

**BOROUGH OF GETTYSBURG**  
**59 EAST HIGH STREET, GETTYSBURG, PA 17325**  
**COUNCIL MEETING MINUTES**  
**MARCH 14, 2016**

President Robert Krummerich called the meeting to order at 7:00 PM with the following Councilors present: Mrs. Susan Naugle, Mr. Graham Weaver, Mr. Jacob Schindel, Mr. Scot Pitzer, Mrs. AmyBeth Hodges and Mayor William Troxell. Staff present included: Manger Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Finance Director Nicolette James; Planning Director Scott Dellett and Public Works Director Dan Hilliard.

Others present include: Deb Adamik, President, Main Street Gettysburg; Darlene Brown, Executive Director, PA Interfaith Community Programs, Inc. (PICPI), 40 East High Street; Jack and Bobbi Phillips 251 Springs Avenue; Mike Shestok, 264 Baltimore Street; Ron and Marybeth Sprankle, 333 Baltimore Street; Jim Fleet, 122 East Middle Street; Frenette Tallen, 811 Johns Avenue; Harry Hartman, Publisher, the *Gettysburg Times*; Charles Strauss, 38 West Middle Street; Conor Brooks, 108 West Middle Street; Denise Weldon-Siviy, 129 West Lincoln Avenue; Rodger Goodacre, 105 East Broadway; Steve Hemler, 535 York Street; Stan Clark, 915 Fairview Avenue, Tom McKenney, 150 York Street and Karen Runk, 17 Meadow Lane.

Representing the press were Jim Hale of the *Gettysburg Times* and Lillian Reed of the *Evening Sun*.

President Krummerich opened the meeting and explained that Council members must refrain from commenting in three specific areas: land purchases, personnel matters, and lawsuits. President Krummerich added that Council members have sworn not to discuss the details of lawsuits or potential lawsuits involving the Borough and doing so could jeopardize the Borough's legal insurance.

**Announcements:**

President Krummerich announced that an executive session of the Borough Council of the Borough of Gettysburg was conducted on Monday, February 22, 2016 immediately prior to the adjournment of the monthly workshop meeting of the Borough Council consistent with section 708(a)(1) of the Sunshine Act.

President Krummerich announced that an executive session of the Borough Council was conducted on Tuesday, March 8, 2016 commencing at 7:00 PM consistent with section 708(a)(1) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment and the investigation, review and evaluation of performance of specific employees of the Gettysburg Borough Police Department relative to the May 12, 2015 arrest of Derek Twyman; and (2) to consult with the Mayor, the Borough Manager and the Borough Solicitor in connection with issues on

which identifiable claims or complaints are expected to be filed against the Borough relative to the May 12, 2015 arrest.

President Krummerich announced that an executive session of the Borough Council shall be conducted immediately prior to the adjournment of this meeting consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment and the investigation, review and evaluation of performance of specific employees of the Borough Police Department relative to the May 12, 2015 arrest of Derek Twyman; (2) to provide information and to discuss and consider matters in connection with the possible purchase of real property by the Borough; and (3) to consult with the Mayor, the Borough Manager and the Borough Solicitor in connection with issues on which identifiable claims or complaints are expected to be filed against the Borough relative to the May 12, 2015 arrest.

**Moved Mr. Heyser, seconded Mrs. Hodges to approve the March 14, 2016 agenda as presented. Motion carried unanimously.**

**Moved Mrs. Hodges, seconded Mr. Schindel to approve the February 8, 2016 Council Business meeting as presented. Motion carried unanimously.**

**Moved Mr. Schindel, seconded Mr. Pitzer to approve the February 22, 2016 Council Workshop Session meeting as presented. Motion carried unanimously.**

**Public Comment:**

**Stan Clark, 915 Fairview Avenue**, expressed his concerns with the treatment of certain police officers regarding an outside investigation. He said that the investigation was not needed and that the officers were “threatened with termination if they do not accept the Borough’s terms”. Mr. Clark asked Council to terminate Manager Gable because he had Council members sign a confidentiality agreement before they were allowed to read the investigative report. He also asked that they stop using the labor law firm of Campbell Durrant Beatty Palombo and Miller of Pittsburgh, alleging that the firm has been ineffective for years.

