

COUNCIL MEETING MINUTES

MARCH 14, 1994

Mrs. Simpson called the meeting to order at 7:30 PM with the following Councilors present: Mr. Schmitt, Mr. Troxell, Ms. Giles, Mrs. Gustafson, Mr. Zellner, Mr. Eline, Mr. Murphy and Mr. Kreisher. Also in attendance were Mayor Linn, Chief Gantz, Manager Sterner, Donald Oyler, Mr. Lawver, Mr. Weikert, Mr. Persson, Dr. Powell, Mrs. Showmaker, Lucy Basalla of the Gettysburg Times and Sharon Hare of the Hanover Evening Sun. Mr. Little was in Virginia for a Parking Meter Seminar.

Moved Mr. Murphy, seconded Mr. Schmitt to approve the agenda as presented. Motion carried.

Moved Mr. Schmitt, seconded Mr. Troxell to approve the public hearing minutes of February 14th as presented. Motion carried.

Moved Mrs. Gustafson, seconded Mr. Troxell to approve the minutes of February 14th as presented after correcting the annual report from HARB. Motion carried.

Mrs. Simpson welcomed everyone and thanked Mr. Murphy for his involvement in bringing the USS Gettysburg crew to Gettysburg over the weekend. The reception held in the USS Gettysburg Room on Saturday for the crew was very enjoyable. Captain Peter Smith presented the Borough with several very nice mementos for display.

Commissioner Harry Stokes gave a brief report on the County Solid Waste Plan, and urged Council to ratify it tonight.

Mrs. Gustafson thanked the Commissioners and Bicky Redman for all the work they have put into the Solid Waste Plan. She inquired as to how leaf and wood waste and paint cans would be disposed.

Mr. Stokes responded that he hopes the facility will be able to handle all the sewage waste generated at the municipal plants in the county as well as the leaf and yard waste. The paint cans would be mechanically separated, compacted and taken to the land fill. They plan to build accordingly to handle these cans along with other household hazardous cans.

Moved Mr. Schmitt, seconded Mrs. Gustafson to adopt a Resolution to approve the revised 1993 Municipal Solid Waste Plan as presented and adopted by the Commissioners. Motion carried unanimously.

Frank Leber, Bond Counsel gave a brief summary of the Resolutions to be adopted by Council for the refunding project to be undertaken by Gettysburg Municipal Authority on behalf of Gettysburg College.

After brief discussion, moved Mr. Murphy, seconded Mr. Schmitt to approve the Resolution for the Gettysburg College refunding project in an amount not to exceed twelve million five hundred thousand dollars (\$12,500,000), shall be undertaken by the Authority, to be evidenced by the College Revenue Bonds, Series of 1994. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Kreisher to approve the Resolution authorizing the Gettysburg Municipal Authority to conduct a TEFRA hearing for the Refunding Project. Motion carried unanimously.

Citizens in attendance:

Mark Nesbitt, Author of Ghost of Gettysburg informed Council of his plans to conduct walking tours in the downtown area focusing on the many ghost stories of Gettysburg. Tour guides would take groups on a designated tour route at a minimal cost. Would like to begin Memorial Day weekend and run throughout the summer months. He is in the process of getting the proper sales tax forms and other licenses. Council endorsed the plan, seeing it as a valuable addition to the downtown programs offered tourists.

Murray Frazee, 30 W. Broadway inquired as to the status of the rezoning. He hopes this will be advertised and that citizens affected would have ample opportunity to voice their concerns.

Mr. Sterner noted that the Planning Commission is working on the Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance. The Planning Commission meetings are always advertised and all are welcome to attend. There will be ample time for citizens to review the plans through a series of public hearings.

Mr. Muller attended for HARB approval on his application for construction at 65 Steinwehr Avenue.

Bill Walker representing the Gettysburg College thanked the highway department for a terrific snow removal job.

Jose Cisneros, Superintendent for the Gettysburg National Military Park informed Council of the Parks process of repaving Park roads, and about the environmental assessment. He will be giving his recommendations to regional director B.J. Griffin within the week to proceed with the plans of resurfacing, which will require several roads to be one way. The project would be completed by year end 1995.

Mr. Troxell expressed the need for a complete environmental impact study. Any changes in traffic patterns will affect the Borough and townships. This would bring about hardship on the community and inconvenience to the citizens. A detailed environmental study should be made prior to the implementation of this plan.

