

MINUTES - FEBRUARY 9, 1987

The meeting was called to order by Mr. Ditzler who presided in the absence of President Shealer. The Minutes of the January meeting and the Agenda for this meeting were approved as prepared. Council members present: Messrs. Heflin, Hartzell, Schmitt, Fiscel, Madsen, Witt.

Attorney Charles Wolf presented two resolutions to Council rel to Gettysburg Municipal Authority issuance of College Revenue Bonds and the authorizing of GMA to act as Borough's agent in conducting the necessary public hearings.

Moved Mr. Madsen seconded Mr Schmitt the Resolution authorizing the issuance of bonds to finance the College Project, not to exceed 10 million dollars be approved as presented. Motion carried.

Moved Mr. Madsen seconded Mr. Fiscel the Resolution designating GMA as the Borough's agent for the needed public hearings be approved. Motion carried.

Richard Fox, a member of joint Memorial Day Committee, inquired as to the status of the proposed regulations rel to liability insurance coverage for parades. Recommendation presented by Safety Committee - all sponsors of parades are encouraged to obtain liability coverage, it was reported most sponsors are presently carrying such coverage.

Bids for road building equipment and equipment rental were opened and read. They will be awarded at the March meeting of Council.

STONE: VALLEY QUARRIES

#1 - 4.10  
#1B - 5.20  
#2 - 4.10  
#2RC - 4.00  
#2B - 4.10  
#3A - 4.10  
#4 - 4.10  
#2A - 4.00

SCREENINGS - 4.10

BETHLEHEM QUARRIES

#1 -4.25  
#1B -4.25  
#2 -4.25  
#2RC -3.55  
#2B -4.25  
#3A -4.25  
#4 -4.25  
#2A -3.55

SCREENINGS -4.25

ASPHALT: BIT. PAVING MATERIALS OF YORK INC.

BCBC - \$17.35  
ID-2 - 19.50

ADAMS COUNTY ASPHALT

BCBC - \$19.90  
ID-2 - 23.00

CONCRETE; McDERMITT, INC.

CLASS AA - 51.50  
" A - 50.75  
" B - 47.75

CONCRETE WORK: GETTYSBURG CONCRETE BUILDERS INC.

CURBS LESS 25 FT	\$10.10
" MORE 25 FT	9.05
WALKS LESS 50 SQ FT	4.90
" MORE 50 SQ FT	3.90
LABOR	19.50
MATERIALS	+15%

FRANK GEBHART

CURBS LESS 25 FT	\$19.50
" MORE 25 FT	13.50
WALKS LESS 50 SQ FT	4.50
" MORE 50 SQ FT	3.75
LABOR	24.50

EQUIPMENT RENTAL: C. E. WILLIAMS SONS, INC.

SINGLE AXLE	\$24.00
TANDEM	31.00
TRI-AXLE	35.00
TRACTOR-DUMP	35.00
TRACTOR & LOW BOY	42.00
4 X 4 TRUCK	32.00
PAVER	2.25/TON
VIBRATORY ROLLER (SOIL)	44.00
" " " (ASPHALT)	44.00
ROLLER--TANDEM	29.00
GRADER	40.00
CRAWLER LOADER 3 YD	46.00
" " 1 3/4 YD	38.00
CRAWLER EXCAVATOR	55.00
RUBBER TIRE LOADER 1 1/4 YD	37.00
" " 3 YD	42.00
STONE BOX	54.00

Highway and Finance Committees to study the bids and make recommendations at the March meeting.

Moved Mr. Witt seconded Mr. Madsen Council adopt the ordinance establishing left turn lanes on Washington Street at the intersection of Chambersburg Street.(North & South). Motion carried.

Moved Mr. Witt seconded Mr. Fiscel the Realty Transfer Tax Ordinance be advertised for March adoption. Motion carried.

Moved Mr. Madsen seconded Mr. Heflin all bills and payrolls be paid. Motion carried.

Moved Mr. Madsen seconded Mr. Schmitt the tax collector, Anne L. Faber, be exonerated of \$80.00 per capita; \$65.00 occupation taxes and \$2,524.20 real estate taxes for tax year 1986. Unpaid Real Estate to be filed with the Tax Claim Bureau. Motion carried.

Moved Mr. Witt seconded Mr. Madsen the list of "collectibles" be forwarded, the delinquent collector, G. H. Harris Associates. Motion carried.

Moved Mr. Witt seconded Mr. Schmitt the Manager be authorized to borrow up to \$50,000, if needed. Motion carried.



Mr. Heflin reported the Highway Committee has prepared the work schedules for 1987 as follows: East Railroad Street; Franklin Street from Chambersburg to Breckenridge; King Street from Sunset to Long Lane; Breckenridge Street - rebuild from Baltimore to S. Washington and repave from Washington to Franklin Street.

Mr. Hartzell reported the Property Committee had met as scheduled, will report at a later date.