**Mike Shestok, 264 Baltimore Street**, commended Jim Hale for his Saturday’s “Notebook” article, and Councilwoman Naugle’s recent articles in the *Gettysburg Times*. He also expressed concern about the officer involved in the investigation and the “low morale” in the police department. Mr. Shestok asked that this matter be allowed to “die” for now, stating that the “wheels of justice turn slowly and that it’ll get done in time”. He went on to say that “people are your most important resource” and that this issue is “wearing the staff out”. Mr. Shestok said that he would like to read good things in the newspaper.

**Steve Hemler, 535 York Street**, expressed his concern regarding the police investigation stating that it is a “witch hunt”. He said that some officials want to “get rid

of the police force” and use Cumberland Township Police. Mr. Hemler also agreed with Mr. Clark to eliminate Manager Gable and the Pittsburgh Law Firm.

**Charles Strauss, 38 West Middle Street**, said that he appreciates the police officers, but noted that he understands the restraints on the release of personnel information. He said that he feels Council could reveal more information regarding the process in the Officer Folster and Twyman matter, and by doing so would ease the citizens. Mr. Strauss noted that Manager Gable is liked in his neighborhood.

**Tom McKenney, 150 York Street**, said that he agrees with Mr. Clark and Mr. Hemler that the investigation was not needed. He noted that he endorsed certain Council members during their campaign. Mr. McKenney also said that he was not happy that Main Street Gettysburg was given the \$19,500 appropriation.

Scot Pitzer said that he would not vote to pay bills for the outside investigators, stating that the bills went over the \$7,500 that was allotted for this service. He said that “we need to be cognizant of our legal fees and how it impacts our budget”. AmyBeth Hodges agreed with Mr. Pitzer.

**Moved Mrs. Naugle, seconded Mr. Heyser to approve all bills and payrolls for the month as presented. YEA: Mr. Heyser, Mr. Schindel, Mr. Krummerich, Mr. Weaver and Mrs. Naugle. NAY: Mr. Pitzer and Mrs. Hodges. The vote passed 5/2.**

**Moved Mr. Pitzer, seconded Mr. Heyser to authorize a COLA increase for retired police pensioner Cytha Grissom, to be paid from the Police Pension Plan effective February 1, 2016. Motion carried unanimously.**

**Moved Mr. Weaver, seconded Mrs. Hodges to accept the J. P. Harris Tax Exoneration report for tax years 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 and 2014 as presented. Motion carried unanimously.**

**Moved Mr. Heyser, seconded Mrs. Naugle to approve and authorize the issuance of Certificates of Appropriateness for Items A (101 West Middle Street) and B (63 West High Street), as set forth in the minutes of the February 17, 2016 meeting of the Historic Architectural Review Board consistent with the findings and recommendations of HARB as set forth therein. Motion carried unanimously.**

Chief Dougherty gave a brief explanation for the need to discontinue the Civil Service testing for the Corporal positions. He said that he feels the staffing won’t be sufficient, and that the better plan for the police department is to continue with two sergeants. Chief Dougherty recommended that Council ask the Civil Service Commission to discontinue the Corporal exam and proceed with a Sergeant exam.

**Moved Mrs. Hodges, seconded Mr. Schindel to request that the Civil Service Commission discontinue the examination process for the Commission's certification of an eligibility list of candidates for the promotion and appointment to the position**

**of corporal in the Gettysburg Borough Police Department. Motion carried unanimously.**

**Moved Mr. Schindel, seconded Mr. Pitzer to notify the Civil Service Commission of a vacancy in the position of sergeant in the Gettysburg Borough Police Department and to request that the Civil Service Commission commence the examination process for the certification of an eligibility list of candidates for the filling by promotion of the position of sergeant. Motion carried unanimously.**

**Moved Mr. Pitzer, seconded Mr. Heyser to appoint Bryan Holden, an eligible applicant from the list of candidates for entry level patrol officer certified to the Borough Council by the Civil Service Commission of the Borough of Gettysburg, to the position of entry level patrol officer of the Gettysburg Borough Police Department. Motion carried unanimously.**

#### **Managers Report:**

Manager Gable announced that the Shepherd's Men will run through Gettysburg later this month. He said that they help raise awareness for the crisis of suicide among our combat veterans and for the SHARE Military Initiative's Life-Saving program. The information is included in Council packets.

Manager Gable announced that he and Gettysburg National Military Park Superintendent, Ed Clark, will be traveling to Sekigahara, Japan on March 17<sup>th</sup>. They will be attending the World Battlefields Summit. Their itinerary and information about Japan are included in Council packets.

#### **Liaison Reports:**

#### **GETTYSBURG AREA RECREATION AUTHORITY**

Mr. Schindel reported that GARA has received approximately 30 applications for the executive director position and will begin to review. He also reported that baseball season is gearing up, and that the baseball fields are being prepared for opening day in mid-April. Scot Pitzer said that GARA did a great job organizing the dodgeball event recently held at the recreation park.

#### **GETTYSBURG MUNICIPAL AUTHORITY**

Mrs. Naugle reported that GMA discussed lead in the water and said that they are required to test every three-years. She said that they do this by getting water directly from the spigots and that the results have been found to be in acceptable ranges. Mrs. Naugle also said that they continue to discuss the possibility of a General Obligation Bond to finance some upcoming projects.

## **USS GETTYSBURG**

Mr. Weaver reported that the USS Gettysburg continues to be in dry dock in Bath, Maine for repairs.

## **STEINWEHR AVENUE**

Mrs. Hodges announced that the Steinwehr Avenue Heart of Battlefield will be sponsoring two parades: Bike Week and Remembrance Day. She also said that a ribbon cutting is scheduled for May 23<sup>rd</sup> at 10:30AM at the newly built Appalachian Brewing Company on Steinwehr Avenue.

## **ADAMS COUNTY COUNCIL OF GOVERNMENTS**

Mr. Pitzer reported that the Adams County Council of Government raised money to be used for recycling of electronics at the Adams County Rescue Mission.

## **ADAMS COUNTY TRANSPORTATION PLANNING ORGANIZATION**

Mrs. Naugle announced that the next quarterly meeting of The Adams County Transportation Planning Organization will be held on March 23<sup>rd</sup>.

### **Council:**

Mrs. Susan Naugle reported that a resident expressed concern about the Borough Ordinance, Chapter 4, relating to buildings is possibly out-of-date. She said that she reviewed the section and it relates to landlords reporting. Mrs. Naugle asked that this item be placed on an upcoming work session agenda to review the ordinance. Manager Gable replied that there were several complaints received regarding student life in the college area. He said that the current ordinance doesn't deal appropriately with student life and should be amended.

Mr. Scot Pitzer read the following prepared statement: (1)“When I ran for Borough Council three years ago, my main priorities were public safety, being a steward of taxpayer dollars and keeping a watchful eye on spending. (2) Those priorities still hold true. (3) There has been an appearance of an adversarial police department for years and I would like to see that trend reversed, not worsened. (4) We have so many pressing issues that are facing our community, and we really need to move on. (5) Over the past three years, taxes have been raised, twice; and we still cannot afford to repave a major street, which was struck from the budget. (6) Additionally, we have a reserve fund that our finance director tells us is dangerously close to the newly-established fund balance minimum. (7) We have overly expensive parking meters that are likely to result in a budget shortfall, empty storefronts throughout town, a REDDI project that is unable to attract economic development and a tax base that is screaming for help. (8) These are just a few of the issues that are facing our community today. (9) I really feel we need to refocus and move onto matters that are important to our residents. (10) I am pro public

safety and pro taxpayer and I want to provide these services at the most affordable rate possible. (11) In conclusion, I think we really need to be extremely cognizant of our legal fees and how it impacts our budget. Because if we aren't cognizant, our residents and taxpayers will be impacted the most".

