

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL BUSINESS MEETING MINUTES
July 10, 2023**

President Wesley Heyser called the meeting to order at 7:00 PM with the following **Councilors present:** Vice President Matthew Moon, Mr. Christopher Berger, Mrs. Judith Butterfield, Mr. John Lawver and Mr. Chad Carr. Ms. Patricia Lawson attended via telecommunications. **Staff present included:** Mayor Rita Frealing; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Barley Snyder; Police Chief Robert Glenny; Director of Historic and Environmental Preservation Debra English; Planning Director Carly Marshall; Parking Manager Rebecca Fissel; Public Works Director Robert Harbaugh; Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.; and Karen Mesher, Assistant Borough Secretary/Planning Assistant.

Others present included: Jill Sellers, President of Main Street Gettysburg; Karl Pietrzak, President of Destination Gettysburg; Scott English, owner of The Gettysburg Academy, 66-68 W. High Street; Shelley Knouse, owner of Fresh Boutique, 28 Chambersburg Street; Kelly Kaiser, 200 E. Middle Street; Peter Bales, 35 Hanover Street; Brian Hodges, 137 Ridge Avenue and owner of The Brafferton Inn, 44 York Street; Linda Atiyeh, owner of The Upper Crust, 26 York Street; Bob Weaner, 35 North Hay Street; and John Berndt, 30 York Street. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by *Community Media-ACCTV*.

President Wesley Heyser announced an executive session of the Borough Council of the Borough of Gettysburg will be conducted immediately following the adjournment of this evening's monthly general business meeting of the Council consistent with section 708(a)(4) and section 708(a)(5) of the Sunshine Act, for the following purposes: (1) to consult with its Manager, Planning Director/Zoning Officer and Solicitor regarding information or strategy in connection with issues on which identifiable complaints and/or appeals have or are expected to be filed; and (2) to review and discuss matters of business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or matters of confidentiality protected by law.

Approval of Agenda and Minutes

Moved Mr. Moon seconded Mr. Berger to approve the July 10, 2023 agenda as presented. Motion carried unanimously.

Moved Mr. Carr seconded Mr. Moon to approve minutes of the Council Business Meeting on June 12, 2023; and Council Work Session on June 26, 2023 as presented. Motion carried unanimously.

Public Comment (Restricted to Items on the Agenda)

Scott English, owner of The Gettysburg Academy, 66-68 W. High Street said that the proposed Parking Pilot Program is a good idea, and that it will improve pedestrian safety in the downtown area. He suggested that restaurants with seating over 400 should be considered in the program.

Brian Hodges, owner of The Brafferton Inn, 44 York Street said that this is a great start to the proposed Parking Pilot Program and that it will provide safety for the downtown area. He suggested that larger capacity businesses and restaurants be included in the program with buses able to park or stop in front of those businesses. The buses should not be allowed to park in front of other businesses.

Karl Pietrzak, President of Destination Gettysburg said that they work with bus groups on a regular basis and said that dining is the biggest stopping point for buses. He recommended that the larger restaurants be allowed to have buses park and pay for reserved spaces for loading and unloading directly in front of their establishments.

Bob Weaner, 35 North Hay Street said that he does not agree with the Funnel Option proposed for Racehorse Alley and said that he feels that the alley should remain two-way traffic. He said that pushing the traffic onto Franklin Street to then enter Chambersburg Street would cause a traffic back up.

Current and Old Business

Department of Planning /Zoning/Code /Code Enforcement

Planning Director Marshall gave the following report: Planning Commission gave recommendations to the Zoning Hearing Board on the application for Special Exception and Variance for the Gettysburg Station Site; the next meeting of the Planning Commission is on July 17th; a proposed townhouse development at 0 Hanover Street and a proposed subdivision plan at 687 York Street are pending acceptance at their next meeting; the Zoning Hearing Board met on June 28th to consider the application for a Variance and Special Exception for the Gettysburg Station site and will reconvene on July 12th.

