persons of a certain race, color, religion, sex, national origin, familial status, or handicap.

Denying that housing is available for inspection, sale or rent when it really is available.

Blockbusting for profit, persuading owners to sell or rent housing by telling them that minority groups are moving into the neighborhood.

Denying or making different terms or conditions for home loans by financial institutions.

Denying to anyone the use of or participation in any real estate services, multiple-listing services or other facilities related to the selling and renting of housing.

All residents are hereby notified, that Dr. Walter L. Powell is designated as Fair Housing Officer for the BOROUGH OF GETTYSBURG and that any resident that believes they have been discriminated against under any of the above conditions may file a complaint with the Fair Housing Officer at the following address:

Dr. Walter L. Powell  
34 East Middle St.  
Gettysburg, Pa. 17325

Telephone: 334-1160

April 12, 1993



**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.

**LEGAL  
AUTHORITY**

(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.

**OFFICIAL  
RESOLUTION**

(C) It has established a citizen participation mechanism which:

**CITIZEN  
PARTICIPATION**

(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.

**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 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

(SIGNATURE)

(DATE)

(NAME/TITLE)

(MUNICIPALITY)

(COUNTY)



LOBBYING

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EXCESSIVE  
FORCE

Francis I. Linn  
(SIGNATURE)

5-14-93  
(DATE)

Francis I. Linn  
(NAME/TITLE)

Gettysburg  
(MUNICIPALITY)

Adams  
(COUNTY)