

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
MAY 8, 2017

President Robert Krummerich called the meeting to order at 7:00 PM with the following Councilors present: Vice President Scot Pitzer, Mrs. Susan Naugle, Mr. Jacob Schindel, Mr. Graham Weaver, Mr. Wesley Heyser and Mrs. AmyBeth Hodges. Borough staff present included: Mayor Theodore Streeter; Manager Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Finance Director Nicolette James; Planning Director Becky LaBarre; Public Works Director Dan Hilliard and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Darlene Brown, Executive Director, PA Interfaith Community Programs, Inc. (PICPI), 40 East High Street; Sarah Kipp, 126 Baltimore Street; Caroline Smith, 34 East Lincoln Avenue; Chris Berger, 156 Seminary Avenue; Charles Strauss, 38 West Middle Street; Patricia Lawson, 515 Carlisle Street; Gene Golden, 145 Herrs Ridge Road, Nancy Kramer, 12 Wade Avenue; Linda Atiyeh, Debbie Westmoreland, Michael Weiss, Kathy Shirey, John Davis and Betty Davis representing, Gallery 30, 26 York Street; Chad-Alan Carr, 49 York Street; and Sharon Monahan, 114 West Broadway.

Representing the press were Jim Hale of the *Gettysburg Times* and Lillian Reed of the *Evening Sun*.

At this time President Krummerich asked for a moment of silence in honor of Police Secretary Edith Smith's husband, Mike Smith who died suddenly on May 2nd.

President Krummerich announced an executive session of the Borough Council was conducted immediately following the April 10, 2017 Council meeting consistent with sections 708(a)(1), 708(a)(3), 708(a)(4) and 708(a)(5) of the Sunshine Act.

President Krummerich announced an executive session of the Borough Council was conducted on May 3, 2017 commencing at 7:00 p.m. consistent with section 708(a)(4) of the Sunshine Act in order to consult with legal counsel regarding information and strategy in connection with litigation filed in the United States District Court for the Middle District of Pennsylvania to Docket No. 17-cv-277 captioned Brandi Courtesis v. Borough of Gettysburg, et al.

President Krummerich announced an executive session of the Borough Council shall be conducted immediately following the completion of the first opportunity for receipt of public comment at this meeting consistent with section 708(a)(4) of the Sunshine Act in order to consult with legal counsel regarding information and strategy in connection with litigation filed in the United States District Court for the Middle District of Pennsylvania to Docket No. 17-cv-277 captioned Brandi Courtesis v. Borough of Gettysburg, et al.

President Krummerich announced an executive session of the Borough Council shall be conducted immediately prior to the adjournment of this meeting consistent with sections 708(a)(1), 708(a)(3), 708(a)(4) and 708(a)(5) of the Sunshine Act for the following reasons and purposes: (1) to discuss matters involving the employment, the terms and conditions of employment and the evaluation of performance of current or former Borough employees; (2) to discuss the purchase or lease of real property by the Borough; (3) to consult with the Borough Manager, the Mayor and the solicitor regarding information in connection with litigation filed in the United States District Court for the Middle District of Pennsylvania to Docket No. 17-cv-277 captioned Brandi Courtesis v. Borough of Gettysburg, et al; (4) to consult with the solicitor regarding information in connection with litigation filed in the United States District Court for the Middle District of Pennsylvania to Docket No. 17-cv-129 captioned Derek J. Twyman v. Christopher B. Folster, et al; (5) to consult with the solicitor regarding information in connection with the settlement of the matter relative to the Petition for Review filed to Docket No. 2016-SU-1205 in the Court of Common Pleas of Adams County; and (6) to review and discuss Borough business which, if conducted in public, would violate a lawful privilege or could lead to the disclosure of information or matters of confidentiality protected by law.

Moved Mr. Heyser, seconded Mr. Schindel to approve the May 8, 2017 Agenda as presented. Motion carried unanimously.

Moved Mr. Schindel, seconded Mr. Pitzer to approve the April 10, 2017 Council Business Meeting and the April 24, 2017 Council Work Session Meeting minutes as presented. Motion carried unanimously.

Public Comment:

Chad-Alan Carr, 49 York Street, addressed Council and said that he had been asked to run for Council or Mayor, but said that he doesn't have sufficient time to dedicate now. He thanked the members for their service to the Borough. Mr. Carr said that Borough staff and the Boards are great resources for Council, and that Council should take the recommendations that are provided to them.

Gene Golden, 145 Herrs Ridge Road, said that he reviewed the information that Councilman Heyser sent to him in regards to the Sign Ordinance. He asked that Council meet with businesses and sign makers to get input for changes needed to the ordinance. Mr. Golden noted that he sent Councilman Pitzer a link to the International Sign Association for him to share with all of Council.