Department of Historic & Environmental Preservation

Director of Historic and Environmental Preservation Debra English gave the following report: received notice of approval for a recycling grant in the amount of \$306,895.00 to be used for a leaf vac and recycling bins; the Adams County Farmers Market invited GBSWA to set up a display and educate the public at their first Homesteading and Green Living Expo in partnership with Gettysburg Green Gathering on July 15th at the Gettysburg Recreation Park. They provided eight rain barrels to be raffled at the market.

Moved Mr. Moon seconded Mr. Carr to accept the recommendation of the Borough of Gettysburg Historical Architectural Review Board (HARB) following its review on June 21, 2023 and grant a Certificate of Appropriateness for the following

application as presented: COA-230038 CRITICAL PROJECT: 340 Baltimore Street (THE BROWN HOUSE) – Borough of Gettysburg to approve the demolition of the structure and the concept design for new construction of a new building that would benefit the public and that the demolition would occur only when a permit for new construction is ready to commence per the application dated March 8, 2023. A roll call vote was taken: YEA: Mr. Berger, Mrs. Butterfield, Mr. Carr, Ms. Lawson, Mr. Lawver, Mr. Moon and Mr. Heyser. The vote passed unanimously.

Councilwoman Lawson asked when the 340 Baltimore Street house (the Brown House) was built.

President Heyser said that he believes that it was built approximately in 1890. He noted that the structure was deteriorating and was beyond repair.

Councilwoman Butterfield commented that the Historical Architectural Review Board (HARB) did not take this decision lightly and spoke of the historical significance of the property. After much discussion, the Board realized that this was the best option for the Brown House.

Councilman Carr noted that the Borough received grants for the Brown House Project and thanked Jill Sellers and the Borough staff for their efforts in securing these grants.

Councilman Berger also noted that both senators and congressman endorsed the project and we thank them for their help in securing these grants.

Moved Mr. Carr seconded Ms. Lawson to adopt a resolution to authorize the acceptance, on behalf of the Borough of Gettysburg, of a Recycling Development and Implementation Grant (Recycling Program Grant Number 202210275379) in the amount of \$306,895.00, as approved by the Pennsylvania Department of Environmental Protection (“DEP”) under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act, for the development and implementation of the Borough’s proposed Recycling Grant Leaf Vac and Recycling Bins project and to authorize Charles R. Gable, MPA, Borough Manager to notify the Department of Environmental Protection of the Borough’s acceptance of the grant and to provide all required information and documentation to the Department for the preparation of the award agreement for the project, and to further authorize Mr. Gable and/or Sara L. Stull, Assistant Borough Manager/Secretary to sign, attest, execute and deliver to the Department the finalized award agreement and all other agreements and related documentation on behalf of the Borough. Motion carried unanimously.

Parking Department

Parking Manager Fissel gave the following report: the Racehorse Alley Parking Garage Reserved Parking spaces have increased and the Local Privilege Parking (LPP) are slightly down, which is normal in the summer when college is out of session.

Moved Ms. Lawson seconded Mr. Moon to adopt a resolution pursuant to the provisions of Chapter 15, Part 1, Section 105 of the Code of Ordinances of the Borough of Gettysburg in order to authorize Borough's implementation of a 90-day oversized vehicle parking pilot program. A roll call vote was taken: YEA: Mr. Berger, Mrs. Butterfield, Mr. Carr, Ms. Lawson, Mr. Lawver, and Mr. Moon. NAY: Mr. Heyser. The vote passed 6 YEA/1 NAY.

Councilman Carr said that he approves the Parking Pilot Program and said that it is meant for everyone and not the size of the business or restaurant.

Councilman Heyser expressed his concern about the buses parking in front of St. James Lutheran Church because they provide a day care program, and because of the sound of the idling buses near residences. He suggested that bus and large vehicle parking spaces be located further down the street and not in front of the church. Parking spaces are for public use, and allowing businesses to reserve the spaces would take away parking for the general public. He said that the bus parking could be addressed if business owners would ask bus drivers to find safer locations to load and unload; but they are not doing that, and noted that private properties rent spaces for parking that the buses could use. He said that this "creates a situation where if someone has enough money, you can do whatever you want to, and if you don't you're left out in the cold." Councilman Heyser said that he is not in favor of the Parking Pilot Program and will not vote for it.

