

COUNCIL MEETING SEPTEMBER 12, 2005

President Streeter called the meeting to order at 7:30 PM with the following Councilors present: Ms. Giles, Mr. Murphy, Ms. Smith, Mr. Miller, Mr. Peterson and Mayor Troxell. Mr. Fleet, Mr. Eline and Mr. Monahan were absent. Staff included Manager Sterner, Secretary Stull, Solicitor Eastman, Chief Garcia, Director of Planning Powell, Parking Manager Little, Rec Director Corson and Finance Director Overton.

Representing the press were Charles Schillinger of the *Evening Sun* and Ashley Andyshak of the *Gettysburg Times*.

Moved Mr. Murphy, seconded Mr. Miller to approve the minutes of August 8th as presented. Motion carried unanimously.

Citizens in Attendance:

Steve Niebler, Adams County Office for Aging attended to give Council an overview of the services they provided for 199 Borough residents in fiscal year 2004-2005. These services included adult care, home delivered meals, medical equipment and the Lifeline emergency response system. The Borough has not provided financial support in recent past but request Council consider a contribution in their 2006 budget.

Ms. Smith asked where the bulk of the funding comes from. Mr. Niebler noted 75% is from the PA Lottery, along with federal money, other municipality's contributions and the County Commissioners contribution. The budget is 1.8 million dollars this year. Mr. Miller asked what the other municipalities contribute. Mr. Niebler noted it ranges from one municipality contributing \$100 to another contributing \$2700 every year.

Ms. Giles asked if their properties are taxed. Mr. Niebler responded that they only have the property at 318 West Middle Street and it is tax-exempt.

Nell Mathews, Donald Marritz and Marcia Gregorio members of the Gettysburg Community Pool Committee, attended to update Council. They applied for the Robert C. Hoffman Charitable Endowment Trust Grant in June for \$35,000 to use as the matching funds needed for the feasibility study and should receive notification within a few days. Mr. Murphy asked what other sources they have if this Hoffman Grant isn't approved. The Committee is hopeful to get some if not this entire grant. They plan to use private or corporate funding so there will be no cost to the Borough.

Ms. Mathews asked for Council approval to apply for a PA DCNR grant for the pool feasibility study. This will be conditioned on their success with the 50% match from the Hoffman grant.

Mollie Back and Christine Ameduri both attended to request Councils continued support of the SPCA. Borough Council has always been very generous and they hope the SPCA is considered in the 2006 budget.

Jacob Schindel was here to observe the meeting.

Mayor Troxell reported Emergency Management Officials asked for any officers willing to go to Louisiana to help after Hurricane Katrina. He noted there were 2 officers willing to go but was asked to wait until the Council meeting to bring up the request. The deadline had since past so he has asked the Chief to add the Borough to the emergency database so that we would be available in the future.

Mayor Troxell reported the Adams County Boroughs Association meeting would be held on Monday, September 19th. The scheduled speaker is Adams County District Attorney Shawn Wagner. If anyone is interested please contact Sara.

Mr. Streeter reported a chairperson is needed for the 2006 Bicentennial committee. Any Council members interested see Ted.

Mr. Streeter reported with the new president appointed to the CVB hopefully our differences could be resolved.

Moved Mr. Murphy, seconded Mr. Miller to execute the agreement with William Aldridge excepting a donation of a diorama depicting the area between Carlisle Street and Stratton Street adjacent to former Western Maryland Railroad Depot. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. Miller to enact an ordinance amending the Residential Parking Permit System by designating additional portions of South Washington Street as RPP areas. Motion carried unanimously.

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

Moved Mr. Murphy, seconded Mr. Peterson to approve the grant application to PA DCNR for funds to conduct a community pool feasibility study, conditioned on the committee raising the entire required match. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Peterson to approve the 2004 Audit and Financial Statement. Motion carried unanimously.

Mr. Streeter asked the status of the EMS Tax. Ms. Overton continues to work with the Earned Income Tax Agency to get the reports separated for each tax.

Moved Ms. Smith, seconded Mr. Murphy to approve HARB consent agenda as presented. Motion carried unanimously.

Mr. Miller reported the skate park committee was unaware they had an outstanding balance with the Borough. They will finalize after the sign and railing are completed.

Moved Mr. Peterson, seconded Ms. Smith to reappoint Joy Noel to the Regulated Rental Unit Appeals Board for a five year term. Motion carried unanimously.

Moved Mr. Peterson, seconded Ms. Smith to reappoint Wayne Mayers to the Shade Tree Commission for a five year term. Motion carried unanimously.

Moved Mr. Peterson, seconded Ms. Smith to reappoint Ken Kime to the Regulated Rental Unit Appeals Board for a three year term. Motion carried unanimously.

Ms. Giles asked the status of the employee evaluations. Mr. Peterson noted the Human Relations committee has completed the evaluation forms and presented it to the Manager and Solicitor for review.

Solicitor Eastman commented the evaluations should be geared towards the employee's job. He suggested Attorney Durrant review and make recommendations.

Mr. Miller and Mr. Streeter complimented Sara for a job well done in keeping Charlie's desk cleared while he was out on leave.

Moved Ms. Smith, seconded Mr. Miller to adopt a resolution authorizing the entry into the Agreement of Sale with the Adams County Housing Authority and the execution of the settlement documents to include the deed of conveyance necessary to complete the transfer of the Diggs-Monroe property to Adams County Housing Authority for the development of affordable housing. Motion carried unanimously.

Ms. Smith asked Solicitor Eastman for an update on the Amusement Tax collection for the Majestic Theater. Solicitor Eastman continues to work with Jeffrey Gabel, Executive Director of the Majestic Theater relative to the collection of admissions tax to certain performances at the theater. He noted the school district according to their resolution is not required to collect taxes from schools.

Solicitor Eastman gave a brief overview of Attorney John Phillips request for approval of a Flexible Residential Development for nine dwelling units. The project and the plan executed by KPI Technology have been reviewed by the Boroughs Engineers. They were submitted to and approved by the Gettysburg Borough Planning Commission and the Borough Community Development Committee.

Moved Mr. Murphy, seconded Mr. Peterson to approve Ridge View, a Flexible Residential Development as provided for and authorized by Chapter 18 of the Gettysburg Borough Zoning Ordinance. The Project and the Plan of John W. Phillips and Bobbie E. Phillips to convert nine rental units located at the southwest intersection of Ridge Avenue and West Middle Street, is hereby approved as a Flexible Residential Development and the Borough Council does further approve a waiver of maximum density (from 17.5 units/acre to 19.5 units/acre) and a waiver of private area for each of the seven townhouse units (from 175 square feet to 164 square feet) Motion carried unanimously.

Manager Sterner reported the solid waste contract with Waste Management expires on December 30, 2005. The bids are due to go out on September 21st. An addition to the new specifications will be to include the waste cans picked up 6 days a week.

Ms. Stull reported the website is progressing very well. Council may review the "hidden" site before it is ready for public access.

Moved Mr. Miller, seconded Mr. Murphy to except the J. P. Harris exoneration report. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Peterson to set amount of financial security for public improvements in connection with the Preliminary/Final Land Development Plan for the proposed Rite Aid Pharmacy store to be constructed at 231 West High Street in the amount of \$241,805.52 consistent with the review letter of the Borough's Engineers, C.S. Davidson, Inc., dated August 11, 2005 in the form of a bond issued by Westchester Fire Insurance Company of New York in favor of the Borough of Gettysburg. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Miller to authorize Theodore H. Streeter, Borough Council President and Sara L. Stull, Borough Secretary to execute and deliver on behalf of the Borough the Subdivision and Land Development Improvement Agreement with Rite Aid Pennsylvania, Inc. and Kimco Giants Trust in order to ensure the proper development of the proposed Rite Aid pharmacy store at 231 West High Street. Motion carried unanimously.

Dr. Powell reported he is willing to assist the planning assessment team which is preparing to help with Hurricane Katrina.

Mrs. Corson reported the Wine Festival went very well. Ms. Smith commented the Chamber of Commerce was very please with the outcome.

Mayor Troxell noted that if emergency management situations occur again in the future that he and the Chief of Police could make a determination and present to the President and Vice President of Council instead of waiting for the Council meeting.

With no further business to come before Council, the meeting was adjourned at 8:45 PM.

Respectfully submitted,



Sara L. Stull
Borough Secretary