At this time President Krummerich adjourned the meeting to an executive session. The meeting then reconvened at 7:40 PM, and continued with the business meeting.

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

Planning Director LaBarre reported that both Farmers Markets have begun, and seem to be going well. She hopes that everyone will patronize the markets.

Moved Mrs. Naugle, seconded Mr. Pitzer to accept the recommendations of the Borough of Gettysburg Historical Architectural Review Board as set forth in the minutes of its meeting on Wednesday April 19, 2017 and grant a Certificate of Appropriateness for the following applications: COA-17-0027, St. Paul A.M.E. Zion Church – 269 S. Washington Street; COA-17-0029, Doug & Morgan Miller – 43-45 E. Middle Street; COA-17-0031, Gettysburg Investors LLC – 26 York Street; COA-17-0032, John & Gina LeVan – 101 Chambersburg Street; and COA-17-0033, Harry Stokes – 38 W. Middle Street. Motion carried unanimously.

Public Works Director Hilliard announced that brush pick up will take place the week of May 22nd.

Moved Mr. Heyser, seconded Mrs. Hodges to award a contract to C. E. Williams & Son Inc., as the lowest qualified responsible and responsive bidder for the rental of heavy construction vehicles and equipment as set forth in the Borough's specifications and instruction to bidders. Motion carried unanimously.

Moved Mrs. Hodges, seconded Mr. Schindel to approve Contract Change Order #1 for the 2017 CDBG Curb Ramp Replacements Project awarded to Carbaugh Concrete, Inc., in the amount of \$10,000.00 for the addition of the curb ramp and associated stormwater improvements at the intersection of Furniture Alley with North Fourth Street. Motion carried unanimously.

Moved Mr. Schindel, seconded Mrs. Naugle to approve the release of financial security, in connection with the Land Development Plan for the Gettysburg Lutheran Theological Seminary – Western Gateway Project, in the amount remaining of \$71,907.35, consistent with the certification letter by the Borough Engineer. Motion carried unanimously.

Moved Mr. Pitzer, seconded Mr. Schindel authorizing the Borough of Gettysburg to execute and deliver a Land Development Agreement and an Operation and Maintenance Agreement for Stormwater Management Practices with Gettysburg College in connection with the Preliminary/Final Land Development Plan for the College Union Building Addition. Motion carried unanimously.

Moved Mr. Pitzer, seconded Mr. Schindel to approve the financial security in connection with the Preliminary/Final Land Development Plan for the College Union Building Addition in the amount of \$314,752.90, in a form authorized by the Pennsylvania Municipalities Planning Code, consistent with the certification letter by the Borough Engineer. Motion carried unanimously.

Councilwoman Naugle asked the status of the Long Lane Project. Chad Clabaugh responded that the parking is to be installed along the street and ball field area in the near

future. He also noted that the storm drain issues are being completed. Public Works Director Hilliard said that weather permitting the project completion could be by the end of May.

Councilman Pitzer asked Chief Dougherty to explain the Cleary report noted in his monthly report. Chief Dougherty responded that the Cleary report is for the Gettysburg College summarizing criminal activities that occur within the vicinity of the College. He said that it is an annual requirement under federal statutes.

Manager Reports:

Manager Gable reported that due to a family emergency Robin Fitzpatrick, ACIDA, will give a report on LERTA at the next Council meeting.

Manager Gable asked Deb Adamik to give a report about the National Main Street Center's Conference she recently attended.

Deb Adamik gave the following report: "May 1-3, 2017 I attended the National Main Street Center's (NMSC) 2017 Conference in Pittsburgh PA, where over 1,600 attendees from all over the country packed into the downtown Wyndham and Heinz Hall for the conference but stayed in at least 5 additional hotels. In a press release on May 2 during the conference, the National Main Street Center Inc. announced that the national network of over 1,000 Main Street America towns reached a ten-year high for community reinvestment.

In 2016, these Main Street communities reinvested \$5.75 billion from public and private sources, created 5,498 new businesses, 26,909 new jobs and rehabilitated 7,794 buildings, announced by Patrice Frey, President and CEO of the National Main Street Center, the non-profit who collected the data. Since 1980, Main Street America communities have reinvested \$71.35 billion, created 132,000 new businesses, created 584,000 jobs and rehabilitated 268,000 buildings.

New data from Washington, Oklahoma, Pennsylvania, and Boston also demonstrates significant return on investment, totaling between \$2.4 million and \$22.3 million more in tax revenue than would have been expected without the presence of the Main Street program. MSG is a nationally accredited Main Street. To recognize these Main Streets, the NMSC provided free banners.