Councilman Moon asked Parking Manager Fissel to provide a monthly report on the Parking Pilot Program.

Public Works Department

Public Works Director Harbaugh gave the following report: the street preservation base repair was completed during the week of June 19th; a preconstruction meeting is being planned to proceed with the street preservation for Elm Street, Seminary Avenue, North and South Howard Avenues, McMillan Street, Ridge Avenue, Red Patch Avenue and West Railroad Street.

Councilman Carr asked if the public works crew maintains the street trees that are impeding or touching buildings.

Public Works Director Harbaugh responded yes, and that they trim the street trees that are encroaching on to building, signs, etc. Anyone with a complaint should notify him so that they can take care of the trees.

Borough Engineer

Engineer Clabaugh gave the following report: bridge maintenance bids were opened on June 29th with JDI Site Solutions as the low bidder; Racehorse Alley Parking Garage maintenance has been completed; gave an update on the Gettysburg Inner Loop (GIL) and said that as soon as Council makes a decision on the flow of traffic on Racehorse Alley then they can begin the design process; and the Gettysburg College representatives are reviewing the

request for the additional two-foot of right-of-way needed for contraflow lanes for the GIL on Racehorse Alley.

Moved Ms. Lawson seconded Mr. Moon to adopt a resolution authorizing entry into a Facility Encroachment Agreement with CSX Transportation, Inc. relative to the construction, maintenance or repair of certain stormwater management improvements; and further authorizing Charles R. Gable, MPA, Borough Manager, and Sara L. Stull, Assistant Borough Manager/Secretary to sign, attest, witness, execute and deliver the Agreement on behalf of the Borough. Motion carried unanimously.

Moved Mr. Carr seconded Mr. Berger to adopt a resolution for the purpose of authorizing the adoption of the Pennsylvania Department of Transportation Policy and Procedure for Consultant Selection by the Borough of Gettysburg, as the sponsor of the Gettysburg Gateway Connectivity Project, for the facilitation of grant funding for the project under the Federal Lands Access Program. Motion carried unanimously.

Moved Ms. Lawson seconded Mr. Carr to award the 2023 Gettysburg Borough Bridge Maintenance Project to the lowest qualified responsible and responsive bidder, JDI Site Solutions, LLC, at its bid amount of \$99,100.98. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Carr to authorize the Borough Engineer, C.S. Davidson, Inc., to design the Gettysburg Inner Loop Phase B1 and Phase B2, for the one-way directional realignment of Racehorse Alley between Buford Avenue and North Washington Street, identified as Option #6 - the Franklin Funnel, as presented by the Borough Engineer. A roll call vote was taken: YEA: Mr. Carr, Ms. Lawson and Mr. Moon. NAY: Mr. Berger, Mrs. Butterfield, Mr. Lawver, and Mr. Heyser. The vote failed 3 YEA/4 NAY.

Councilman Lawver said that he is not in favor of the Franklin Funnel and would prefer to keep Racehorse Alley two-way. The Franklin Funnel would create frustration for people trying to get across town and would increase the traffic on Chambersburg Street causing congestion especially in the absence of a left-turn lane on Franklin Street. He pointed out that years ago there were cameras placed atop the Gettysburg Hotel on Lincoln Square that could monitor the computerized traffic light system, and it had the ability to expedite the flow of vehicles away from the square; but he believes that they were turned- off. He asked the Public Works Director to review the cameras to see if they can be turned- on.