Mr. Murphy asked if the 1994 fiscal year funding would be lost for this project if not used this year. Mr. Cisneros reported that if the funding is not used this year, they will lose it.

Mrs. Gustafson asked if there were any alternatives to the one way proposal such as requiring one ways only during summer peak periods. Mr. Cisneros responded that the engineers would not approve this for safety and liability problems.

Mr. Murphy said he is concerned that this is such a negative project. Who will make the final decision and when will that take place? Mr. Cisneros noted that the regional director will make the final decision in a few days.

Mr. Sterner asked if the National Park would agree to help with the funding for a Gettysburg area traffic study. Mr. Cisneros said that the regional director has agreed to assisting in such a study.

Moved Mrs. Gustafson, seconded Mr. Zellner to approve HARB "consent agenda" as follows: Unfinished business for Hopwood Insurance Agency to install a sign at 139 Baltimore Street; New Signs A; Alterations B,C,D and E were approved. Motion carried unanimously.

Mrs. Gustafson reported that HARB attended the builders show and it was a success. Many individuals visited the booth with questions. This was a good public relations offering.

Mr. Eline reported the Planning/Economic Development Committee had their first meeting on February 21. There is little to report at this time, but the committee did discuss its long range agenda.

Mr. Kreisher reported that the Public Works Committee would be meeting the fourth Tuesday at 3:30 each month.

Mr. Zellner noted that he received a request for RPP from an individual not living in the Borough but who works here.

Moved Mr. Zellner, seconded Mr. Troxell to nominate Lois Lovett, N. Washington Street, to replace Kathy Showvaker on the Recreation Board. This term will expire in September 1994. Motion carried unanimously.

Mr. Troxell reported the Legislative Committee held its first meeting on March 8th, with monthly meetings scheduled for the third Monday at 4:00PM. The Committee discussed a tentative list of priorities. State Representative Stephen Maitland will meet with the committee on April 7th at 4:00PM to discuss the Optional Local Tax Enabling Act, House Bill 2202 and other issues relating to tax reform. Everyone is invited to attend this meeting.

Moved Mr. Murphy, seconded Mr. Zellner to approve the 1993 financial audit as presented by Rager, Lehman, Myers & Houck PC. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Schmitt to approve all bills and payrolls for the month. Motion carried unanimously.

#### Managers report:

Mr. Sterner reported that he reviewed the bids submitted at last month meeting. His recommendation is to award to the lowest bidders the bids for asphalt, equipment rental and street sweeper. However, due to using federal funds for the Brandon trailer removal, we will need to reject the one bid received and readvertise at a later date.

Moved Mrs. Gustafson, seconded Mr. Schmitt to award the asphalt bid to Bituminous Paving of York, Inc. Motion carried unanimously.

Moved Mrs. Gustafson, seconded Mr. Schmitt to award the equipment bid to C.E. Williams Sons, Inc. Motion carried unanimously.

Moved Mr. Schmitt, seconded Mrs. Gustafson to award the street sweeper contract to Goulden Equipment, Inc. Motion carried unanimously.

Moved Mr. Schmitt, seconded Mr. Eline to reject the bid from Goetz Excavating for the Brandon trailer removal. Motion carried unanimously

Sterner reported that preliminary drawings of a high school will be presented to the School Board at its meeting tonight. It appears that the school can meet its goals at the Lefever Street campus, but the Borough will need to vacate Lefever Street. It does appear, however, that Lefever Street could be relocated, thus keeping a route from the east to south. Borough Council will be invited to review these plans after the school board has an opportunity to view them.

Marshall Miller of Miller Real Estate has informed us that it may be prudent for the Borough to consider lowering its asking price for the 34 East Middle Street property. Mrs. Simpson referred this to the Public Works Committee to review at their next meeting.

The Frederick Douglas project is not yet complete. A special zoning hearing will be held at a later date to gain approval for lot width and positioning. Council will be notified of the hearing date and time.

The USS Gettysburg crew had a very nice weekend in Gettysburg. They did clean up work at 2 barns in the area and helped at the Gettysburg Fire Department. The Captain and crew members feel honored to have such a bond with the Gettysburg people. During the reception Captain Smith presented the Borough with several mementos for our USS Gettysburg room.