Mrs. AmyBeth Hodges read the following prepared statement: "Although I am limited as to what I can say regarding the current situation concerning the Police Department and the Taser incident, I would like to make the following public comment:

After serious consideration and studying of all the information provided to me, I do not and will not support any disciplinary action against members of the Gettysburg Police Department. Therefore, I would like to state publically that I will vote against any attempts to punish or reprimand the individuals concerned. I do not believe their actions warrant any such action.

I would also like to state that I believe that the actions taken so far by the previous Council and administration have cost the Borough taxpayers dollars that we do not have and will continue to do so until this matter is put to rest and we move on. We have already spent thousands of dollars for an unnecessary review plus the legal fees involved, and if we pursue the current course the cost will only continue to rise. Our taxpayers and Police Department deserve better than this!

I decided to run for Borough Council because I thought that the residents of Gettysburg deserved fair, honest and responsible representation. There is entirely too much negativity and conflict within the Borough management, staff, council and Police Department. I hope that we can put this incident behind us and move forward in a positive and transparent manner. Our residents expect and deserve no less".

Mr. Wesley Heyser thanked the citizens for coming to the meetings and appreciates their presence. He said that many have known him for a long time and his background, and said that it's difficult to ask but would hope that they trust that he will do what's best for the community.

Mr. Bob Krummerich asked if there was any public comment, but expressed that no slanderous or personal attacks be made to members of Council or more importantly Borough Staff. He said that any comments should be made directly to Council and not the staff.

#### **Public Comment:**

**Mike Shestok, 264 Baltimore Street**, said that he supports the work of Main Street Gettysburg and said that the Borough benefits with return on the investments. He noted that Main Street has presented documents and presentations to Borough Council and hopes that the other nonprofit organizations have provided the same as required.

Mr. Shestok thanked the Public Works crew for the work completed at Wade Avenue installing the handicapped ramp. He said that it was a challenging job and it looks great.

**Stan Clark, 915 Fairview Avenue**, said that the legal expenses for the police investigation was to be capped at \$7,500, and asked what the actual cost to date is. Mrs. Hodges responded that the Cafardi Ferguson invoice was \$5,419.58 and McNeilly invoice was \$4,550.

**Tom McKenney, 150 York Street**, said that he feels the previous Council didn't do a good job, and that they should have waited to see what happened with the police taser incident before contracting for a private investigation.

**Steve Hemler, 535 York Street**, thanked Scot Pitzer and AmyBeth Hodges for speaking up in defense of the police.

**Harry Hartman, Publisher, Gettysburg Times**, said that Council is not supporting the police department. He said that it is a personal vendetta from prior Council members. Mr. Hartman said that "the best thing that could happen is for Charles Gable to resign" and said that he will "push hard in the newspaper with all the power he has to make sure this happens".

President Krummerich said that he objects to the idea of a vendetta, and pointed out that he has been friendly with Chief Dougherty over the years.

**Karen Runk, 17 Meadow Lane**, asked what the agenda is against Chief Dougherty, her husband Larry Runk, and Chris Folster. She said that "it's certainly not for justice". President Krummerich said that Council wants to do what is best for the police department.

The meeting was adjourned to an executive session at 8:00 PM.

With no further business, moved Mr. Pitzer, seconded Mr. Heyser to adjourn the meeting at 9:40 PM.

Respectfully submitted,

Sara L. Stull  
Borough Secretary