

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL BUSINESS MEETING MINUTES
NOVEMBER 13, 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 was absent. **Staff present included:** Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Barley Snyder; Planning Director Carly Marshall; Director of Historic and Environmental Preservation Debra English; Parking Manager Rebecca Fissel; Public Works Foreman Bradley LaBure; and Borough Engineer Clabaugh, C.S. Davidson, Inc.; Mayor Rita Frealing, Police Chief Robert Glenney, and Public Works Director Robert Harbaugh were absent.

Others present included: Jill Sellers, President of Main Street Gettysburg; Brian Hodges, 137 Ridge Avenue and owner of The Brafferton Inn, 44 York Street; Alisha Sanders, 812 Sunset Avenue; Darlene Brown, 355 West High Street; and Sharon Monahan, 114 West Broadway. 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 was conducted immediately following the adjournment of the October 23, 2023 monthly work session of the Borough Council consistent with section 708(a)(5) of the Sunshine Act.

Approval of Agenda and Minutes

Moved Mr. Moon, seconded Mr. Lawver to approve the November 13, 2023 agenda as presented. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Berger to approve minutes of the Borough Council Meeting of October 10, 2023; and the Borough Council Budget Work Sessions held on October 16 and 30, 2023, and the Borough Council Work Session of October 23, 2023 as presented. Motion carried unanimously.

Public Comment (Restricted to Items on the Agenda)

There were no public comments.

Current and Old Business

Department of Planning /Zoning/Code /Code Enforcement

Planning Director Marshall gave the following report: the Planning Commission and Rezoning Committee held a Town Hall/Open House on October 18th which was well attended. The updates to the Zoning Ordinance and Zoning Map are on the Borough Website (www.gettysburgpa.gov) for the public to review and comments can be submitted online.

Councilman Lawver questioned Planning Director Marshall about the construction projects that are occurring in the Borough and said that their permits are not posted at the work site.

Moved Mr. Burger, seconded Mr. Moon to authorize the finalization and the publication for intended enactment of a proposed updated and modified sign ordinance for the purpose of superseding, supplanting and replacing the current Gettysburg Borough Sign Ordinance, which is codified at Chapter 19, Part 1, Subpart A. of the Borough of Gettysburg Code of Ordinances. Motion carried unanimously.

Solicitor Eastman noted that the Public Hearing is scheduled for Tuesday, November 28, 2023 at 6:30 PM, and will appear in the *Gettysburg Times* on November 11th and 18th as required.

Department of Historic & Environmental Preservation

Director of Historic and Environmental Preservation English gave the following report: she was a speaker at the Pennsylvania Municipal League (PML) Sustainability Conference on November 1st to 3rd to explain the Gettysburg Storm Water Authority's (GBSWA) public outreach initiatives and the importance of rain barrels. Planning Assistant Karen Mesher was also in attendance to help with the presentation and to distribute information.

Councilwoman Butterfield complimented both Debra English and Karen Mesher for the informative presentation about the rain barrels. She noted that the rain barrels are very popular and people were interested in how they work. Informational brochures were handed out and they are also located in the Borough lobby.

Moved Mr. Moon, seconded Mr. Carr to accept the recommendations of the Borough of Gettysburg Historic Architectural Review Board (HARB) following its review on October 18, 2023 and grant Certificates of Appropriateness for the following applications as presented: COA-230062 MAJOR PROJECT: 136 S. Stratton Street – Unitarian Universalist Church (Trinity UCC) for the proposed restoration/painting of the small historic round window above the front entrance way on S. Stratton Street, remove the double front doors and reconstruct them with Khaya (African mahogany)

wood in the same design with 1 ¾ inch split panels, and restore and reuse the original door hardware as presented in the application dated September 22, 2023; COA-230083, MAJOR PROJECT: 141 S. Stratton Street – Trinity UCC Parsonage for the proposed replacement of the two front-facing wood porch columns with the same design using alternate HB & G Permacast Round materials without taper columns as presented in the application dated September 22, 2023; COA-230075, MAJOR PROJECT: 60 E. High Street – Trinity UCC Church Fellowship Hall for the proposed repair of all rotted window sills on the West, North, and East sides of the fellowship hall by repairing the wood sills and wrapping them in aluminum as presented in the application dated September 22, 2023. Motion carried unanimously.

Parking Department

Parking Manager Fissel gave the following report: there were 42 Local Privilege Parking (LPP) Permits issued for the month of October; and 20 reserved parking spaces in the parking garage issued for the month of October.

Moved Mr. Moon, seconded Mr. Lawver to authorize the designation and establishment of a parking space reserved for exclusive use of persons with disabilities in an area on the north side of Breckenridge Street between South Washington Street and Franklin Street and to authorize the placement and erection of appropriate signage that the parking space is so reserved for persons with disabilities, that no parking is allowed in the space by others, and that any unauthorized person parking there shall be subjected to a fine and may be towed. Motion carried unanimously.