Moved Mr. Troxell, seconded Mr. Eline to authorize Mr. Sterner to transmit to the NPS officials Council's concern for one-waying of Park Avenues, and urging the NPS to perform an environmental impact study prior to implementing their plans. Motion carried unanimously.

Mr. Lawver reported that he has had difficulty obtaining cold patch to repair the many pot holes which have developed this spring. His crews have begun the bricking of Lincoln Square.

Moved Mr. Troxell, seconded Mrs. Gustafson to adopt the EMA Resolution authorizing and directing the emergency succession of municipal officers and the continuity of municipal government during emergencies. Motion carried unanimously.

Moved Mrs. Gustafson, seconded Mr. Schmitt to designate Chief Gantz as the 504 self assessment coordinator. Motion carried unanimously.

Dr. Powell reported that the sign committee for HARB has met and are currently working on certain projects. May is Historic Awareness month and he recommends that Council again give public recognition to certain projects that have been completed during the past year.

Chief Gantz reported that his department has made several arrests for persons breaking into Borough parking meters. This crime has been difficult to solve. He requested permission to offer a small monetary reward, \$100 to \$200, as an incentive for someone to come forward with information.

Moved Mr. Troxell, seconded Mr. Schmitt to authorize Chief Gantz to offer a \$200.00 award to be used towards apprehending the meter thieves. Motion carried unanimously.

Chief Gantz reported that of the 150 original applicants for the police officer position, the list has been reduced to after the written test. The oral interviews will take place in April, and be administered by a board consisting of him, another chief, a member of the public and Council.

Mrs. Showvaker asked Council for permission to submit a letter to the County Commissioners to continue with the County's recreational planning process, which has been at a standstill. Certain objectives of her department are contingent on the County's final completion of its work.

Mr. Troxell asked if corner properties must remove snow at the street crossings. Mr. Weikert reported the ordinance only requires that walks be cleared of snow, not crosswalks.

Mr. Persson reported that the application for the tree grant has been accepted. The \$2,000 will go towards the Recreation Park project. Mrs. Gustafson thanked both Mr. Persson and the Tree Commission for its good work in obtaining the grant.


Mr. Persson and many volunteers have been proof reading the 1750 bricks which have been delivered. Bricks will continue to be sold for the next quadrant project. Main Street has also begun another brick campaign to add to the Historic Pathway Project which will be an alumina park at Lefever Street near the Gettysburg High School entrance. This project should be completed by homecoming this fall.

Mayor Linn noted that he received a thank you from Captain Smith for the nice welcome the USS Gettysburg crew had during their visit. They look forward to coming back to Gettysburg.

Ms. Weaver reported that the Adams County Boroughs Association would be meeting on Monday, March 21. Those interested should contact the office.

With no further business Mr. Schmitt moved, seconded by Mr. Troxell to adjourn the meeting at 10:00 PM.

Respectfully submitted


  
Sara L. Weaver  
Borough Secretary

I, the undersigned Secretary of The Borough of Gettysburg, Adams County, Pennsylvania, do hereby certify that at a regular meeting of the Borough Council of The Borough of Gettysburg, duly advertised and held on March 14, 1994, the Borough Council adopted the following Resolution which remains on the Minutes of the Borough:

BE IT RESOLVED, that the Borough Council of The Borough of Gettysburg hereby adopts, ratifies and approves the final, revised 1993 Municipal Solid Waste Plan officially adopted by the Adams County Commissioners on January 19, 1994.

Adopted on a motion by Jay R. Schmitt, SR. ,seconded by Margaret S. Gustafson.

WITNESS my hand and seal of said Borough on this 14th day of March, 1994.

