

**BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
DUE TO COVID-19 PANDEMIC, MEETING
CONDUCTED VIA TELECOMMUNICATIONS
DEVICES THROUGH ZOOM PLATFORM
COUNCIL MEETING MINUTES
NOVEMBER 9, 2020**

President Jacob Schindel 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 present included:** Vice President Wesley Heyser, Mr. Christopher Berger, Mr. John Lawver, Ms. Patricia Lawson, Mr. Matt, Moon, and Mrs. Judith Butterfield. **Staff present included:** Mayor Theodore Streeter; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Puhl Eastman, and Thrasher; Police Chief Robert Glenny, Parking Manager Rebecca Fissel; Planning Director Carly Marshall; Director of Historic & Environmental Preservation Debra English; Public Works Director Robert Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present included: Deb Adamik, President of Main Street Gettysburg; Chad-Alan Carr, Community Theater, 49 York Street; Jim Hale representing the *Gettysburg Times*; and Mark Wherley, *Community Media-ACCTV* filming through Zoom platform.

President Schindel announced that executive sessions of the Borough Council were conducted on Monday, October 19, 2020, Monday, October 26, 2020, and on Monday, November 2, 2020, each date commencing at 4:00 p.m. 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.

President Schindel announced an executive session of the Borough Council was conducted prior to this evening's meeting, beginning at 4:00 PM, consistent with sections 708(a)(1), 708(a)(4) 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 possible furloughing or laying off of Borough employees; (2) to provide, consider and discuss information regarding pending grievances and disciplinary matters on which identifiable complaints have or are expected to be filed by the International Brotherhood of Teamsters Local Union No. 776, Police Labor Organization; and (3) 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, including matters related to the conduct of investigations of possible violations of law.

Moved Mrs. Butterfield, seconded Mr. Berger a motion to approve the November 9, 2020 agenda as presented. Motion carried unanimously 7-to-0 by roll call vote.

Moved Mr. Berger, seconded Mr. Moon a motion to approve minutes of the Council Meeting of October 13, 2020; Council Budget Work Session on October 19, 2020; Council Work Session on October 26, 2020; and Council Budget Work Session on November 2, 2020 as presented. Motion carried unanimously 7-to-0 by roll call vote.

Public Comment

Deb Adamik, President of Main Street Gettysburg announced that she would be retiring in April 2021. She said that she notified the Main Street Board in July of her intentions in order to give them plenty of time to work through a seamless transition. At that time, Annie Frazee VP was offered the option to step into the President's position. Ms. Frazee recently had a great job opportunity that she could not refuse. Her last day of work was on October 30th to begin her new endeavor.

Current and Old Business

Department of Planning /Zoning/Code Enforcement

Moved Mrs. Butterfield, seconded Mr. Moon to enact an Ordinance amending the text of the Gettysburg Borough Zoning Ordinance relative to the regulation of nonconforming buildings, structures and uses and relative to certain general and supplemental Zoning Ordinance provisions regulating minimum lot and yard area requirements. Motion carried by roll call vote 6-to-1 with Councilman Schindel abstaining.

Moved Mr. Berger, seconded Ms. Lawson to enact an Ordinance amending the text of the Gettysburg Borough Zoning Ordinance relative to apartment conversions of existing buildings and the amendment of the minimum lot requirements for apartment conversions and the elimination and deletion of minimum habitable floor area requirements for dwelling units and apartments. Motion carried unanimously 7-to-0 by roll call vote.

Moved Mr. Moon, seconded Mr. Heyser to authorize the Borough of Gettysburg to execute and deliver a Land Development Agreement and an Operation and Maintenance Agreement with K & W Tire Company, Inc. in connection with its land development plan for its building expansion project in the Borough. Motion carried unanimously 7-to-0 by roll call vote.

Department of Historic & Environmental Preservation

Director of Historic & Environmental Preservation Debra English announced that the Borough received \$16,009.88 in state funding for the 904 Recycling Grant that was submitted.

Moved Ms. Lawson, seconded Mr. Moon to accept the findings and recommendation of the Borough of Gettysburg Historic Architectural Review Board (HARB) as set forth therein following its review on October 21, 2020 and grant Certificates of Appropriateness for the following applications as presented: COA 20-0076, 344 Washington Street – Debbie Kauffman to remove the aluminum siding to be replaced with vinyl siding and restore and paint the existing wood casing windows per the *Secretary of the Interior Guidelines* as presented in the application dated July 28, 2020; COA 20-0080, 111 Baltimore Street – Adams County Courthouse re-roofing of the main courthouse structure with architectural shingles to mimic slate style shingles and re-roof the clock tower with a black rubber coated metal roof and replace rotted wood in the clock tower structure as needed per the *Secretary of the Interior Guidelines* as presented in the application dated October 16th, 2020. Motion carried unanimously 7-to-0 by roll call vote.

Parking Department

Parking Manager Fissel gave the following report: 25 Local Privilege Parking (LPP) Permits were issued for West Broadway; parking permits are down in October for the Parking Garage due to college students dismissed because of COVID-19; and the pay by APP decals were placed on the parking meters.

Moved Mr. Moon, seconded Ms. Lawson to authorize the preparation of a proposed ordinance amending Chapter 15 of the Code of Ordinances of the Borough of Gettysburg for the purpose of adding ordinance provisions and regulations providing for app-only parking zones within the Borough and establishing certain app-only parking zones. Motion carried by roll call vote 6-to-1 with Councilman Heyser the Nay vote.

Councilman Heyser expressed his concern about the meterless parking zones becoming more widespread because many people do not use smartphones.

Public Works Department

Public Works Director Harbaugh gave the following report: leaf pick-up began November 2nd and will continue through the end of the year; installation of the Christmas tree on the square is scheduled for November 19th or 23rd weather permitting; Broadway Street project is completed waiting on finalizing reports with DEP to close the project; fill dirt dumpsite at the Recreation Park is completed and notice will be sent to DEP to close the project.

Borough Engineer

Borough Engineer Chad Clabaugh gave the following report: currently completing the survey for the South Street project that was budgeted for 2020.

Moved Mr. Moon, seconded Mr. Lawver to approve application for payment #5 final in the amount of \$4,293.75 to C.E. Williams Sons, Inc. for work completed on the Broadway Street Improvements Project. Motion carried unanimously 7-to-0 by roll call vote.

Police Department

Chief Glenny gave the following report: all officers have been assigned to online training for crisis escalation for use of force and implicit bias; Chief Glenn, Officer Penesse and Officer Fishel assisted Latimore Township Police on October 30th when Donald Trump Jr. and musician Ted Nugent conducted a rally for President Donald Trump near York Springs; requested the overtime salary remain at the current budgeted amount.

Moved Ms. Lawson, seconded Mr. Moon to adopt a resolution authorizing the entry of the Borough of Gettysburg into an Intermunicipal Mutual Aid Police Cooperation Agreement with Cumberland Township pursuant to the Pennsylvania Intergovernmental Cooperation Act and the Municipal Police Jurisdiction Act. Motion carried unanimously 7-to-0 by roll call vote.

Moved Ms. Butterfield, seconded Ms. Lawson to adopt a resolution for the purpose of authorizing and approving the Borough's sale of a 2016 Ford Police Interceptor SUV to Liberty Township for its estimated fair market value of \$6,500.00 pursuant to section 1201 of the Borough Code. Motion carried unanimously 7-to-0 by roll call vote.

Office of the Manager/Treasurer/Secretary

Moved Ms. Lawson, seconded Mr. Berger to accept all bills and payrolls as presented. Motion carried unanimously 7-to-0 by roll call vote.

Moved, Mr. Moon seconded Ms. Lawson to accept the J. P. Harris Tax Exoneration report for tax years 2012 through 2014 as presented. Motion carried unanimously 7-to-0 by roll call vote.

Moved Ms. Butterfield, seconded Ms. Lawson to authorize the finalization and publication for intended enactment at the December 14, 2020 monthly general business meeting of the proposed Borough of Gettysburg Nondiscrimination and Local Human Relations Commission Ordinance. Motion carried unanimously 7-to-0 by roll call vote.

Moved Ms. Lawson, seconded Mr. Moon to adopt a resolution appointing Maher Duessel, a firm of certified public accountants registered in the Commonwealth of Pennsylvania, as the independent auditor of the Borough of Gettysburg during fiscal year 2021 in order to make an independent examination of the accounting records of the Borough for fiscal year 2020 and to perform such other duties and to exercise the powers as conferred upon an independent auditor under the Borough Code. Motion carried unanimously 7-to-0 by roll call vote.

Moved Mr. Lawver seconded Mrs. Butterfield to authorize the Assistant Borough Manager/Secretary, Sara L. Stull, to give notice and cause the same to be published that the proposed budget providing an annual estimate of revenues and an annual estimate of expenditures for fiscal year 2021 has been prepared and will be made available for public inspection for a period of not less than ten (10) days commencing on Thursday, December 3, 2020 and ending at the close of business on Monday, December 14, 2020, prior to the completion and adoption of the budget for fiscal year 2021 by the Borough Council. Motion carried unanimously 7-to-0 by roll call vote.

Moved Ms. Lawson, seconded Mr. Lawver to authorize the solicitor to prepare, finalize and publish a proposed Ordinance for intended enactment at the next monthly general business meeting of the Borough Council to be held on December 14, 2020 for the purposes of fixing the real property tax rate for the Borough of Gettysburg for fiscal year 2021 at 4.409 mills, the occupation tax rate at 30 mills and the fire protection services appropriations tax rate at .25 mills. Motion carried unanimously 7-to-0 by roll call vote.

Moved Mr. Moon, seconded Mr. Heyser to reappoint David Rice to the Shade Tree Commission for a five-year term expiring in October 2025. Motion carried unanimously 7-to-0 by roll call vote.

Moved Mrs. Butterfield, seconded Mr. Moon to adopt a resolution approving the appointment by Lisa A. Angstadt, Tax Collector of the Borough of Gettysburg, of Donna Maring to serve as Deputy Tax Collector. Motion carried unanimously 7-to-0 by roll call vote.

Liaison Reports

Main Street Gettysburg

Deb Adamik gave the following report: announced that the annual Gettysburg Christmas Festival has been replaced temporarily by Season of Wishes due to the impact of the pandemic. It will promote businesses and give people something to do during the Christmas season. The event will begin November 27th with a virtual tree lighting and run through January 1, 2021. Games and events such as: scavenger hunts, photo contests,

concerts etc. are being planned for the season. Deb said that they are in need of artists in the community to help with the window art seek-and-find activity.

Deb Adamik gave the following report: Main Street Gettysburg applied for the Adams County Pandemic Relief funds and are awaiting the outcome; Main Street's focus this year has been on COVID-19 recovery helping the businesses with the MSG Cares Program, and most recently creating the Gettysburg PRO Website which is a free Website intended for use by all businesses in town.

Gettysburg Area Recreation Authority

Councilman Schindel gave the following report: vandalism has occurred at the park making it difficult for GARA to pay for these damages, noting that the skate park will remain closed for a while; applied for the County PPE funds and are awaiting the outcome; participated in the Giving Tree; staff preparing to close bathrooms, and the maintenance staff will begin working less hours.

Steinwehr Avenue Heart of Gettysburg Battlefield

Councilwoman Butterfield gave the following report: continue planning for Holiday events; installation of Christmas trees along Steinwehr Avenue will be placed later this month; and the annual meeting is scheduled for December 8th.

Adams County Transportation Planning Organization

Councilwoman Butterfield gave the following report: informed ACTPO of the multimodal grant application submittal; discussed the upcoming work on both routes US 15 and 30.

Adams County Heroin Awareness Task Force

Councilman Moon said that they appreciated the help from the police department with the medicine take-back program.

Healthy Adams Bicycle Pedestrian Inc. (HABPI)

Councilwoman Lawson reported that HABPI participated in the Giving Tree.

Elected Officials

Councilwoman Butterfield gave a brief summary on the PML Virtual Summit that she recently attended. Senator Bob Casey was among the speakers for the opening ceremony, and one of the keynote speakers was Craig Fugate, former FEMA Director under two presidential administrations. Some of the informative sessions included Equity and Inclusion in Municipal Government, a panel on Fireworks in downtown areas, Energy

Solutions, and Blight Success Stories. The next virtual conference is the Fall Sustainability Conference on November 19th.

Councilwoman Butterfield noted that Mary Patrick recently died and will be missed by many in the community. She attended many Council meetings over the years and worked hard with the initiatives in the Third Ward area.

Public Comment

Chad-Alan Carr, Community Theater, 49 York Street, said that he appreciates that Borough Council meetings are open to the public via Zoom platform. He was glad to see that the Nondiscrimination Ordinance and 2021 Budget were both approved unanimously and noted that Council and staff have done incredible work. Mr. Carr said that the Adams County Community Foundation received over 2.1 million dollars for charities.

Moved Mr. Lawver, seconded Mr. Moon, to adjourn the meeting at 8:20 PM. Motion carried unanimously 7-to-0 by roll call vote.

Respectfully submitted,

Sara L. Stull
Borough Secretary