Councilman Carr noted that anyone with a disability is allowed to park in this parking space.

Moved Mr. Carr, seconded Mr. Berger to set a temporary daily rate of \$15.00 for parking in the Borough's Racehorse Alley Parking Garage on Saturday, December 2, 2023, during "A Gettysburg Christmas Festival" special event. Motion carried unanimously.

Public Works Department

Public Works Foreman LaBure gave the following report: the public works crew is prestaging for the upcoming Remembrance Day Parade scheduled for November 18th and the Christmas Festival on December 1st to 3rd; the Christmas Tree will be erected in Lincoln Square on November 20th for the annual tree lighting to take place on Friday, November 24th; leaf collection began on November 6th and will continue throughout the remainder of this year; public works crew have begun preparing the trucks for the winter weather; and they continue with the daily maintenance work to include trimming right-of-way trees, cleaning storm drains, etc.

Borough Engineer

Borough Engineer Clabaugh gave the following report: submitted the land development plan for the Welcome Center and it will be reviewed at the upcoming Planning Commission meeting, and it is under review at the County Office of Planning and Development; he will schedule a meeting with the Public Works Director and Public Works Foreman to review the public works facility master plan; reviewed the plans for the library subdivision at the United Lutheran Seminary and it will be on the upcoming Planning Commission agenda; and construction is complete at High Street Brews but they need to complete the landscaping requirements and said that they intend to submit a revised plan.

Councilman Moon asked when customers drive through the landscaping are the businesses required to keep the landscaping presentable.

Borough Engineer Clabaugh responded that this is a topic that we struggle with because it is not only the damaged landscaping, but it also concerns the removal of trees without the intent to replace them. He said that the landscaping is part of the Subdivision and Land Development requirement and that it should possibly be included as a zoning requirement so that the property owner must keep it maintained permanently.

Council President Heyser asked what the timeline of work is for the Welcome Center.

Borough Engineer Clabaugh responded that they are working on getting the designs and everything ready so that the project can proceed when the funding is approved.

Moved Mr. Carr, seconded Mr. Lawver to approve Application for Payment #1 to JDI Site Solutions, LLC., in the amount of \$97,983.13 for the items completed to date, associated with the 2023 Gettysburg Borough Bridge Maintenance Project, as recommended by the Borough Engineer. Motion carried unanimously.

Police Department

In the absence of **Chief Glenny**, **Council President Heyser** gave the following report: the detectives and officers have been involved in a number of different investigations where they were able to locate people and most notably there was a high speed motorcycle chase that they were able to terminate, but was able to acquire information in order to arrest the person involved for a felony, fleeing, and attempting to allude the police officers; Cadet Lardarello will complete his final exam later this month and will then be placed on the police schedule.

Moved Mr. Burger, seconded Mr. Moon to adopt a Resolution to approve the amendment of sections 3.5, 3.7, 3.8 and 3.9 of the Rules and Regulations for the Civil Service Commission of the Borough of Gettysburg, as proposed by the Civil Service Commission, to remove and modify the

requirement that applicants for the positions of entry-level patrol officer, sergeant, master sergeant, and chief of police must possess a valid motor vehicle operator's license issued only by the Commonwealth of Pennsylvania and that the requirement be amended for such applicants to possess only a valid motor vehicle operator's license issued by any state within the United States. Motion carried unanimously.

Office of the Manager/Treasurer/Secretary

Manager Gable gave the following report: announced that Planning Director Carly Marshall has resigned her position and will be moving from the area; a letter was received from State Representative Dan Moul that the House of Representatives unanimously passed HB1619 regarding public utilities and said that he has supported this bill since its introduction; there is 3.3 million dollars in the General Fund; and there is approximately \$500,000 surplus in the General Fund which came from the American Rescue Plan Act (ARPA) money and said that it has been invested.

Moved Mr. Moon, seconded Mr. Lawver to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Moved Mr. Carr, seconded Mr. Moon to authorize the extension of the Lease Agreement by and between the Borough of Gettysburg and the Gettysburg Area Recreation Authority for the leasing of the Gettysburg Area Recreation Park for the operation of a community recreation and parks program by GARA for a term of twenty-five (25) years beginning on January 1, 2024 and ending on December 31, 2049. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Lawver to adopt a resolution appointing Maher Duessel, a firm of certified public accountants registered in the Commonwealth of Pennsylvania, as the independent auditor of the Borough of Gettysburg during fiscal year 2024 in order to make an independent examination of the accounting records of the Borough for fiscal year 2023 and to perform such other duties and to exercise the powers as conferred upon an independent auditor under the Borough Code. Motion carried unanimously.

Moved Mr. Carr, seconded Mr. Lawver to authorize the Borough Secretary, Sara L. Stull, to give notice and cause the same to be published that the proposed budget, providing an annual estimate of revenues and an annual estimate of expenditures for fiscal year 2024, has been prepared and will be made available for public inspection for a period of not less than ten (10) days commencing on Monday, November 20, 2023 and ending at the close of business on Monday, December 11, 2023, prior to the completion and adoption of the budget for fiscal year 2024 by the Borough Council. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Carr to authorize the preparation and finalization of a proposed resolution, for consideration and intended adoption at the next monthly general business meeting of the Borough Council to be held on Monday, December 11, 2023, for the purpose of setting, updating and confirming the Borough's fees and charges for the issuance of licenses, permits and the provision of municipal services in fiscal year 2024. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Carr to authorize the solicitor to prepare, finalize and publish a proposed Ordinance for intended enactment at the next monthly general business meeting of the Borough Council to be held on December 11, 2023 for the purposes of fixing the real property tax rate for the Borough of Gettysburg for fiscal year 2024 at 4.1770 mils, the occupation tax rate at 30 mils, and the fire protection services appropriations tax rate at .5000 mils. Motion carried unanimously.

Moved Mr. Carr, seconded Mr. Moon to adopt a Resolution appointing Scott Wallace as a member of the Gettysburg Borough Human Relations Commission to complete the unexpired term of Jennie Dillon whose term on the Human Relations Commission will expire on April 15, 2027. Motion carried unanimously.

Liaison Reports

Main Street Gettysburg

Jill Sellers, President of Main Street Gettysburg gave the following report: **Gettysburg Welcome Center:** we made the Challenge Grant, and were awarded an additional \$20,000 from Adams County Community Foundation. We are still in the contingent federal budget for construction funding, dependent on passing new appropriations. Preliminary actions are underway with the Borough Engineer. Demolition will not occur until construction funding is secured; **Giving Spree** totals will be revealed on December 15th; **Facade Improvement Program** is showing nice results downtown. Some funding still remains for smaller projects; **Christmas Movie** screenings have been gifted during the festival from Director Bo Brinkman to be shown at the United Lutheran Seminary; and the **Christmas Festival** plans are taking shape. Many thanks to the Borough staff, especially the Public Works Department, for their assistance. See the Gettysburg Christmas Festival website for all the details at www.AGettysburgChristmasFestival.com.

Gettysburg Area Recreation Authority (GARA)

Councilman Carr had nothing to report.

Gettysburg Municipal Authority (GMA)

Councilman Berger was unable to attend the meeting so he had nothing to report.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Butterfield was unable to attend the meeting so she had nothing to report. The next meeting is scheduled for Thursday, December 7th.

Adams County Boroughs Association (ACBA)

Mayor Frealing was absent so there is nothing to report.

Adams County Council of Governments (ACCOG)

Councilwoman Butterfield gave the following report: the next meeting is scheduled for Thursday, November 16th; she served on the nominating subcommittee and they will announce the candidates at the upcoming meeting; at the last meeting Destination Gettysburg Director praised the Borough for their efforts in dealing with the bus issue; and she serves on the Collaboration subcommittee and said that the meeting was cancelled but noted that Carroll Valley Borough Mayor Ron Harris will take the Cyber Security Survey that they completed to the Adams County IT Office for review.

Health Adams Bicycle Pedestrian, Inc. (HABPI)

Councilwoman Lawson was absent so there is nothing to report.

Adams County Transportation Planning Association (ACTPO)

Councilwoman Butterfield gave the following report: the next meeting of ACTPO will be held on November 21st from 1:00 PM to 3:00 PM; they are currently revising the Bylaws and noted that ACTPO has a requirement that a Public Participation Plan (PPP) must be made available for the public to review, and so the draft will be located at the Adams County Planning Office or the Adams County Library from November 27th through January 12th.

Overdose Awareness and Recovery

Councilman Moon gave the following report: the Adams County Medicine Take Back was held on Saturday, October 28th at the Adams County Housing Authority where they collected 374 lbs. of medication and handed out 26 Narcan Kits; the next Medicine Take Back will be held in April; and the next meeting of the Task Force will be held on Tuesday, November 14th.

Trail Feasibility Study

Councilman Berger had nothing to report.

Other Reports

Recycling

Councilwoman Butterfield announced the upcoming recycling events for 2024 as follows: Electronic Recycling will be held on April 20th and October 19th, and the Paper Shred Event will be held on May 17th.

Elected Officials' Comments

Councilwoman Butterfield attended the Pennsylvania State Association of Boroughs Leadership Conference in Erie and noted that some of the topics discussed were broadband , short term rentals, public records request and cyber security.

Councilman Carr said that constituents have asked about the property tax rate and said that it is a flat rate for everyone at 4.1770 mills.

President Wesley Heyser said that to determine the rate it is based on the property values and noted that the residential and commercial properties are assessed differently by the county. He noted that with the proposed rezoning it would not affect the mileage.

Public Comment

There were no public comments.

**Moved Mr. Berger, seconded Mr. Moon to adjourn the meeting at 7:55 PM.
Motion carried unanimously.**

Respectfully submitted,



Sara L. Stull
Borough Secretary