  
Sara Weaver  
Borough Secretary

**BOROUGH OF GETTYSBURG,  
Adams County, Pennsylvania**

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**RESOLUTION NO. \_\_\_\_\_**

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**A RESOLUTION**

OF THE COUNCIL OF THIS BOROUGH APPROVING THE LOCATION IN THIS BOROUGH OF A COLLEGE PROJECT OF GETTYSBURG MUNICIPAL AUTHORITY (THE "AUTHORITY"), A MUNICIPALITY AUTHORITY ORGANIZED BY THIS BOROUGH, FOR GETTYSBURG COLLEGE, A CORPORATION NOT-FOR-PROFIT, TO REFUND CERTAIN INDEBTEDNESS OF THE COLLEGE EVIDENCED BY TWO SERIES OF OBLIGATIONS OF PENNSYLVANIA HIGHER EDUCATIONAL FACILITIES AUTHORITY DESIGNATED AS GETTYSBURG COLLEGE SERIES C VARIABLE-RATE BONDS AND GETTYSBURG COLLEGE SERIES F VARIABLE-RATE BONDS, WHICH BONDS WERE PURCHASED BY STUDENT LOAN MARKETING ASSOCIATION; DECLARING THAT THE COUNCIL OF THIS BOROUGH APPROVES SAID COLLEGE REFUNDING PROJECT AND DETERMINES THAT SUCH APPROVAL DOES NOT OBLIGATE THE TAXING POWER OF THIS BOROUGH IN ANY WAY; DECLARING THAT THIS RESOLUTION IS ADOPTED FOR THE PURPOSE OF SATISFYING THE REQUIREMENTS OF SUBSECTION A OF SECTION 4 OF THE MUNICIPALITY AUTHORITIES ACT OF 1945, AS AMENDED AND SUPPLEMENTED, SO THAT CERTAIN LIMITATIONS CONTAINED IN SAID ACT WITH RESPECT TO PROHIBITING THE EXERCISE OF THE POWERS GRANTED UNDER SAID ACT IN THE CONSTRUCTION, FINANCING, IMPROVEMENT, MAINTENANCE, EXTENSION OR OPERATION OF ANY PROJECT OR PROJECTS WHICH, IN WHOLE OR IN PART, SHALL DUPLICATE OR COMPETE WITH EXISTING ENTERPRISES SERVING SUBSTANTIALLY THE SAME PURPOSES, SHALL NOT APPLY; SETTING FORTH THAT THE COUNCIL OF THIS BOROUGH DECLARES THAT SAID COLLEGE REFUNDING PROJECT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY SAID COLLEGE REFUNDING PROJECT TO HAVE SAID COLLEGE REFUNDING PROJECT PROVIDED BY THE AUTHORITY; AND REPEALING ANY RESOLUTIONS OR PARTS THEREOF INCONSISTENT HERewith.

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WHEREAS, The Council of this Borough (the "Council"), by appropriate action heretofore duly authorized the incorporation of a municipality authority

under the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented (the "Act"), known as "Gettysburg Municipal Authority" (the "Authority"); and

WHEREAS, Gettysburg College (the "College") is a Corporation Not-for-Profit organized and existing under laws of the Commonwealth of Pennsylvania (the "Commonwealth"), and has its principal place of business in this Borough; and

WHEREAS, Pennsylvania Higher Educational Facilities Authority ("PHEFA") is a body corporate and politic constituting a public corporation and public instrumentality of the Commonwealth created and existing under the laws of the Commonwealth; and

WHEREAS, PHEFA at the request of the College, heretofore provided the financing required in connection with: (1) financing certain college facilities; (2) payment of the costs and expenses of the financing and related costs and expenses; and (3) the establishment of necessary funds (to the extent available), by issuance and sale of two series of obligations of PHEFA designated respectively as Gettysburg College Series C Variable-Rate Bonds and Gettysburg College Series F Variable-Rate Bonds (the "Variable Rate Bonds"), which Variable Rate Bonds were purchased by Student Loan Marketing Association ("Sallie Mae"); and

WHEREAS, Sallie Mae has presented an *Analysis of Refunding, Gettysburg College Series C and Series F Variable-Rate Bonds January 27, 1994*, as amended (the "Report"), to the College relating to the restructuring of the indebtedness of the College through the refunding of a portion of the Variable Rate Bonds (the "College Refunding Project"); and

WHEREAS, The College proposes that the Authority finance the College Refunding Project; and

WHEREAS, This Borough has declared that it approves the College Refunding Project and has determined that such approval does not obligate the taxing power of this Borough in any way.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, AS FOLLOWS:

1. The Council of this Borough hereby specifies that the College Refunding Project, in an amount not to exceed twelve million five hundred thousand dollars (\$12,500,000), shall be undertaken by the Authority, to be evidenced by the College Revenue Bonds, Series of 1994 (Gettysburg College Project).

2. The Council of this Borough hereby declares that it approves the College Refunding Project and hereby determines that such approval shall not and does not obligate the taxing power of this Borough in any way.

3. The Council of this Borough hereby declares that this Resolution is adopted for the purpose of satisfying the requirements of subsection A of Section 4 of the Act so that certain limitations contained or provided for in the Act with respect to prohibiting the exercise of the powers granted under the Act in the construction, financing, improvement, maintenance, extension or operation of any project or projects which, in whole or in part, shall duplicate or compete with existing enterprises serving substantially the same purposes, shall not apply. Therefore, the Council of this Borough hereby declares that it is desirable for the health, safety and welfare of the people in the area served by the College Refunding Project to have the College Refunding Project financed through the Authority.

4. Any other resolutions or parts of resolutions that are inconsistent herewith shall be and the same expressly are repealed.

5. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this Borough that such remainder shall be and shall remain in full force and effect.

DULY ADOPTED, this 14th day of March, 1994, by the Council of the Borough of Gettysburg, Adams County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF GETTYSBURG,  
Adams County, Pennsylvania

By: Sara L. Weaver  
(Assistant) Secretary

By: James E. Simpson  
(Vice) President of the Council

(SEAL)

EXAMINED AND APPROVED, this 14th day of March, 1994.

Francis J. Linn  
Mayor of the Borough of Gettysburg,  
Adams County, Pennsylvania

# CERTIFICATE

I, the undersigned (~~Assistant~~) Secretary of Borough of Gettysburg, Adams County, Pennsylvania (the "Borough"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Council of the Borough at a meeting of said Council duly convened and held according to law on March 14, 1994, at which meeting a quorum was present; that said Resolution was examined and approved by the Mayor of the Borough on March 14, 1994; that said Resolution duly has been recorded in the minutes of the Council of the Borough; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Council of the Borough met the advance notice and public comment requirements of the Sunshine Act, Act No. 1986-84, of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986 by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Borough or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with said Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough, this 14 day of MARCH, 1994.

  
(Assistant) Secretary

(SEAL)

**MUNICIPAL EMERGENCY OPERATIONS PLAN**

**REVIEW, MAINTENANCE AND CONCURRENCE**

Responsibility for the Municipal Emergency Operations Plan has been assigned to the Municipal Emergency Management Coordinator by the elected officials of the Municipality. The EOP will be reviewed and updated as necessary, but at least should be biennially, by the Municipal Emergency Management Coordinator, who will coordinate with all parties, public or private, assigned responsibilities in this EOP.


Development, maintenance and implementation of this EOP will be in accordance with and under the auspices of the Adams County Emergency Operations Plan, developed in consonance with the Commonwealth of Pennsylvania Emergency Operations Plan which is in conformance with Pennsylvania's Emergency Management Services Code, the Federal Civil Defense Act of 1950, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Federal Superfund Amendments and Reauthorization Act of 1986 (SARA) and applicable regulations of the Federal Emergency Management Agency.

A review of the Gettysburg Borough Municipal Emergency Operation Plan.  
(municipality)


This review was conducted on March 11, 1994.  
(date)

This EOP was promulgated and resolution passed on January 6, 1992.  
(date)

In witness whereof, we the undersigned adopt, accept, concur with and support the provisions of this Emergency Operations Plan, it has been reviewed, with the appropriate changes being made, and recorded on the "Record of Change" page, indicating that this review action has been accomplished this date:

  
Jean E. Simpson, President  
Gettysburg Borough Council

3-14-94  
Date

  
John D. Lawver, Jr., Municipal  
Emergency Management Coordinator

3-14-94  
Date

  
Richard L. Ketterman, Coordinator  
Adams County Emergency Management

4/6/94  
Date

- NOTES: 1) This form must be submitted to the Adams County Emergency Management Agency from the Municipality when changes are made or substantiate and maintain currency of the EOP.
- 2) It is also recommended that submission of this form be made when there is a newly appointed Chief Elected Official, or newly appointed Municipal Coordinator.
- 3) Any page changes made to the municipal EOP should be attached to permit revision to be made to our copy of your EOP maintained in our office.
- 4) All questions concerning the use of this for should be directed to the County EMA Coordinator.