

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MEETING MINUTES
AUGUST 22, 2022**

President Wesley Heyser called the meeting to order at 7:00 PM with the following **Councilors present:** Vice President Matthew Moon, Mrs. Judith Butterfield, and Mr. Chad Carr. Ms. Patricia Lawson, Mr. Christopher Berger, and Mr. John Lawver were absent. **Staff present included:** Mayor Rita Frealing; Borough Solicitor Harold Eastman, Barley Snyder; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Police Chief Robert Glenny; Director of Historic & Environmental Preservation Debra English; Planning Director Carly Marshall; and Parking Manager Rebecca Fissel. **Staff absent included:** Public Works Director Rob Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present included: Jill Sellers, President of Main Street Gettysburg; Scott English, owner of 66-68 West High Street; Susan Cipperly, 314 North Stratton Street; Jen Reisinger, 293 North 4th Street; and Rosemary Meagher, 44 West High Street. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by *Community Media-ACCTV*.

Announcements

President Heyser announced an executive session of the Borough Council of the Borough of Gettysburg was conducted immediately following the adjournment of the August 8, 2022 monthly general business meeting consistent with section 708(a)(2), section 708(a)(4) and section 708(a)(5) of the Sunshine Act.

President Heyser announced an executive session of the Borough Council will be conducted immediately following the adjournment of this evening's monthly general business meeting consistent with section 708(a)(1), section 708(a)(2), section 708(a)(4) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the terms and conditions of employment, and the policies and procedures for complaints relating to Borough employees; (2) to provide informational updates and to discuss strategy related to the negotiation of a new collective bargaining agreement with the International Brotherhood of the Teamsters Local No. 776 for the Gettysburg Borough Police employees labor organization; (3) to receive and consider information relative to the proposed Decision and Order entered by the Hearing Examiner of the Pennsylvania Labor Relations Board in Case No. PF-C-20-42-E, captioned Teamsters Local Union No. 776 v. Borough of Gettysburg; (4) to receive informational updates on pending grievances filed by Teamsters Local Union No. 776 on behalf of the Gettysburg Borough Police employees labor organization; and (5) to review and discuss matters of Borough business which, if conducted in public, could 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).

There were no public comments at this time.

Special Presentation

There were no special presentations.

New Business

MSG Façade Improvement Grant Application

Jill Sellers, President of Main Street Gettysburg announced that Main Street Gettysburg will apply to the Department of Community and Economic Development (DCED) for the maximum funding of \$50,000 under the Keystone Communities Program. The Façade Improvement Grant will be open to business owners to apply for funding equal to half the cost of façade upgrade projects, up to \$10,000. She noted that there are over ten businesses that have expressed interest in the program. Two items required by Borough Council to support the program are a resolution, and a cooperation agreement between Borough Council and Main Street Gettysburg, noting that there is no cost to the Borough.

Councilman Moon asked if there are any restrictions when applying for these grants. Mrs. Sellers responded yes that these projects must be for the façade issues, such as updating paint, signage, windows, etc., but noted projects such as handicapped ramps are not included.

Councilman Carr asked if nonprofits could apply for both the State Keystone Grant and the Keystone Grant through Main Street for façade improvements, and pointed out that there is no cost to the Borough for these grants. Ms. Sellers responded yes that they can apply for both grant programs, and noted that the program through Main Street has a vetting process that is done locally to award the grant.

Theft of Services Ordinance

Planning Director Marshall explained that there has been an ongoing issue of people abusing the use of garbage cans by placing personal garbage in public cans, dumpsters, or in their neighbor's garbage cans which is difficult to prosecute under the state's theft-of-services law. She said that citations through the planning department could be issued for using someone else's trash can or dumpster. Staff recommendation is to add a section in the Theft of Services Ordinance, Chapter 6 Part:11; Use of Waste Containers, and pointed out that the ordinance could also address another issue of tenants being charged without their knowledge for electricity, cable television, or other services for other rental units including their own. The Borough Solicitor will need to review the revisions to the ordinance before proceeding.

Councilman Moon asked if the cable companies would contact the Borough when people are tapping into their neighbor's cable, gas or electric services, or how would we know when this is happening. Planning Director Marshall responded that the tenants, landlords or cable companies could make us aware of it. President Heyser also noted that it may also be detected when the code compliance officer is doing inspections of the rental properties.

Old Business

PBS 2017-04 Sign Ordinance Revisions

Council members reviewed the proposed revisions to the sign ordinance to include, murals, size-per-frontage, portable sign placement, off-premise signs, and labeling of signs for regulation. They discussed the importance of pedestrians, including those with disabilities, to be able to be on the sidewalk without obstructions of tree wells or sidewalk signs, and to also not preventing parked vehicles from opening their car doors. Councilman Carr stressed the importance to allow small businesses to take all reasonable steps to help these businesses survive and not become a ghost town.

After some discussion Council agreed that their needs to be more discussion and public input regarding the revisions to the sign ordinance.

PBS 2022-03 Fire Code Revisions – Knox Box Ordinance

President Heyser said that this item will be placed on hold until he and Clem Malot, Building Official with PA Municipal Code Alliance, can meet to discuss this item further.

PBS 2022-06 Portable Restrooms

President Heyser said that we have been focusing on one property, but portable restrooms have been appearing throughout the Borough more than people realize.

Planning Director Marshall reviewed other municipality's regulations regarding portable toilets, and asked that Council provide staff with a direction moving forward for allowable uses, locations, setbacks etc.

Councilwoman Butterfield noted that portable toilets are needed in some areas of the Borough and said that Steinwehr Avenue has been using them in the rear of several businesses. She said that older homes and small businesses are not able to provide public restrooms. The Steinwehr BID has used a reputable company to manage and clean these facilities on a regular basis.

Jill Sellers, President of Main Street Gettysburg said that public restrooms would be preferable, but the proposed visitor center on Baltimore Street is far from completion. She

said that it would be counter-productive for Council to limit portable toilets in the Borough and would have a negative experience with visitors.

President Heyser said that with three of the Councilors not in attendance further discussion will need to take place at future meetings before coming to a consensus.

Police Master Sergeant – Creation of New Rank

President Heyser explained that the need to create a new rank of Master Sergeant for the police department would be used when the Chief is off duty. He pointed out that the Civil Service Commission would need to advertise for the testing of officers interested in the Master Sergeant position.

Personnel Complaint Policy

President Heyser reported Council is proposing to develop a formal personnel complaint policy to be used for all departments of the Borough. The policy is for better accountability and employee transparency. He said that managers of all departments must inform Council of any complaints they receive concerning employees. The Borough's labor council is helping with the drafting of such policy.

Public Comment (open to items not on the agenda)

Jen Reisinger, 293 North 4th Street expressed her concern regarding the speeding that takes place in her area, noting that it's located near the school making it dangerous for the many walkers and bikers. She suggested speed control or speed humps to slow the traffic.

Jill Sellers, President of Main Street Gettysburg expressed the importance of portable toilets stating that they are needed in areas for public use, and noted that Steinwehr BID uses reputable companies that properly maintain the facilities. She said that "Brown House" project on Baltimore Street is on the horizon to complete, which will have restroom facilities for public use. But the need for portable facilities is now.

President Heyser adjourned the meeting to an executive session at 9:10 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary