

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
MAY 13, 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, and Mr. John Lawver. Mr. Charles Strauss was absent. 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: Deb Adamik, President, Main Street Gettysburg; Barbara Shultz, A Sentimental Journey, 433 Baltimore Street; Kim Patrono, 98 East Broadway; Rod Sheffer, 88 East Broadway; Donald Marritz, 61 East Broadway; Sue Bryant, 80 East Water Street; Matt Moon, Gettysburg Rising, 98 Springs Avenue; Jenny Dumont, Gettysburg Rising, 74 East Water Street; Erin Dingle, Gettysburg Rising, Orrtanna; Jennifer Cole, 115 Ridge Avenue and Joe and Kelly Lynd, 90 Springs Avenue. Representing the press was Jim Hale with the *Gettysburg Times* and by filming Community Media-ACCTV.

President Naugle announced that the Historic Architectural Review Board (HARB) Preservation Award presentation is scheduled for Wednesday, May 15th at 7:00 PM in Council Chambers.

President Naugle announced that the electronic recycling event is scheduled for Saturday, June 15th for Borough residents. Anyone interested must be pre-registered.

President Naugle announced that Commuter Services of PA designated May as motor-less month, and is encouraging people to walk or ride bikes to work.

Councilman Berger announced that the first public meeting about building a trail to Emmitsburg is scheduled for Tuesday, May 14th from 5:30-7:30 PM at the Gettysburg Recreation Park. He said that Healthy Adams Bicycle/Pedestrian, Inc., the Gettysburg Area Recreation Authority, the Gettysburg National Military Park, along with several townships, have been meeting with a professional trail consultant to evaluate possible routes.

Mayor Streeter announced that Janet Riggs, President Gettysburg College will be attending the June Council meeting. Members of the USS Gettysburg crew will be leading the Memorial Day Parade on Monday, May 27th.

President Naugle announced that an executive session of the Borough Council was conducted immediately following the adjournment of the April 22, 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 was conducted on May 9, 2019 at or about 8:15 p.m. consistent with section 708(a)(1) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the termination of employment, the terms and conditions of employment of an employee and/or former employee of the Borough; and (2) to review and discuss Borough business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of confidential information protected by law.

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), section 708(a)(4) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the termination or resignation of employment, the terms and conditions of 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; (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; (4) to review and discuss Borough business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of confidential information protected by law.

Moved Mr. Schindel, seconded Ms. Lawson to approve the May 13, 2019 agenda as presented. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Heyser to approve the Council Meeting Minutes of April 8, 2019, and the Council Work Session Meeting Minutes of April 22, 2019. Motion carried unanimously.

Public Comment

Jenny Dumont, 74 East Water Street, along with other members of Gettysburg Rising, addressed Council and asked them to consider imposing a ban on plastic shopping bags. She said that Gettysburg Rising is a “group of local residents who aim to encourage civic engagement, provide fact-based information and support policies and legislation they deem best serves the region”. Ms. Dumont said that volunteers went door-to-door and gathered 643 petition signatures.

Rod Sheffer, 88 East Broadway addressed Council regarding the rain gardens that are proposed on the East Broadway project designs. He said that many of the residents don't want them because of aesthetic concerns, and that the structures would fill with

debris. Mr. Sheffer thanked Councilman Heyser for taking time to speak with the Broadway residents.

Kim Patrono, 98 East Broadway addressed Council regarding the sidewalk at his property located on the corner of East Broadway and Old Harrisburg Road; with the issue he would have backing out of his driveway. He also said that he is not in favor of the rain gardens.

Donald Marritz, 61 East Broadway also addressed Council regarding the rain gardens stating that he is not in favor of them on Broadway.

Finance Department

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

Moved, Ms. Lawson seconded Mr. Schindel to accept the J. P. Harris Tax Exoneration report for tax years 2006 through 2014 as presented. Motion carried unanimously.

Planning Department/Zoning/Code Enforcement/HARB

Planning Director LaBarre said that the Borough is still accepting public comment for the Sidewalk Ordinance.

President Naugle thanked Planning Director LaBarre for her service to the Borough, noting that in her short time she has accomplished a lot. This is Ms. LaBarre's last week of work, and she has accepted another job.

Moved Mr. Schindel, seconded Mr. Lawver to accept the recommendations of the Gettysburg Historic Architectural Review Board following its review on Wednesday, April 17, 2019 and grant Certificates of Appropriateness for the following applications: COA-19-0025, 48 South Street – Martin Bagley to remove existing one-over-one wood windows and install vinyl replacements on rear and side (east) elevations at third story only with dormer windows on front elevation to remain; and COA-19-0026, 211 S. Washington Jordan Chiaruttini for alternations to a non-sensitive addition and installation of new vinyl fencing as presented. Motion carried unanimously.

