

COUNCIL MEETING MINUTES
AUGUST 12, 1996

~~President Simpson called the meeting to order at 7:30 p.m.~~ with the following Councilors present: William Troxell, John Eline, Jay Schmitt, Holliday Giles, Margaret Gustafson, Leonard Andrews and Charles Woodward. Richard Kreisher was absent. Also in Attendance were: Mayor Linn, Historic Preservation Officer Powell, Highway Superintendent Lawver, Code Enforcement Officer Weikert, Main Street Director Eric Persson, Polly Parone, representing the Retail Merchants Association, Lisa Leoffler of the Evening Sun and Ken Van Guilder of the Gettysburg Times.

Moved Mr. Eline, seconded Mr. Andrews to approve the agenda as presented. Motion carried.

Moved Mrs. Gustafson, seconded Mr. Schmitt to approve the minutes of July 8 as presented. Motion carried.

Citizens in Attendance:

Jon Muller, Great T-Shirt Co., 65 Steinwehr Avenue, attending to view Council.

Richard Codori, 316 N. Stratton Street, attended the meeting to address his concern on the proposal of GMA to increase water draws from Marsh Creek.

Megan Shreve, Wee Care Learning Center, attended for her interest in the allocation of Community Development Block Grant "CDBG" funds.

Lex McMillan, Gettysburg College, introduced the new college Public Relations Director Stacey Schmeidl who will be representing the College at the Council meetings.

Ted Talbert, 7 Lincoln Square, just visiting.

Jacob Tamse and Robert Cole representing G.S. Communications.

Steve White, 150 N. Stratton Street, asked Council to do a storm water study on Stevens Run in an effort to reduce damage to property.

Eric Persson informed Council that Main Street would make a presentation at next months meeting.

Mayor Linn read a letter from Mayor Steve Reed of Harrisburg acknowledging our thank you letter to that city for flood assistance.

Moved Mr. Schmitt, seconded Mr. Troxell to pay all bills and payrolls for the month. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. Andrews to accept the insurance proposals of Hockley and O'Donnell Insurance Co. as presented. Motion carried unanimously.

Mr. Troxell asked the G. S. Communications representatives when G.S. Communications would take over the local system completely from Suburban Cable. Bob Cole indicated that the transfer is scheduled for September 30.

Moved Mrs. Gustafson, seconded Ms. Giles to approve HARB "consent agenda" of July 31. Motion carried unanimously.

Moved Mrs. Gustafson, seconded Mr. Troxell to reappoint Elwood Crist and Elizabeth Daniels to HARB for another five (5) year term. Their terms will expire in August 2001. Motion carried unanimously.

Ms. Giles reported that the Safety Committee approved the selection of Matthew Harvey to fill the police position. A request for free parking on August 23, 24 and 25 for sidewalk sales days was granted. See report for further information.

Moved Mr. Woodward, seconded Mr. Troxell to reappoint Richard Harris of Highland Township to the Recreation Board for another five (5) year term. This term will expire September 2001. Motion carried unanimously.

Moved Mr. Woodward, seconded Mr. Troxell to appoint James Rosensteel of Franklin Township to fulfill the term of Tom Ford. This term will expire September 1997. Motion carried unanimously.

Mr. Woodward reported that Kathy Showvaker announced her resignation due to personal reasons. Her final day will be August 30.

Mr. Andrews reported that the Legislative Committee will be meeting on August 28 at 4:00 with the County Commissioners. Members of Council should attend this meeting if available.

Moved Mr. Andrews, seconded Mr. Eline to adopt the consent resolution authorizing the transfer of cable television franchise for G.S. Communications. Motion carried unanimously.

Robert Cole, Vice-President G.S. Communications reported that they plan to establish an office in town to better serve the residents. Payments will also be accepted at the bank for convenience.

Mr. Eline reported the Community Development Committee discussed concerns from citizens/business persons along Steinwehr Avenue regarding the possible move of the GNMP Visitor Center/Cyclorama to another location. Deb Darden of the Park Service was invited to attend a committee meeting on July 22 to discuss the Development Concept Plan.

Moved Mr. Andrews, seconded Mr. Troxell to accept the G. H. Harris exoneration report for tax year 1995. Motion carried unanimously.

Moved Mr. Schmitt, seconded Mr. Troxell to approve the proposed reallocation of \$7,970 in FY-1992, \$18,000 in FY-1993, and up to \$30,000 in FY-1994 Community Development Block Grant "CDBG" funds for the purposes of providing Interim Assistance to the Borough and to South Central Community Action Programs, Inc. for costs incurred during the June 1996 flood. Motion carried unanimously.

With no further business moved Mr. Troxell, seconded Mr. Schmitt to adjourn the meeting at 9:00 p.m.