Mr. Schmitt reported most persons have complied with the sidewalk notices sent last fall; the new list will be ready by April.

Mr. Fiscel reported Cumberland Township had submitted the name of Philip Magaldi for appointment to the Rec Board.

Moved Mr. Madsen seconded Mr. Schmitt the unexpired term of Autry Nunemaker be filled by the appointment of Philip Magaldi. The term expires September 1987. Motion carried.

Mr. Wright reported DGI is funding the replacment of trash receptacles.

Mr. Sterner's report:

1. A college student (intern) has been working two half days per week.
2. In response to the questions raised by the rate increase of Sammons Communications, cable service has been deregulated by the Federal government.
3. Pennington Tree Company has once more trimmed and sprayed the trees on Lincoln Square. A letter of "thanks" to be sent.
4. Will be transferring SCP monies to Fire Department - \$16,000 to be used for purchase of land.

Moved Mr. Witt seconded Mr. Schmitt an additional light be erected in the Murphy Parking Lot, if it cannot be placed on an existing pole the Utility Committee to study further. Motion carried.

Moved Mr. Heflin seconded Mr. Madsen the reports of the Mayor, Police Chief, Treasurer and Code Enforcement Officer be approved. Motion carried.

Moved Mr. Madsen seconded Mr. Heflin the sign proposal of Modern Miss Shop be approved as HARB recommended and a certificate of appropriateness issued. Motion carried.


Moved Mr. Hartzell seconded Mr. Schmitt the renovation proposal of William Shermeyer be approved as recommended by HARB and a certificate of appropriateness issued. Motion carried.

Moved Mr. Heflin seconded Mr. Hartzell since the additional requested information has been submitted - a certificate of appropriateness be issued to Barbara/Sue Joint Venture as HARB recommended. Motion carried.

Moved Mr. Heflin seconded Mr. Madsen Council approve HARB Minutes. Motion carried.

Moved and seconded meeting adjourn at 9 P.M. Motion carried

Respectfully submitted:

  
Hazel A. Dillman, Sec.





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 ACQUIRE, CONSTRUCT, FURNISH AND EQUIP CERTAIN ADDITIONS, EXTENSIONS, ALTERATIONS AND IMPROVEMENTS TO THE PREMISES OF GETTYSBURG COLLEGE AND TO RETIRE THE AUTHORITY'S COLLEGE REVENUE BONDS, SERIES OF 1983 (GETTYSBURG COLLEGE PROJECT), DATED AS OF DECEMBER 15, 1983; DECLARING THAT THE COUNCIL OF THIS BOROUGH APPROVES SAID COLLEGE 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, 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 PROJECT IS DESIREABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY SAID COLLEGE PROJECT TO HAVE SAID COLLEGE PROJECT PROVIDED BY THE AUTHORITY; AND REPEALING ANY RESOLUTIONS OR PARTS THEREOF INCONSISTENT HERewith.

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, Pursuant to said resolution, Articles of Incorporation of the Authority, executed by the Council of this Borough and attested by the Secretary of this Borough, were filed with and approved by the Secretary of the Commonwealth of Pennsylvania on the 18th day of June, 1948; and

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

WHEREAS, The College proposes that the Authority finance a project to acquire, construct, furnish and equip certain additions, extensions, alterations and improvements to the premises of the College and to retire the Authority's College Revenue Bonds, Series of 1983 (Gettysburg College Project), dated as of December 15, 1983 (the "College Project"); and

WHEREAS, This Borough has declared that it approves the College 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 Project, in an amount not to exceed ten million dollars (\$10,000,000), shall be undertaken by the Authority, to be evidenced by the College Revenue Bonds, Series of 1987 (Gettysburg College Project) to be dated as of February 15, 1987.

2. The Council of this Borough hereby declares that it approves the College 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 construction, 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 is desirable for the health, safety and welfare of the people in the area served by the College Project to have the College Project provided by the Authority.

4. Any other resolutions or parts of resolutions which 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 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 9th day of February, 1987, by the Council of the Borough of Gettysburg, Adams County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF GETTYSBURG,  
Adams County, Pennsylvania

By: *Karl A. Dillman*  
(Assistant) Secretary

By: *Gerald D. Shealer*  
(Vice) President of the Council

(SEAL)

EXAMINED AND APPROVED, this 9th day of February, 1987.

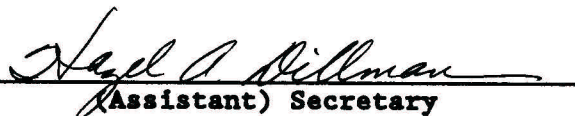
*Francis J. Linn*  
Mayor of the Borough of Gettysburg,  
Adams County, Pennsylvania

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 February 9, 1987, at which meeting a quorum was present; that said Resolution was examined and approved by the Mayor of the Borough on February 9, 1987; 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 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 and 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.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Authority, this 9<sup>th</sup> day of February, 1987.

  
(Assistant) Secretary

(SEAL)