

**BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
DUE TO COVID-19 PANDEMIC, MEETING
CONDUCTED VIA TELECOMMUNICATIONS
DEVICES THROUGH ZOOM PLATFORM
COUNCIL WORK SESSION MEETING MINUTES
SEPTEMBER 28, 2020**

Vice President Wesley Heyser called the meeting to order at 7:00 PM and asked the Borough Secretary Sara Stull to conduct a roll call of Council members in attendance. The following **Councilors were present:** Mr. Christopher Berger, Mrs. Judith Butterfield, Ms. Patricia Lawson, Mr. John Lawver and Mr. Matthew Moon. President Jacob Schindel was absent. **Staff present included:** Mayor Theodore Streeter; Borough Manager Charles Gable; Assistant Borough Manager/ Secretary Sara Stull; Borough Solicitor Harold Eastman, Puhl Eastman, and Thrasher; Chief Robert Glenney; Planning Director Carly Marshall; Director of Historic and Environmental Preservation Debra English; and Public Works Director Robert Harbaugh.

Others present included: Deb Adamik, President of Main Street Gettysburg; Timbrel Wallace, owner of Larks, 17 Lincoln Square and Nerd Herd Gifts and Games store, 10 York Street; Chad-Alan Carr, Gettysburg Pride President and Founder, 49 York Street; Jason Goodman, PA Youth Congress Executive Director, 413 Walnut Street, Harrisburg; Tim Cwiek, of the *Philadelphia Gay News Newspaper*; Jim Hale representing the *Gettysburg Times*; and Mark Wherley, *Community Media-ACCTV* filming through zoom platform.

Announcements

Vice President Heyser announced an executive session of the Borough Council will be held immediately following the adjournment of this evening's work session consistent with sections 708(a)(1) and 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the termination or reinstatement of employment, the terms and conditions of employment, and the possible furloughing or laying off of Borough employees; and (2) to review and discuss matters of Borough business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or matters of confidentiality protected by law.

Public Comment Restricted to Old Business and New Agenda Items (not tabled items)

Public Comment

Chad-Alan Carr, Gettysburg Pride President and Founder, 49 York Street, thanked Council for all their work and research in drafting the proposed Non-discrimination Ordinance.

Timbrel Wallace, owner of Larks, 17 Lincoln Square and Nerd Herd Gifts and Games Store, 10 York Street, said that the parklet constructed at their Nerd Herd business has been beneficial, and hopes that Council will continue the program next year. She noted that they are planning to host a program for home schooled children using the parklet in the near future.

Jason Goodman, PA Youth Congress Executive Director, 413 Walnut Street, Harrisburg, thanked Council for their work in drafting the LGBTQ Non-discrimination Ordinance. He offered the following suggestions: in section 4 the employer section definition should be employing four or more instead of one; and under sex the sub-definitions could be removed as the SCOTUS has already set the definition of sex, so the Sexual Orientation, Gender Identity and Gender Expression should have their own definition section.

New Business

2021 Budget Discussion (Status Update)

Manager Gable reported that the budget challenges will carry over to 2021 stating that the revenue from parking and other sources has dropped dramatically due to the COVID-19 pandemic leaving the 2020 budget at a shortfall over \$260,000. He pointed out that in January the Borough had 33 full-time employees and now has been reduced to 27 currently. Manager Gable said that the non-uniformed administrative staff voluntarily agreed to an increase in the amount paid toward their health insurance, noting that the police union has declined the request. Other complications for the police department is the recent court order that required the Borough to rehire a fired officer who was charged with a criminal offense, and that he will need to complete his certifications to work as an officer. This led to an officer being furloughed because the 2020 budget allows for eight officers. The furloughed officer will have first opportunity to work unfilled shifts.

Councilman Berger offered to donate his annual stipend of \$2,500 for the police department to help make sure that staffing remains at eight full time officers. Chief Glennly said that he would be willing not to take a pay increase for 2021.

Old Business

Mutual Aid Agreement (Gettysburg Borough/Cumberland Township)

Chief Glennly reported that the proposed Intermunicipal Mutual Aid Police Cooperation Agreement with the Cumberland Township Police Department is still under review. He said that clarification is needed when officers cross the adjoining jurisdictions. The attorneys for both municipalities are reviewing and discussing the draft policy. Chief Glennly noted that the agreement would be structured that other law enforcement agencies, which would include the National Park Service could participate in the agreement.

Sidewalk Ordinance Revisions

Planning Director Marshall reported that they are currently working on language for ticketing that would interact with the Sidewalk Ordinance.

PBS 2017-4 Sign Ordinance

Planning Director Marshall reported that a request was received to paint signs directly on bricks. Councilman Heyser noted that this issue came up in the past and suggests that Council and the solicitor review the ordinance.

PBS 2020-7 Converting Public Parking Spaces to Public Parklets

Planning Director Marshall said that another business expressed interest in a parklet to be placed at their location. She asked Council for direction moving forward with the parklet program.

After some discussion Council members agreed to extend the parklet program for another year due to the late start this year. The unknown with the indoor social distancing restrictions issued by the Governor the program would be beneficial for businesses. It helps to provide the outdoor space to extend their businesses.

Councilman Moon thanked Timbrel Wallace for her enthusiasm with the parklet program. Manager Gable noted that she also helped to design and paint the structures.

PBS 2020-2 Human Relations Ordinance

Solicitor Eastman reviewed the proposed draft Non-discrimination Ordinance. He said that when the draft is complete and ready for adoption, Council would need to vote to advertise the draft ordinance and then adopt at a following Council meeting. This could be completed by the end of this year with the Human Relations Commission appointed in January. Solicitor Eastman noted that the draft was written to “mirror” the guidance by the Pennsylvania Human Relations Commission. Members of the new Borough Human Relations Commission (HRC) would consist of five-members each serving five-year terms.

Council discussion ensued and questions were asked of the Solicitor. They asked for clarification as to who would pay for mediation services. Solicitor Eastman responded that the parties that filed the complaint would pay and not the Borough. Discussions continued on the members of the (HRC) and recommending that they be Borough residents or full-time employees of the Borough. In Section 4 (A) changing the definition to employ four or more instead of one under employer. In Section 4 (A) under sex the sub-definitions could be removed as the SCOTUS has already set the definition of sex, so Sexual Orientation, Gender Identity and Gender Expression should have their own definition. In Section 7 (D) regarding training and education for the HRC the word “shall” should be changed to “may”. Some Council members suggested that an attorney and someone from the Gettysburg Ministerium

be consider for a seat on the HRC. Council will submit their revisions to Solicitor Eastman for final completion of the draft ordinance.

Public Comment (open to items not on the agenda)

Chad-Alan Carr, Gettysburg Pride President and Founder, 49 York Street, said that he was impressed, pleased and inspired by the discussion tonight on the proposed Non-discrimination Ordinance.

The meeting adjourned at 8:40 PM to an executive session.

Respectfully submitted,

Sara L. Stull
Borough Secretary