

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
APRIL 8, 2019

President Susan Naugle called the meeting to order at 7:00 PM with the following Councilors present: Vice President Jacob Schindel, Mr. Wesley Heyser, Mr. Christopher Berger, Ms. Patricia Lawson, Mr. Charles Strauss and Mr. John Lawver. Staff present included: Mayor Theodore Streeter; Borough Manager Charles Gable; Borough Secretary Sara Stull; Borough Solicitor Harold Eastman, Puhl Eastman & Thrasher; Police Chief Robert Glenney; Planning Director Becky LaBarre; Finance Director Nickie James; Interim Parking Manager Becka Fissel; Public Works Director Robert Harbaugh, and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Linda Atiyeh, Peggy Rock, Kathy Shirey, Betty Davis and Michael Weiss, Gallery 30, 26 York Street; Sharon Monahan, 114 West Broadway; Mike Shestok, 264 Baltimore Street; Kurt Kramer, 12 Wade Avenue; Marie Davis, 831 Johns Avenue; and Bill Gardner, Borough Parking Enforcement Officer. Representing the press was Jim Hale with the *Gettysburg Times* and filming Community Media-ACCTV.

President Naugle announced that an executive session of the Borough Council was conducted immediately following the adjournment of the March 25, 2019 work session consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act.

President Naugle announced that an executive session of the Borough Council will be conducted immediately following the adjournment of this evening's meeting consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment of employees and/or former employees of the Borough; (2) to receive information and discuss the possible purchase or lease of real property by the Borough; and (3) to consult with its solicitor and other professional advisors regarding information and strategy in connection with litigation filed in the Adams County Court of Common Pleas to Docket No. 19-S-206 captioned Linda Atiyeh, et al., Plaintiffs v. Borough of Gettysburg, et al., Defendants.

President Naugle announced that the Grand History Trail is holding a public meeting on Wednesday, May 8th from 5:30 to 7:30 PM to be held at the Charlie Sterner Recreation Building.

President Naugle announced that the Polish Pottery BINGO will be held on Saturday, April 13th at the Gettysburg Fire Department at 7:00 PM. The event will benefit the Baltimore Street Revitalization project.

President Naugle announced that the Borough Newsletter is currently in production and will be mailed in late April to Borough residents.

Councilman Heyser announced that he and Councilman Berger will be hosting a Town Hall meeting on Thursday, May 9th at the Gettysburg Fire Department for Borough residents at 7:00 PM. The doors will open at 6:30 PM for the public to meet the new Police Chief Robert Glenny.

Councilman Schindel read the following report from the Farmers Market Organizations: The Gettysburg Farmers Market (GFM) and the Adams County Farmers Market Association (ACFMA) have begun a positive dialogue with the long-term goal of merging the two organizations in 2020. There was some early discussion of sharing the Square for 2019, but the ACFMA leadership decided to remain at the Gettysburg Transit Center for this year. The ACFMA/GFM partnership through 2019 will include: cross-promotion, the possibility of cooperative events, and continued meetings between leadership. Most importantly leadership from both sides is eager for feedback from community leaders and residents. We encourage any and all insights from interested parties as we explore the many aspects of this merger going into 2020. Questions, ideas, advice, or other input can be directed to: Reza Djalal, Market Manager/Program Director, Adams County Farmers Market Association at manager@acfarmersmarkets.org or phone (717)339-7396.

Moved Mr. Lawver, seconded Mr. Heyser to approve the April 8, 2019 agenda as presented. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Schindel to approve the Council Meeting Minutes of March 11, 2019, and the Council Work Session Meeting Minutes of March 25, 2019. Motion carried unanimously.

Public Comment

Mike Shestok, 264 Baltimore Street asked Council to table the proposed parking ordinance tonight and try to negotiate with Linda Atiyeh who filed a lawsuit. He said that he doesn't want the Borough to spend tax dollars defending a lawsuit.

Peggy Rock, Manager Gallery 30, 26 York Street said that the parking changes are not being applied "fairly and rationally" to various types of businesses. She said that the amendments state the need for safety for traffic and pedestrians as buses are loading and unloading. Ms. Rock said that the Upper Crust restaurant on York Street, currently being developed by Ms. Atiyeh would need reserved parking spaces for pickup delivery.

Finance Department

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

Planning Department/Zoning/Code Enforcement/HARB

Planning Director LaBarre reported that the Zoning Hearing Board cancelled its meeting on April 10th since the AT & T Cell Tower application was withdrawn. She said that she will be speaking at the upcoming Destination Gettysburg meeting that they are hosting, regarding lodging tax on the regulations of short term rentals. Mrs. LaBarre announced that May is Historic Preservation Month, and that awards will be presented on May 15th.

Moved Mr. Strauss, seconded Mr. Heyser to accept recommendations of the Gettysburg Historic Architectural Review Board (HARB) following its review on Wednesday March 20, 2019 and grant Certificates of Appropriateness for the following applications as presented: COA-18-0119, 344 Baltimore Street – Gettysburg Anniversary Committee for amendments to previously approved COA including alterations to proposed ADA ramp and rehabilitation of rear porch; COA-19-0004, 39 E. Water Street – Phillip Letendre for removal of fourteen (14) windows to be replaced in vinyl and rehabilitation of the four (4) historic wood windows on primary façade; COA-19-0017, 50 Mayor Alley – Susan Saum-Wicklein for alterations to industrial building for conversion to museum/learning center use; COA-19-0018, 55 Steinwehr Avenue – Susan Saum-Wicklein for alterations to industrial building for conversion to retail use. Motion carried unanimously.

Moved Mr. Strauss, seconded Ms. Lawson to adopt a resolution appointing Darlene A. Brown as a member of the Zoning Hearing Board of the Borough of Gettysburg for a five-year term expiring on the first Monday of January 2024. Motion carried unanimously.