President Heyser noted that there has been a lack of public input regarding the GIL and Racehorse Alley Project. He said that the Franklin Funnel would reduce the traffic in the alley but it would also create an impractical traffic plan. He said that he would support the funnel if he believed there was a major safety concern in the alley, and pointed out that there has been no significant history of crashes there. He said that better lighting could possibly improve the alley. He pointed out that Healthy Adams Bicycle/Pedestrian Inc. (HABPI) paid to have a traffic study completed.

Councilman Moon said that he does not see a massive number of vehicles driving on Racehorse Alley, and said that he is in favor of the Franklin Funnel.

Councilwoman Lawson said that vehicles traveling on private property is not acceptable, and that she will vote in favor of the Franklin Funnel.

Councilman Carr said that he is in favor of the Franklin Funnel, and said that the alleys are meant to serve the properties along them and not function as a thoroughfare. He said that adding the GIL to the alley would beautify the area.

Councilwoman Butterfield asked if this project was discussed or considered for a pilot program to see how it would work.

President Heyser said that it would be difficult to do a pilot program because of all the construction that needs to take place.

Councilman Berger asked Chief Glenny about the number of accidents reported in Racehorse Alley.

Chief Glenny responded that there were none reported for the alley, but there have been a few at the intersection of Chambersburg Street and Franklin Street. He expressed his concern about safety and of bikes traveling in the opposite direction of vehicles in Racehorse Alley.

Councilman Berger expressed his appreciation for HABPI's extensive work on the GIL. He said that he spoke with a number of people that do not understand the Franklin Funnel and are against the change to Racehorse Alley. He said that he will not vote for the funnel, but would approve the one-way continuous traffic.

Engineer Clabaugh said that he spoke with Trone Rental Properties LLC who owns several properties along Racehorse Alley, and he would prefer to keep the alley two-way on the East side of the Alley.

Moved Mr. Moon seconded Mr. Berger to authorize the Borough Engineer, C.S. Davidson, Inc., to design the Gettysburg Inner Loop Phase B1 and Phase B2 for the one-way directional realignment of Racehorse Alley between Buford Avenue and North Washington Street, identified as Option #5 – One-Way West with contraflow lane and additional right-of-way, as presented by the Borough Engineer. A roll call vote was taken: YEA: Mr. Berger, Mrs. Butterfield, Mr. Carr, Ms. Lawson, Mr. Moon, and Mr. Heyser. NAY: Mr. Lawver. The vote passed 6 YEA/1 NAY.

Police Department

Chief Glenny gave the following report: announced that the two recently hires police cadets recently hired began the police academy at HACC on July 5th for their ACT 120 Certification; the Annual National Night Out will be held on Tuesday, August 1st from 4:30 PM to 8 PM at the Gettysburg Rec Park with a band playing from 5:30 PM to 8 PM. He said that there will be door prizes, a dunk booth, Narcan distribution, food trucks, Gettysburg Fire Department food stand fundraiser, representatives from law enforcement, businesses, and

social service will be there; and noted that the event coordinator is Gettysburg Police Department Officer Eric Wenrich.

Chief Glenny said that he supports the Parking Pilot Program for bus parking, but noted that they will continue to load and unload on the streets creating a safety hazard.

Councilman Berger asked Chief Glenny if there were any major incidents to report.

Chief Glenny responded that the detectives are still investigating an incident involving a baby, and noted that the baby is doing well.

Councilman Heyser commended the detectives for doing a fine job.

Councilman Carr thanked Chief Glenny and the police department for having a police presence during the Gettysburg Pride Festival in June. He said that he was also delighted to see police officers out on foot patrol.

Chief Glenny said that they like to have both foot and bike patrols out around town and he hopes to have more of the horse patrol throughout town, noting that people like to see the horses.

Office of the Manager/Treasurer/Secretary

Manager Gable gave the following report: discussed Borough fund balances and said that there is 2.6 million dollars available in the General Fund; 100 percent of the property tax revenue was collected at a discount or at face value; and \$760,000 surplus to date which is consistent with the use of the American Rescue Plan Act (ARPA) funds.

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

Moved Ms. Lawson seconded Mr. Lawver to accept the J. P. Harris Associates Tax Exoneration report for tax years 2007 and 2009 as presented. Motion carried unanimously.

Moved Mr. Moon, seconded Ms. Lawson to make a budget modification to transfer the amount of \$750,000.00 from the General Fund Account # 01 to the Capital Reserve Fund Account # 30. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Moon to authorize a COLA increase for retired police pensioner Walter Gliem, to be paid from the Police Pension Plan effective June 1, 2023. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to authorize a COLA increase for retired police pensioner William Laughman, to be paid from the Police Pension Plan effective June 1, 2023. Motion carried unanimously.

Moved Mr. Carr seconded Berger to provide notification to the Civil Service Commission of the Borough of Gettysburg to request the Commission's certification of an eligibility list for the position of entry-level patrol officer of the Gettysburg Borough Police Department. Motion carried unanimously.

Councilwoman Lawson thanked Manager Gable and staff for the good work in managing the American Rescue Plan Act (ARPA) funds.

Liaison Reports

Main Street Gettysburg

President Sellers gave the following report: **Façade Improvement Program** – A total of \$36,800 was awarded in the first two rounds of applications. Projects total \$480,610 of investment in our Historic District. A third round will be reviewed in late July to award the remaining grant balance of \$13,200; **30th Anniversary of Gettysburg Movie** – Tickets went on sale on June 23, 2023 at the Majestic, Over half of the tickets were purchased on the first day. We are partnered with Journey Through Hallowed Ground, American Battlefield Trust, and Adams County Historical Society. We are seeking restaurants to sponsor meals for the actors in attendance.; **Grow with Google** – On June 19, 2023, we hosted a series of free workshops for businesses, in conjunction with Google, Main Street America, and Pennsylvania Downtown Center. Businesses learned to manage their online profiles, including photos, videos, mapping, as well as E-Commerce tools. Other workshops are scheduled in the fall. Businesses are encouraged to take advantage of this free training. We thank Destination Gettysburg for hosting the workshops; **HARB** – On June 21, 2023, the application was presented to the Historic Architectural Review Board. The project was approved contingent upon construction funds and plan review; **Parking** – Parking in the Borough is a sign of a strong economy; and **Economic Development** – she is always available for questions and discussion.

Gettysburg Area Recreation Authority (GARA)

Councilman Carr gave the following report: “Music in the Park” began on June 25th in the Rec Park Amphitheater and will be held every Sunday until August 13th at 6:00 PM. The concert series is sponsored by the Adams County Art Council STAR Grant Program and *Gettysburg Connection*. All donations received for the “Music in the Park” goes towards repairing the mural on the Amphitheater.

Gettysburg Municipal Authority (GMA)

Councilman Berger gave the following report: relayed the discussion on the Herrs Ridge high pressure zone in regards to future building that a flow totalizer may be placed on the current booster station on Fairplay Road to see if there is need to add another one; bids were received for piping for the Cemetery Hill Tank Project in the Hillcrest neighborhood and around the Tour Center; bids for the GMA office building renovations at 424 East Middle Street were received.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Butterfield reported that the Steinwehr Avenue BID will not have a meeting in July. She noted that the past two weekends have been very busy on Steinwehr Avenue, especially over Bike Week, and said that she will have an update for council at an upcoming meeting on how the merchants did.

Adams County Boroughs Association (ACBA)

Mayor Frealing said that she was unable to attend the June ACBA meeting due to a prior commitment.

Adams County Transportation Planning Association

Councilwoman Butterfield reported that the next meeting of ACTPO will be held on July 26th.

Adams County Council of Governments (ACCOG)

Councilwoman Butterfield reported that representatives from the Adams County Office of Planning and Development and the Adams County Conservation District attended the meeting to speak about programs to include preservation and land conservancy. The collaboration subcommittee continues to discuss cyber security.

Health Adams Bicycle Pedestrian, Inc. (HABPI)

Councilwoman Lawson reported that the Adams County Community Foundation offered a \$15,000 grant for development for the Gettysburg Inner Loop (GIL), but it requires matching funds. Anyone that wishes to donate to the GIL should contact the ACC Foundation but note that the deadline is July 14th.

Overdose Awareness Task Force

Councilman Moon announced that they will have a table at the National Night Out to be held on Tuesday, August 1st, and that NARCAN Kits will be available.

Trail Feasibility Study

Councilman Berger had nothing to report.

Other Reports

Recycling

Councilwoman Butterfield gave the following report: Adams County has been discussing a glass recycling program and that she spoke with Commissioner Qually to gather information; and learned that the location would be at the Adams County Emergency Services

building. They are seeking funds for a fence that the state requires before they can begin the program; and Councilwoman Butterfield along with Debra English and Karen Mesher will be attending the Professional Recyclers of Pennsylvania (PROP) Recycling and Organics Conference to be held at the Wyndham on July 19th.

Elected Officials' Comments

Mayor Frealing gave the following report: was delighted to be part of the Gettysburg Pride Event; spoke at the Juneteenth event; spoke at the Brethren Home in New Oxford; gave opening remarks at the Braver Angels National Convention that was held at Gettysburg College from July 5 to 8; she will be a speaker at the Professional Recyclers of Pennsylvania (PROP) Recycling and Organics Conference to be held at the Wyndham on July 19th; and she will be attending the Pennsylvania Mayors Association Conference to be held in Lancaster from July 20th to 23rd.

Councilman Carr commended both Public Works Laborer Randy Heflin for 42 years of service, and Assistant Borough Manager/Secretary Sara Stull for 34 years of service. He pointed out the necessity to have a transition plan for employees with considerable knowledge from the many years that they have worked for the Borough.

Councilman Lawver asked Public Works Director Harbaugh to check the traffic cameras on the square to make sure that they are working. He said that they were installed many years ago to help with the traffic gridlock around the square.

Councilman Lawver expressed his concern over the number of old Met-Ed poles that need to be removed, noting that some are dangerous and could potentially fall. He pointed out that their cables were transferred a year ago to the new poles, but some of the cable companies have not removed their cables. He suggested that the solicitor prepare a letter to the PA Utilities Commission (PUC).

President Heyser asked that a copy of the letter to the PUC be sent to the state representatives.

President Heyser explained that the applicant representing the Gettysburg Station Site Project (formerly the REDDI) is going through the process by attending HARB, Planning and Zoning to present the plans. Mr. Harrison has presented his plans to HARB, Planning Commission, and Borough representatives, which aligns with the options that former Councils have approved for the site. He cautioned the public to be careful with what you read because it is not always accurate and sometimes can be malicious.

Public Comment

Shelley Knouse, owner of Fresh Boutique, 28 Chambersburg Street said that she is interested in the Gettysburg Station Site but said that it is a huge project that will change the scope of the downtown. She encouraged Council to delay the Zoning Hearing Board meeting scheduled for July 12th so that citizens can be informed of the project.

Borough Solicitor Harold Eastman explained that Borough Council has no control over the timeline and said that it is mandated by the PA Municipality Planning Code. A hearing must be conducted within a certain period of time from the time a developer submits an application.

John Berndt, 30 York Street said that he currently works for the Upper Crust on York Street, and said that they generate bus traffic. He asked Council to consider allowing the buses to park closer to the square and the Upper Crust.

Jill Sellers, President of Main Street Gettysburg said that the economic development downtown is incredible and a tremendous opportunity. She said that there may be a fear of competition but this project will boost the economy with more housing, restaurants and shops. She noted that it is a huge opportunity for the downtown area and encouraged people to look at the plans for the project. She encouraged anyone with questions or concerns to contact her at 717-337-3491 or email at jsellers@mainstreetgettysburg.org.

Moved Mr. Lawver, seconded Mr. Moon to adjourn the meeting at 9:30 PM to an executive session. Motion carried unanimously.

Respectfully submitted,

Sara L. Stull
Borough Secretary