Respectfully submitted,



Sara L. Weaver
Borough Secretary

**CONSENT RESOLUTION AUTHORIZING THE TRANSFER OF
CABLE TELEVISION FRANCHISE**

WHEREAS, the cable television franchise in the Gettysburg Borough (the "Franchise") is currently owned and operated by Sammons Communications of Pennsylvania, Inc. (the "Franchisee"); and

WHEREAS, on May 9, 1995, TCI Communications, Inc., a Delaware corporation, as buyer ("Buyer"), and Sammons Communications of New Jersey, Inc., a New Jersey corporation, Oxford Valley Cablevision, Inc., a Pennsylvania corporation, Sammons Communications of Pennsylvania, Inc., a Delaware corporation, NTV Realty, Inc., a Delaware corporation, Capital Communications, Inc., a Delaware corporation, AC Communications, Inc., a Delaware corporation, (collectively, "Seller", unless the context otherwise requires) entered into an Asset Purchase Agreement for the sale and purchase of cable television assets located in New Jersey and Pennsylvania (the "Purchase Agreement"); and

WHEREAS, TCI has assigned all of its rights and obligations pursuant to the Purchase Agreement to Suburban Cable TV Co. Inc. which has entered into an agreement (the "Suburban Agreement") to sell the cable television assets in Gettysburg Borough and assign the Franchise to GS Communications, Inc. ("Transferee"); and

WHEREAS, the Gettysburg Borough (the "Franchising Authority") has received a request for approval to assign the Franchise and transfer the CATV ordinance from the Franchisee to Transferee, and to authorize and consent to the granting by Transferee to its lender or lenders of a security interest or interests in the Franchise and CATV ordinance; and

WHEREAS, Transferee, as the proposed assignee and transferee of Franchisee, from and after the date of the closing of the transactions described in the Purchase Agreement and the Suburban Agreement, shall assume and agree to perform each and every obligation of the Franchisee under the Franchise that relate to periods after the date of closing of such transactions;

NOW, THEREFORE, BE IT RESOLVED, that the sale, transfer and assignment of the rights, responsibilities and benefits of the Franchise from Franchisee to Transferee is hereby permitted and approved, and the granting by Transferee to its lender or lenders of a security interest or interests in the Franchise (and any related CATV ordinance), are hereby permitted and approved; and

BE IT FURTHER RESOLVED, that the Franchise (and any related CATV ordinance, is in full force and effect without default thereunder by the Franchisee to the date hereof in accordance with its terms and conditions as set forth therein and that no breach has occurred or is continuing under the Franchise; and

BE IT FURTHER RESOLVED, that the Franchising Authority confirms that: (a) the Franchise is properly and validly granted; (b) the Franchise Agreement is currently in full force and effect and expires on January 17, 2005; (c) the Franchisee is recognized as the present holder and owner of the Franchise; (d) the Franchise Agreement supersedes all other agreements between the Franchising Authority and the Franchisee and represents the entire understanding between the Franchising Authority and the Franchisee with respect to the ownership and operation of the System in the area covered by the Franchise Agreement, and the Franchisee has made no commitments and owes no obligations to the Franchising Authority other than those specifically stated in the Franchise Agreement; and (e) all authorizing actions and proceedings required for the Franchising Authority to consent to the assignment of the Franchise and granting of the security interest(s) have been duly taken; and

BE IT FURTHER RESOLVED, that the consent to transfer herein provided shall be effective upon and only effective concurrent with the transfer of the assets to GS Communications, Inc. Transferee shall notify the Franchising Authority promptly upon the closing of such transactions.

AUGUST, 1996. **ADOPTED** by the Franchising Authority on this 102 day of

Gettysburg Borough

By: Jean E. Simpson
Title: President - Borough Council

Attest:

Sara L. Weare

G. H. HARRIS ASSOCIATES
EXONERATION REPORT
TAX YEAR 1995

County of Adams
Boro of Gettysburg

* DENOTES CHANGE OF ADDRESS

LAST NAME	FIRST NAME	MI	ADDRESS	CITY	ST	ZIP	----- EXONERATED -----
							AMOUNT REASON
CAPLE	BRADLEY	D	427 BALTIMORE ST	GETTYSBURG	PA	17325	8.80 PD.GETT12/29/95
DANIEL	JEAN-JACQUES		1034 GREEN RIDGE RD	ORRTANNA	PA	17353	5.50 MOVED,FRANCE
Forney	Elizabeth		* 2581 OLD HBG RD TRL 11	GETTYSBURG	PA	17325	5.50 MOVED,LEFTnoADD
HEFFNER	CHAD	L	236 S WASHINGTON ST	GETTYSBURG	PA	17325	5.50 IN MARINE CORPS
HERMINA	JUAN	M	P08 4061 255 S WASHINGTN	GETTYSBURG	PA	17325	12.10 IN PUERTO RICO
HOLMES	CYNTHIA		33 QUEEN ST	GETTYSBURG	PA	17325	5.50 MOVED,LEFTnoADD
JOHNSON	CHRISTY	S	161 N WASHINGTON ST	GETTYSBURG	PA	17325	12.10 MOVED,LEFTnoADD
Koontz	Clarence		* 15 Chambersburg St. #3	Gettysburg	PA	17325	13.75 NO MAIL RECEIPT
LONG	ELLEN		* 2194 BELLMONT COURT	JEFFERSON	MD	21755	5.50 OUTOFSTATE 1994
MOORE	MICHAEL		133 CHAMBERSBURG ST #1	GETTYSBURG	PA	17325	31.90 ADDRESS UNKNOWN
PECK	VIOLET		* 4125 HOLCOMBE RD	RICHMOND	VA	23234	8.80 OUT-OF-STATE,2Y
REED	DONNA	J	* 102 N STRATTON ST	GETTYSBURG	PA	17325	5.50 ADDRESS UNKNOWN
REED	FRANK	D	* 102 N STRATTON ST	GETTYSBURG	PA	17325	12.10 ADDRESS UNKNOWN
RHODES	JAMES	L	39 N WASHINGTON ST BOX233	GETTYSBURG	PA	17325	12.10 ADDRESS UNKNOWN
SIMPSON	RICHARD	E	524 MCMILLAN ST	GETTYSBURG	PA	17325	15.40 BANKRUPTCY,4/96

COUNT 15