Parking Department

Moved Mr. Heyser, seconded Mr. Lawver to enact an ordinance amending Chapter 15, Part 7 of the Gettysburg Borough Code of Ordinances relative to the temporary reservation and use of public parking spaces in unmetered and metered parking zones of the Borough of Gettysburg, to include the statement of purpose and legislative intent for the amendments of the ordinance provisions, the reservation and use of such parking spaces by hotels and bed and breakfast establishments, and the placement of open-top refuse containers in unmetered and metered parking zones of the Borough. Motion carried unanimously.

President Naugle noted that Council has been discussing the Parking Ordinance for many months.

Interim Parking Manager Fissel displayed the 20-minute loading/unloading signs that will be at designated spaces on Lincoln Square, Baltimore, York, Carlisle and Chambersburg Streets. The Borough plans a six-month trial period for these spaces. She also displayed the Local Privilege Permit (LPP) decal that will appear on meters in

designated spaces eligible for the program. The fee will be \$35 per month during a six-month trial period.

Public Works Department

Public Works Director Harbaugh reported that C. E. Williams is set to begin the King Street project later in April.

Borough Engineer

Chad Clabaugh reported that door hangers will be placed informing property owners of the upcoming King Street Improvements Project. He said that a meeting for residents is scheduled for April 23rd at 7:00 PM at the Gettysburg Borough Council Chambers.

Chad Clabaugh reported that door hangers will be placed informing property owners of the upcoming Broadway Street Improvements Project. He said that a meeting for residents is scheduled for May 7th at 7:00 PM at the Gettysburg Borough Council Chambers.

Moved Ms. Lawson, seconded Mr. Berger to authorize the award of the construction contract for 2019 CDBG Curb Ramp Project to the lowest qualified responsible and responsive bidder, conditioned upon the favorable review, by the Adams County CDBG program administrator, of the bid submission of the successful bidder as being complete and fully compliant with the bidding requirements for the project. The following bids have been submitted to the Borough for consideration and award of the construction project: Pro's Concrete in the amount of \$71,050.00; Carbaugh Concrete, Inc. in the amount of \$78,493.50; and Matthews Construction, LLC in the amount of \$93,800.00. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Lawver to approve Change Order #5 of the Contract with E.K. Services, Inc. for the Stratton Street Storm Sewer project in the amount of \$5,183.83 for the continuous, overnight boring required to satisfy CSX requirements. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Lawver to approve Application for Payment #6 to E.K. Services, Inc. for the Stratton Street Storm Sewer Project in the amount of \$83,318.96. Motion carried unanimously.

Police Department

Chief Glenny announced that Police Officer Jordan Klunk has completed his one-year probation period.

Borough Secretary

Moved Ms. Lawson, seconded Mr. Heyser to authorize a COLA increase for retired police pensioner Craig Staley, to be paid from the Police Pension Plan effective March 1, 2019. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Lawver to adopt a resolution in support of specific amendments to the Pennsylvania Right-to-Know Law relative to protecting personal information of agency employees and authorizing fees for time spent in responding to requests from for-profit non-constituent requesters. Motion carried unanimously.

Borough Manager

Moved Mr. Schindel, seconded Mr. Berger to authorize the entry into a Memorandum of Understanding with Gettysburg Area Recreation Authority (GARA). Charles R. Gable, Borough Manager, is hereby authorized to execute the Memorandum of Understanding on behalf of the Borough. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Strauss to adopt a resolution authorizing Charles R. Gable, Borough Manager, to submit on behalf of the Borough and to electronically sign a Department of Conservation and Natural Resources (DCNR) Community Conservation Partnerships Program (C2P2) Grant Agreement in connection with application for funds for the Gettysburg Inner Loop. Motion carried unanimously.

Liaison Reports

Gettysburg Area Recreation authority (GARA)

Councilman Schindel reported that Board Member Mary Miner's term expires in May, and that she submitted her resignation. Applications are being accepted to fill the opening. Mr. Schindel announced that the Home Run Derby and Biser Fitness Trail Rededication is scheduled for Saturday, May 4th at 11:00 AM.

Gettysburg Municipal Authority

Council President Naugle reported that GMA is moving forward with PAWSC Cross Connection Service, which only affects the commercial customers; engineering and permitting continues for the new tanks at Heritage and Herr's Ridge; The Broadway Water Main Replacement Bid was awarded in the amount of \$494,088; and initiating a preliminary study for Phase II Interceptor from Stratton and Water Streets to Lincoln Highway near Race Horse Alley.

Planning Commission

Councilman Strauss reported that the Board discussed the Sidewalk Ordinance at their workshop. He said that a link has been placed on the Borough's Website for the public to provide input on the Sidewalk Ordinance revisions.

Trail Feasibility Study

Councilman Berger announced that the Grand History Trail will hold a meeting at the Gettysburg Area Recreation Park on May 8th at 5:30 PM.

Council Comments

Councilman Strauss reported that he continues to conduct "listening sessions" at the Adams County Library every Tuesday from 11:00 AM till Noon, to hear any resident issues.

Public Comment

Mike Shestok, 264 Baltimore Street asked the status of the Baltimore Street paving project.

Borough Engineer Clabaugh responded that the paving is to begin this summer, and they plan to regain the curb reveal.

Kurt Kramer, 12 Wade Avenue commended Borough Council for moving forward with the Parking Ordinance amendments. He said that it's difficult to always please everyone.

Moved Mr. Lawver, seconded Mr. Schindel to adjourn the meeting at 8:10 PM to an executive session. Motion carried unanimously

President Naugle dismissed the meeting at 9:30 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary