

## **COUNCIL MEETING OCTOBER 11, 2005**

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

Representing the press were Charles Schillinger of the *Evening Sun* and Scott Pitzer of the *Gettysburg Times*.

Moved Mr. Monahan, seconded Mr. Peterson to approve the agenda after amending adding an executive session. Motion carried unanimously.

Moved Ms. Smith, seconded Mr. Monahan to approve the minutes of September 12<sup>th</sup> as presented. Motion carried unanimously.

Citizens in attendance:

Jonathan Patrono, Esquire, attended the meeting representing La Bella Italia Restaurant to answer any questions that may come up during the HARB recommendations.

Mayor Troxell announced Trick-or-Treat would be held on Halloween, October 31<sup>st</sup> from 6-8 PM.

Mayor Troxell announced the Halloween Parade would be held on Tuesday, October 25<sup>th</sup> at 7:30 PM.

Mr. Streeter announced a workshop is tentatively scheduled for Thursday, November 10 at 6:30 PM at the Hotel. The Planning Commission and HARB would be invited to attend to discuss the Comprehensive Plan.

Mr. Streeter announced Main Street is planning a town clean up day on Saturday October 22<sup>nd</sup> meeting on the square at 8:00 AM. Council and staff presence is important and asked that anyone available to come out and help.

Mr. Streeter reported the College /Borough quarterly breakfast meeting is scheduled for Thursday, October 20<sup>th</sup> at 7:30 AM in Penn Hall.

Ms. Giles reported the Safety Committee members took a drive of the shuttle bus stops. She asked that the meter in front of the Majestic, directly under the marquee, be removed to use as a drop off point. Mr. Sterner will instruct the highway department to remove the meter.

Moved Mr. Murphy, seconded Mr. Monahan to approve the Gettysburg Outdoor Antique Show 2006 date request for May 20<sup>th</sup> and September 23<sup>rd</sup>. Motion carried unanimously.

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

Moved Mr. Murphy, seconded Mr. Peterson to approve a 3.64% COLA for retired Chief of Police Fred Gantz effective August 1, 2005 payable from the Non-Uniformed Pension Fund. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Monahan to instruct the solicitor to prepare and advertise an ordinance for enactment amending the Admissions to the Amusement Tax Ordinance. Motion carried unanimously.

Solicitor Eastman reported he met with Jeffrey Gable, Executive Director, Majestic Theater Project to review and discuss the amendments to this ordinance. The Amusement Tax Ordinance was originally completed in 1969.

Mr. Murphy gave a brief report on the finance estimates for the EMS tax due the end of the month. He also noted the Gettysburg Convention and Business Bureau has approved paying municipalities the 1% pillow tax.

Ms. Giles asked how much is over budget in the police department and what the overall shortfall is in the overall budget.

Manager Sterner reported the overall shortfall in the budget is \$275,000 - \$375,000 by the end of December. He is scheduled to meet with Frank Leber, Bond Council to discuss a loan to cover expenses in the fourth quarter.

Ms. Giles asked what the balance is in the Capital Reserve Fund.

Manager Sterner reported 2005 started with \$150,000. Council used \$100,000 towards the purchase of the Cullison property leaving a balance of \$50,000.

Ms. Giles asked if an item in the budget, such as the dump truck, was not purchased due to another department going over budget.

Manager Sterner reported lots of necessities which include all departments had to be put off. All departments are under staffed.

Mr. Monahan reported he met with Congressman Platts and the Transit Authority to discuss funding for the PETRO site. He is meeting with Kathy Cresswell of Senator Santorum's office on Thursday, October 13<sup>th</sup>, to discuss funding /grants for next year.

Moved Ms. Smith, seconded Mr. Monahan to approve HARB consent agenda items A, B & D as presented. Motion carried unanimously.

Moved Ms. Smith, seconded Mr. Peterson to approve scheduling a special meeting with Borough Solicitor Eastman, Caroline Smith, HARB liaison, Dr. Walter Powell, Planning Director, Giovanni Cucuzza, owner La Bella Italia Restaurant and Solicitor Patrono for Mr. Cucuzza to discuss HARB item C, La Bella Italia Restaurant, 400-410 York Street to discuss the approval of changes. This matter will come before Council at the November Council meeting for approval. Motion carried unanimously.

Mr. Peterson tentatively scheduled a Third Ward meeting on November 17<sup>th</sup> at 7:30 PM at the REC Park.

Solicitor Eastman reported the transfer of the Digges Monroe property to the Adams County Housing Authority took place on September 27<sup>th</sup>.

Ms. Giles asked for an explanation of item 16, Borough Tax Collector, with no candidate on the ballot who will collect taxes. Solicitor Eastman reported he is currently reviewing. The Borough Code has provisions for filling the vacancy and also sets forth procedures for the collection of taxes.

Ms. Giles asked for an explanation of item 33, 42 East Lincoln Avenue. Solicitor Eastman reported the owner withdrew her application to the zoning hearing board based on her position that she was conducting a pre-existing legal use of the property as 2 apartments. This property has become a potential enforcement problem for the Borough. Continue to ascertain further information to determine what action, if any should be taken.

Manager Sterner reported he and Parking Manager Little met with representatives from the Methodist Church and County Courthouse to discuss leasing spaces in the church parking lot.

Manager Sterner reported the police department was recently awarded a grant to use for a polygraph program.

Manager Sterner announced a budget meeting will be scheduled for Monday, November 7<sup>th</sup> at 7:00PM in Council Chambers.

Ms. Giles asked if we received any figures yet on the wine festival. Ms. Smith responded the Chamber of Commerce is finalizing this event and should release that information very soon.

Ms. Giles asked if the Borough can claim the name "Gettysburg Wine & Music Festival". Solicitor Eastman noted the Chamber is the event sponsor. It can't be a copy write. This will be discussed further in executive session.

After a brief executive session Mr. Streeter announced it was for the purpose of a potential litigation.

With no further business to come before Council, the meeting was adjourned at 8:35 PM.

Respectfully submitted,



Sara L. Stull  
Borough Secretary