Moved Ms. Lawson, seconded Mr. Heyser to authorize the setting of a public hearing of the Borough Council to be held on June 24, 2019, at 7:00 p.m. and to authorize the provision of public notice of the hearing consistent with section 609 of the Pennsylvania Municipalities Planning Code relative to a proposed amendment of the Official Zoning Map of Gettysburg Borough, Adams County, Pennsylvania, for purposes of reclassifying and rezoning certain real property located on the eastern

side of Schoolhouse Alley and identified as Adams County Tax Parcel ID No. 16010-0304---000 and the eastern portion of Adams County Tax Parcel ID No. 16010-0300--000, in order to remove the same from the INS-1 Institutional-1 District and to reclassify, rezone and add said real property to the RO Residential Office District. Motion carried unanimously.

Parking Department

Moved Mr. Berger, seconded Mr. Schindel to adopt a resolution for the purpose of setting and confirming the Borough's fees and charges for the issuance of permits and the reservation of public parking spaces pursuant to sections 15-702, 15-711, 15-712 and 15-722 of the Code of Ordinances of the Borough of Gettysburg. Motion carried unanimously.

Solicitor Eastman noted that this is a “housekeeping” item, and said that fees are set at the December Council meeting. We needed to clarify and confirm all fees are set for specific sections of the ordinance.

Public Works Department

Public Works Director Harbaugh announced that the brush pick up would begin the week of May 20th. He reported that work is to begin on East Broadway on June 1st, and the Stratton Street project should be completed by Memorial Day.

Borough Engineer

Moved Ms. Lawson, seconded Mr. Schindel to approve Change Order No. 6 of the Stratton Street Storm Sewer Improvements Contract for the Harger Utility Co. labor overtime for continuous overnight boring and for the base repairs on East Water Street in the amount of \$12,036.42 changing the total contract price to \$751,013.58. Motion carried unanimously.

Moved Mr. Heyser, seconded Ms. Lawson to approve Application for Payment No. 7 to E.K. Services Inc. for the Stratton Street Storm Sewer Improvements Contract in the amount of \$43,152.10. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Berger to approve Application for Payment No. 1 to C.E. Williams and Sons for the King Street Stormwater Improvements Contract in the amount of \$28,045.80. Motion carried unanimously.

Mr. Schindel made a motion to authorize the Borough Engineer to advertise the Broadway Street Improvements project for construction bids, but the motion failed for lack of a second.

Councilman Schindel said that meetings with the Broadway property owners have far outreached for past projects on longer streets, noting that this would not be done for Breckenridge Street.

Councilman Heyser said that he would support a trench drain noting that after speaking with many of the residents on Broadway, it was clear that they are opposed to rain gardens.

President Naugle said that rain gardens are an important part of the federally mandated efforts to reduce storm runoff. She said that every project will need to be reviewed closely for rain gardens. Ms. Naugle asked “what happens with the next project we have? Pretty soon there will be no rain gardens.”

Moved Ms. Lawson, seconded Mr. Berger to authorize the Borough Engineer to advertise the Broadway Street Improvements project for construction bids, but eliminate half of the rain garden at East Broadway and Carlisle Street. YEA: Ms. Lawson and Mr. Berger. NAY: Ms. Naugle, Mr. Schindel, Mr. Heyser and Mr. Lawver. The vote failed with 2 YEA/4NAY.

At this time President Naugle opened the meeting up for public comments to anyone that wanted to speak about the rain gardens.

Rod Sheffer, 88 East Broadway asked if the public works crew would be responsible for the maintenance of the rain gardens. He said that they will need to work properly and not get clogged.

Moved Mr. Heyser, seconded Mr. Lawver to authorize the Borough Engineer to advertise the Broadway Street Improvements project for construction bids, but remove the rain garden and add a trench. YEA: Ms. Lawson, Mr. Berger, Mr. Heyser and Mr. Lawver. NAY: Ms. Naugle and Mr. Schindel. The vote passed 4 YEA/2 NAY.

Moved Ms. Lawson, seconded Mr. Lawver to authorize the Borough Engineer to advertise the 2019 Bridge Maintenance project for construction bids. Motion carried unanimously.

Police Department

Chief Glenny said that he would like to reinstall car cameras, and said that he will have a written policy in place before implementing them.

Moved Mr. Schindel, seconded Ms. Lawson to authorize and designate Police Chief Robert Glenny, to submit on behalf of the Borough all documents and agreements in connection with a grant application for the purpose of obtaining a

Department of Justice Body-Worn Camera Policy and Implementation Program. Motion carried unanimously.

Borough Manager

Manager Gable reported that information on the Gettysburg Stormwater Authority has been placed on the Gettysburg Borough Website. Special community events that have secured permits from the Borough have also been placed on the Website.

Manager Gable reported that a response was received from Penn DOT informing the Borough that the existing truck restriction signs would be removed as time permits.

Councilwoman Lawson said that the response was “pretty arrogant”, and pointed out that she had received over 300 signatures on an online petition titled “Haul-No! Gettysburg.”