I am hoping to invite some of the researchers to come to town and educate our community about their research and the financial benefits of the service that MS's provide the community and local government. The Main Street Approach is successful because it provides communities with a way to plan for their future, said Ed McMahon, senior fellow at the Urban Land Institute and presenter at the conference. The Urban Land Institute is a non-profit that focuses on how land use can enhance the environment. Mahon has done extensive research that has shown the connection between quality places and economic competitiveness. All communities will undergo change, but communities that have a plan

for that change set themselves up for long term economic success. These are the types of communities people want to call home.”

Liaison Reports:

Gettysburg Area Recreation Authority

Councilman Schindel reported that the movie night at the park was postponed due to the weather, and that it would be rescheduled at a later date.

Moved Mr. Schindel, seconded Mr. Pitzer to appoint James D. Phelps as a member of the Board of the Gettysburg Area Recreation Authority for a five (5) year term commencing on May 15, 2017 and expiring on May 14, 2022. Motion carried unanimously.

Gettysburg Municipal Authority

Councilwoman Naugle reported that the quarterly financial reports show finances to be on track for the year; the water tank study is ongoing with work by Buchart Horn to update growth projections; and GMA’s application for a PA Small Water and Sewer Grant denied by DEP. The request was for funding for upgrades on Broadway. Two other Adams County projects were awarded funds. Requests totaled \$170 million with only \$22 million available.

Adams County Transportation Planning Organization

Councilwoman Naugle reported that PennDOT and local planners are still looking at rerouting the Hunterstown intersection of Route 30. County Planning has requested more study by PennDOT of the proposed lane expansion to the Borough line.

With respect to current legislation regarding Metropolitan Planning Areas, the federal bill has been amended to allow MPOs to work together with individual plans within the MPO area. This would allow Adams and York Counties to continue the current arrangement.

Councilwoman Naugle said that a PennDOT representative provided information about the PennDOT Connects Program. The program encourages early collaboration with local municipalities on PennDOT projects. This has already happened with respect to the Baltimore Street Project. She also reported that PennDOT will be conducting traffic counts at various sites throughout the County. For the Borough, counts will occur on Fourth Street, Springs Ave. and N. Washington Street. It was unclear what criteria was used to determine the locations.

A modification to the Transportation Improvement Program was approved by the ACTPO Board. \$875,000 was added to fund three transit buses and a refueling station for Freedom Transit. No local match is required.

Councilwoman Naugle also noted that PennDOT is seeking to encourage county participation in the \$5 county vehicle registration fee enacted by Act 89 by reserving \$2 mill (max) for each county adopting the fee.

National Park Service Advisory Committee

Councilman Weaver reported that Congressman Perry said in a news article that he wasn't very optimistic about saving the Biser Fitness Trail from the NPS acquiring the land. Mr. Weaver said that he sent an email to the Congressman suggesting that they explore possible legislative remedies not to proceed in acquiring the land, but has not heard a response yet.

Elected Official's Comments:

Mayor Streeter announced that the week of May 14 to 20 is designated National Police Week. He said that it is in recognition of all law enforcement officers who have lost their lives in the line of duty.

Councilwoman Naugle reported that she attended the PSAB Conference in Hershey and said that there were many topics discussed. Some items of interest were: Right To Know changes; Pennsylvania is the only state that doesn't have the use of radar for police to use; Growing Greener will have funding for Main Street and Elm Street Programs; Legislation on Tax Exempt Properties; and the EMS Presentation said that Adams County was cited as a very good facility.

Councilman Heyser reported that he and Councilwoman Naugle will be working on the Sign Ordinance, and that at the appropriate time information would be gathered from the public. He noted that Borough staff has been tasked with other matters, so Council will be handling the revisions of the sign ordinance.

Councilman Pitzer reported that the Rock Creek Bridge project has been postponed until next year. He also noted that an informal meeting was held at the deteriorating railroad tracks on Carlisle Street with officials from the Borough, PennDOT, CSX and PUC. He said that CSX will fix the railroad crossing by July 4th.

Councilman Pitzer reported that he attended the PSAB Conference in Hershey on Sunday where Cal Ripken was the speaker. He said that he spoke about leadership skills and noted that the information would be useful for Council to follow.

Public Comments:

Gene Golden, 145 Herrs Ridge Road, asked why the NPS and GARA don't swap the property instead of digging up the Biser fitness trail. Councilman Weaver responded that the law won't allow it, but said that it would be beneficial because to move the trail may be costly for the Borough to do.

President Krummerich adjourned the meeting to an executive session at 8:45 PM. Council reconvened at 9:09 PM, and with no further business to come before Council, moved Mr. Pitzer, seconded Mr. Heyser to adjourn the meeting. Motion carried unanimously.

Respectfully submitted,

Sara L. Stull
Borough Secretary