Manager Gable gave a brief overview of the concept of re-chartering the Borough under the state’s Home Rule Law. He said that it provides more flexibility for municipalities. Manager Gable and members of Council have been researching the possibilities for Gettysburg, and also met with Marita Kelley, Director for Department of Community and Economic Development (DCED). He said that she will attend the next Council Work Session to discuss further.

Moved Mr. Heyser, seconded Mr. Schindel to authorize the finalization and publication for subsequent enactment at the June 2019 general business meeting of the Borough Council of an ordinance prohibiting illegal discharges into and illicit connections to the storm drain systems, the storm sewer systems and the water courses in the Borough of Gettysburg. Motion carried unanimously.

Moved Mr. Schindel, seconded Ms. Lawson to adopt a resolution to authorize and designate Charles R. Gable, Borough Manager, to submit on behalf of the Borough and to execute electronically all documents and agreements in connection with an application to the PA Department of Community and Economic Development, and to remit the \$100.00 fee for the same, for the purpose of obtaining a Greenways, Trails and Recreation Program (GTRP) grant in connection with application for funds for the Gettysburg Inner Loop. Motion carried unanimously.

Moved Mr. Schindel, seconded Mr. Berger to adopt a resolution affirming the Borough of Gettysburg's participation in the Sustainable Pennsylvania Community Certification program and affirming the Borough's continuation to promote sustainability through its municipal policies and practices. Motion carried unanimously.

Borough Secretary

Moved Mr. Schindel, seconded Ms. Lawson to award a contract to C. E. Williams Sons, 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

Liaison Reports

Main Street

Deb Adamik announced that the Main Street Gettysburg's Corporate Breakfast is scheduled for June 11th. She said that it's important for Council to attend, especially with the current work to fundraise for the Baltimore Street project. Deb explained the purpose of the annual Corporate Breakfast is to give an executive overview of the progress and value that MSG is providing the community. She said that larger corporate leaders are invited in hopes of seeking financial support; and they are also inviting various levels of federal and state representatives for funding sources toward the \$11M project. Troy Truax, Baker International, will be the guest speaker. Both the Baltimore Street Committee and MSG Board approved hiring Mr. Traux to put together a Federal Land Access Program grant where we will be requesting \$2.3 million for design work. She said that it is estimated that \$500,000 will be necessary to raise from private fundraising. In addition MSG has two major fundraising events occurring this year. One will be announced by Wendy Allen, who is leading the "Long, Long, Long, Long Dinner," and "A Gettysburg Christmas Festival" will also have opportunities to raise funds for the project.

Deb said that MSG is proud to announce that they have received a "naming sponsorship" of \$20,000 for A Gettysburg Christmas Festival, which will officially be announced next week. The Steinwehr Avenue Business Improvement District approved a \$10,000 Winter Wonderland Sponsorship. She said they are now seeking various types of sponsorships, and it will be important for the community to contribute and make this festival a tradition.

Deb also recognized "From the Ground Up" Team and additional volunteers, along with Borough staff that keep our community beautiful. She noted that many years ago, Sam Mudd, created the program called "From the Ground Up," inviting citizens to clean up the downtown weekly during tourist season. Deb said that MSG inherited the program, and currently Council President Susan Naugle is the Chairperson leading this volunteer group of approximately 15 people. She encouraged everyone in the community to step up and help keep Gettysburg beautiful.

Gettysburg Area Recreation authority (GARA)

Councilman Schindel reported that Board Member Mary Miner's term expires in May, and that she has submitted her resignation. He thanked her for her years of service

with GARA. He noted that there is currently an opening on GARA for a Gettysburg School District representative.

Moved Mr. Schindel, seconded Mr. Lawver to appoint Erin Pedigree as a member of the Board of the Gettysburg Area Recreation Authority for a five (5) year term commencing on May 15, 2019 and expiring on May 14, 2024. Motion carried unanimously.

Gettysburg Municipal Authority

Council President Naugle reported that GMA Auditors reported an unmodified audit opinion with no findings; the service agreement with PAWSC Cross Connection Service has been approved; seeking a zoning variance for the proposed water tanks at Heritage and Herr's Ridge; The Broadway Water Main Replacement project will begin in the near future; and approved the proposal by Buchart Horn with completing a study for Phase II Interceptor, from the intersection of East Water Street and North Stratton Street to the intersection of Steven's Run and Middle Street.

Adams County Boroughs Association

Mayor Streeter announced that the next meeting is scheduled for Monday, May 20th at 6:30 PM at the Pike Restaurant.

Adams County Transportation Planning Organization

President Naugle reported that she provided ACTPO with information regarding the Gettysburg Inner Loop.

Moved Mr. Heyser, seconded Mr. Schindel to appoint Susan Naugle as the voting delegate for the PSAB Annual Conference to be held in June. Motion carried unanimously.

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

President Naugle dismissed the meeting at 10:25 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary